NOTICE OF A VINEYARD
CITY COUNCIL MEETING
October 27, 2021 at 6:00 PM

PUBLIC NOTICE is hereby given that the Vineyard City Council will hold a regularly scheduled meeting on Wednesday, October 27, 2021 at 6:00 p.m. at City Hall, 125 South Main Street, Vineyard, Utah. The meeting can also be viewed on our live stream page.

AGENDA

Presiding Mayor Julie Fullmer

1. **CALL TO ORDER/INVOCATION/INSPIRATIONAL THOUGHT/PLEDGE OF ALLEGIANCE –** ***to be announced.***

2. **WORK SESSION**
   No items were submitted.

REGULAR SESSION

3. **PUBLIC COMMENTS** *(15 minutes)*
   "**Public Comments"** is defined as time set aside for citizens to express their views for items not on the agenda. Each speaker is limited to three minutes. Because of the need for proper public notice, immediate action **cannot** be taken in the Council Meeting. If action is necessary, the item will be listed on a future agenda, however, the Council may elect to discuss the item if it is an immediate matter of concern.

Public comments can be submitted ahead of time to pams@vineyardutah.org.

4. **MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS**

5. **STAFF, COMMISSION, AND COMMITTEE REPORTS** *(3 minutes each)*
   5.1 Interim City Manager George Reid
   5.2 Planning Commission Chair Bryce Brady
   5.3 Sergeant Holden Rockwell with the Utah County Sheriff's Office – Quarterly Report
   5.4 Finance Director David Mortensen – Quarterly Report

6. **CONSENT ITEMS**

6.1 Approval of the October 13, 2021 City Council Meeting Minutes

7. **APPOINTMENTS**

7.1 Vineyard Youth Council Executive Committee 7

With the advice and consent of the City Council, Mayor Julie Fullmer will appoint members of the Vineyard Youth Council to the Executive Committee. The swearing of the Youth Council Executive Committee will take place immediately following the appointments.

8. **DISCUSSION/PRESENTATIONS**

8.1 No items were submitted.

9. **BUSINESS ITEMS**

9.1 DISCUSSION AND ACTION – UTA Fence Betterments *(5 minutes)*

Public Works Director Chris Wilson will present a proposal from the Utah Transit Authority (UTA) contractor, Stacy and Witbeck to make improvements to the fence the was removed near the Public Works yard for access to work on the UTA double track. The mayor and City Council will take appropriate action.

9.2 DISCUSSION AND ACTION – Land Donation – 1600 North (Resolution 2021-21) *(5 minutes)*

City Engineer Naseem Ghandour will present a land donation from Geneva Properties (Anderson Geneva) to the city for trail completion along 1600 North. The mayor and City Council will act to approve or (deny) this request by resolution. ***This agenda item was presented to and approved by the City Council on October 13, 2021, but lacked the required resolution language, and is presented again to Council with resolution accompanied. The agenda documents presented are as approved by the City Council on October 13, 2021.***

10. **CLOSED SESSION**

The Mayor and City Council pursuant to Utah Code 52-4-205 may vote to go into a closed session for the purpose of (these are just a few of the items listed, see Utah Code 52-4-205 for the entire list):

(a) discussion of the character, professional competence, or physical or mental health of an individual
(b) strategy sessions to discuss collective bargaining
(c) strategy sessions to discuss pending or reasonably imminent litigation
(d) strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares
(e) strategy sessions to discuss the sale of real property, including any form of a water right or water shares
(f) discussion regarding deployment of security personnel, devices, or systems;
(g) the purpose of considering information that is designated as a trade secret, as defined in Section 13-24-2, if the public body's consideration of the information is necessary in order to properly conduct a procurement under Title 63G, Chapter 6a, Utah Procurement Code;

11. ADJOURNMENT

The next regularly scheduled meeting is November 10, 2021.

This meeting may be held in a way that will allow a councilmember to participate electronically.

The Public is invited to participate in all City Council meetings. In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the City Recorder at least 24 hours prior to the meeting by calling (801) 226-1929.

I the undersigned duly appointed Recorder for Vineyard, hereby certify that the foregoing notice and agenda was emailed to the Salt Lake Tribune, posted at the Vineyard City Offices, the Vineyard website, the Utah Public Notice website, and delivered electronically to city staff and to each member of the Governing Body.

AGENDA NOTICING COMPLETED ON: October 26, 2021

CERTIFIED (NOTICED) BY: /s/ Pamela Spencer
PAMELA SPENCER, CITY RECORDER

VINEYARD
STAY CONNECTED

MINUTES OF A VINEYARD CITY COUNCIL MEETING

City Council Chambers
125 South Main Street, Vineyard, Utah
October 13, 2021 at 6:00 PM

Present	**Absent**
Mayor Julie Fullmer	Councilmember John Earnest
Councilmember Tyce Flake	Councilmember Cristy Welsh
Councilmember Chris Judd	

Staff Present: Interim City Manager George Reid, City Attorney Jayme Blakesley, City Engineer Naseem Ghandour, Public Works Director Chris Wilson, Sergeant Holden Rockwell with the Utah County Sheriff's Office, Community Development Director Morgan Brim, City Planner Briam Amaya Perez, Finance Director David Mortensen, Water Manager Sullivan Love, Deputy Recorder Kelly Kloepfer, Heritage Commission Chair Tim Blackburn,

Others speaking: Jason Boal with Snell & Wilmer, Steve Hutchings with X Development, Residents Randy Gray, Gale Williamson, David Lauret, and Aubrey Bills

1. CALL TO ORDER/INVOCATION/INSPIRATIONAL THOUGHT/PLEDGE OF ALLEGIANCE

Councilmember Judd led the Pledge of Allegiance and offered the invocation.

<u>WORK SESSION</u>

2. UDOT Betterments for the Vineyard Connector

Staff and Council will discuss possible and desired betterments for the Vineyard Connector expansion.

Mayor Fullmer explained that this discussion was being moved to a future date.

<u>REGULAR SESSION</u>

3. PUBLIC COMMENTS

Mayor Fullmer called for public comments. Hearing none, she closed the public comments session.

4. MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

5. STAFF, COMMISSION, AND COMMITTEE REPORTS

5.1 Interim City Manager George Reid – Mr. Reid reported on meetings for the rail spur removal, realignment of 1600 North, and the department head retreat to outline the transition from the previous city manager to the new city manager.

5.2 Planning Commission Chair Bryce Brady – Mr. Brady was excused. Mr. Brim reported that at the last Planning Commission meeting the Sunlight Bilingual Preschool Conditional Use Permit was approved, and that the Planning Commission was recommending the Text Amendment (which was on the agenda tonight) for approval. Mr. Blackburn highlighted that the vote was a 4-1 vote.

5.3 Heritage Commission Chair Tim Blackburn – Quarterly Report. Mr. Blackburn outlined the Commission's requests from council, which included a clearer direction from the city as to expectations, a budget allocation, installation of the Walter's Way signage, placement of donated storage shed and vintage farm equipment to Public Works property, a historic bikeway, and support of a Vineyard Cemetery. He mentioned that City councilmember Cristy Welsh was serving as a regular member of the Commission.

Mayor Fullmer addressed his concerns and a discussion followed.

Mr. Blackburn presented the Commission's future vision which included plans for historical branding, commemorating Geneva Steel's history, recognizing Vineyard's veterans, and other plans to promote Vineyard's history in areas throughout the city. He concluded by reiterating his request for an annual budget and requesting Recreation, Arts, & Parks (RAP) funds for the Commission's projects.

Councilmember Judd recommended that the Heritage Commission work with staff to estimate how much money was needed for each item and to then submit a budget request to council. The discussion continued.

6. CONSENT ITEMS

6.1 Approval of the September 22, 2021 City Council Meeting Minutes

6.2 Approval of local consent for a DABC Limited-Service Restaurant Liquor License for Umami LLC

Mayor Fullmer called for a motion.

Motion: COUNCILMEMBER JUDD MOVED TO APPROVE CONSENT ITEMS 6.1 AND 6.2 AS PRESENTED. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE AND JUDD VOTED AYE. COUNCILMEMBERS EARNEST AND WELSH WERE ABSENT. THE MOTION CARRIED WITH TWO ABSENT.

7. APPOINTMENTS

7.1 Vineyard Youth Council Executive Committee 7

With the advice and consent of the City Council, Mayor Julie Fullmer will appoint members of the Vineyard Youth Council to the Executive Committee. (Due to Alpine School District's Fall Break this item is being postponed to the October 27, 2021 City Council meeting.)

8. DISCUSSION/PRESENTATIONS

8.1 No items were submitted.

9. BUSINESS ITEMS

9.1 PUBLIC HEARING – <u>Zoning Text Amendments (Ordinance 2021-14)</u>

*(This item **may** be postponed to the next City Council meeting scheduled to be held on October 27, 2021)*

Briam Amaya Perez will present an application from Jason Boal, with Snell and Wilmer Law Firm, for a zoning text amendment regarding Section 15.14.2.08 Development Standards, to increase the permitted number of residential units and density located within the regional mixed use zoning district. They mayor and City Council will act to adopt (or deny) this request by ordinance.

Mayor Fullmer called for a motion to open the public hearing.

Motion: COUNCILMEMBER FLAKE MOVED TO OPEN TO PUBLIC COMMENT AT 6:28 PM. COUNCILMEMBER JUDD SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE AND JUDD VOTED AYE. COUNCILMEMBERS EARNEST AND WELSH WERE ABSENT. THE MOTION CARRIED WITH TWO ABSENT.

Mr. Amaya Perez explained that the proposed amendment was an increase in the maximum allowable residential units and density in the Regional Mixed-Use (RMU) district through a development agreement. He emphasized that this was only for the RMU and not for the whole city. This amendment would increase the allowable units from 2,009 to 2,350. The proposal would facilitate a mixed-use, multi-family building at The Yard Plat B. He emphasized that this agreement opened the door to negotiations only; it did not guarantee that the project would be constructed. He detailed the purposes of the RMU district and stated that the Planning Commission had concerns which City Attorney Jayme Blakesley would address.

Mr. Blakesley stated that the development agreement would have to be a legislative instrument which would therefore have to go through the public comment process and approval by city council.

Resident David Lauret, living on Holdaway Road, voiced his opinion that changing the density for the RMU would be inappropriate and would impact the desirability of future development options. His suggestion was to limit the density increase to a specific lot or area within the RMU instead of for the whole RMU, to protect the city.

Mr. Blakesley responded that if the council wanted to limit the density increase to one location, a development agreement was the preferred instrument to accomplish that. The discussion continued.

Mr. Lauret stated that a concern that Planning Commission Chair Bryce Brady had was that he supported the density increase for the site east of Topgolf site, but not for other places in the RMU district, because of concerns with access.

Resident Randy Gray, living in The Villas, stated that more than seventy residents in his community and elsewhere in Vineyard were adamantly opposed. Mr. Gray asked what Vineyard got in exchange for this residential increase and how parking would be addressed, and a discussion ensued. He added that he and the residents he was representing were requesting a signal at Vineyard Connector and Main Street and a four-way stop sign at the intersection of Vineyard Loop Road and Main Street.

Resident Aubrey Bills, living in The Elms, asked what happened if the city didn't pass this. Mayor Fullmer responded that passing this provided the developer with the ability to apply. Mr. Brim added that the developer would then provide more details with their application. Ms. Bills wanted to see more discussion, especially since there were only three councilmembers here tonight. Mayor Fullmer explained that the fact that this decision tonight enabled a later legislative decision when the other councilmembers would be able to vote allayed that concern for her.

Resident David Lauret stated his concern that development agreements and overlays were workarounds to the zoning code and requested that if passed that they be made easily available to the public, as the codes were. Mayor Fullmer stated that they would be, and a discussion ensued about where the development agreements were available.

Mr. Lauret also shared his concern that the developer hadn't brought details of their plan.

Mayor Fullmer clarified that the developer did not have ability to show the city what they wanted to do until council made this change. She emphasized that the change would not tie our hands, and the council did not have to say yes in the future. It would still go through the legislative process and other applicants could come forward as well.

Councilmember Judd further explained that since the cap of 2,009 residential units had already been reached, the developer could not even apply. Therefore, developers currently had no avenue to apply until the cap was increased. Mayor Fullmer added that to create flexibility to meet our goals as a city, this was the avenue to consider the applications, not to commit to them. The discussion continued.

Mr. Blakesley explained that once a city defined the uses and the densities for zoning, if an application exceeded them, it was dead on arrival. The developer needed some understanding that the application would be received by the city before they put the resources into submitting. This provided an avenue for them to apply and did not change the procedure that the city used to enact that zoning change. There would still be a public noticing, public hearings before Planning Commission and City Council, etc.

Mayor Fullmer called for a motion to close the public hearing.

Motion: COUNCILMEMBER FLAKE MOVED TO CLOSE THE PUBLIC HEARING AT 7:06 PM. COUNCILMEMBER JUDD SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE AND JUDD VOTED AYE. COUNCILMEMBERS EARNEST AND WELSH WERE ABSENT. THE MOTION CARRIED WITH TWO ABSENT.

Mayor Fullmer called for a motion to reopen the public hearing.

Motion: COUNCILMEMBER JUDD MOVED TO REOPEN THE PUBLIC HEARING AT 7:06 PM. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE AND JUDD VOTED AYE. COUNCILMEMBERS EARNEST AND WELSH WERE ABSENT. THE MOTION CARRIED WITH TWO ABSENT.

Applicant Jason Boal with Snell and Wilmer emphasized that they were aware that this was a text amendment and not a rezone. This did not obligate the city but provided a mechanism for the developer to come back and make a proposal. He clarified that if a development agreement were to be reached, it would be for density to increase in that specific area, not for the entire RMU. He explained that they were proposing another layer of review and input from the public and to make sure that the project they were proposing met the goals of the community. He stated that parking and traffic could be a part of that agreement.

Resident Gale Williamson, living in The Villas, stated that he was against increasing density.

Mr. Boal responded that they were not asking for increased density tonight and that there was no obligation for the city to agree to that. He said they were asking for the opportunity to have that conversation.

Councilmember Judd asked why they were specifically asking for a maximum of 341 additional units.

Steve Hutchings with X Development responded that he thought the final number would be less than 341. He understood that any other developer could also apply as a result of this decision tonight. Mr. Boal stated that they were prepared to move quickly, adding that he felt they would be providing a benefit to the community. Planning Commission and City Council would have a chance to weigh those benefits before approving their application.

Mayor Fullmer commented that whatever happened would be highly scrutinized not only by the Planning Commission and City Council, but by the public.

Councilmember Judd proposed putting a sunset clause in the development agreement so it added adequate timeframes so that council and citizens could feel comfortable. The discussion about adding a sunset clause continued.

Mr. Hutchings declared that they would make the application immediately and that the users would bring economic development to the city. Mr. Brim said that other developers were interested, and he encouraged the applicants to move very quickly. Mayor Fullmer encouraged them to also show why it would be important to the city.

Resident Gale Williamson asked the council to consider quality of life, not just money. He was concerned about a one-sided presentation if the developer was the one telling the city how their project would benefit the city.

Councilmember Flake commented that he ran for city council because of these kinds of issues. He had sat through all the presentations for almost the last eight (8) years. He stated that he did not take this change lightly at all. Roads, infrastructure, and law enforcement cost money and it was the council's job to find the money to pay for them. Funds came from businesses and the taxes they paid. He stated that if he was not looking for businesses to come in, he was short-changing Vineyard residents by giving them a city that did not take care of their needs. He explained that he had listened to these applicants with previous projects as well as this one tonight. He felt comfortable with the presentation, since it would be legislative, and therefore he would still have power to change this. He said he understood and shared Mr. Williamson's concerns because he lived here. Since last week he had asked questions and had them answered. He had done his due diligence and was ready to vote. He stated that council would make sure the developers followed through, which had not always been the case. He hoped that would help the residents feel better about the process.

Mayor Fullmer added that increasing the tax base did improve and protect quality of life, which is why they wanted to scrutinize this project. When or if the city made a development agreement it would reflect council's vision of quality of life. Council would consider the citizens' concerns and needs and do their best and make a good decision that they could stand by, and citizens could then hold them accountable.

Motion: COUNCILMEMBER FLAKE MOVED TO CLOSE THE PUBLIC HEARING AT 7:37 PM. COUNCILMEMBER JUDD SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE AND JUDD VOTED AYE. COUNCILMEMBERS EARNEST AND WELSH WERE ABSENT. THE MOTION CARRIED WITH TWO ABSENT.

Mayor Fullmer called for a motion.

Motion: COUNCILMEMBER JUDD MOVED TO ADOPT ZONING TEXT AMENDMENTS ORDINANCE 2021-14 WITH THE FOLLOWING MODIFICATION: THAT WE INSERT A SECTION TWO JUST BELOW SECTION ONE THAT READS: THE TEXT AMENDMENT MADE BY THIS ORDINANCE ALLOWS FOR THE MAXIMUM RESIDENTIAL DENSITY TO BE INCREASED THROUGH A DEVELOPMENT AGREEMENT. IF THE CITY DOES NOT RECEIVE A COMPLETE APPLICATION FOR SUCH DEVELOPMENT AGREEMENT WITHIN TWELVE (12) MONTHS OF THE PASSAGE OF THIS ORDINANCE, THEN THE TEXT AMENDMENTS ACCOMPLISHED BY THIS ORDINANCE SHALL BE VOID AND THE TEXT OF THE AMENDED CODE SHALL REVERT TO THE LANGUAGE THAT EXISTED PRIOR TO THIS ORDINANCE BEING ADOPTED.

Mayor Fullmer asked for a clarification on the modification. Mr. Blakesley stated that it would turn the clock back to yesterday if no application was received within twelve months.

Mayor Fullmer called for a second to the motion.

COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE AND JUDD VOTED AYE. COUNCILMEMBERS EARNEST AND WELSH WERE ABSENT. THE MOTION CARRIED WITH TWO ABSENT.

9.2 DISCUSSION AND ACTION – Franchise Agreement with Questar Gas Company DBA Dominion Energy Utah (Ordinance 2021-13)

City Attorney Jaymie Blakesley will present a franchise agreement between Vineyard and Questar Gas Company DBA Dominion Energy Utah. They mayor and City Council will act to adopt (or deny) this request by ordinance.

Mayor Fullmer turned time over to City Attorney Jayme Blakesley. Mr. Blakesley explained the franchise agreement and that it would be for a thirty-year term. Mayor Fullmer asked if it changed anything. Mr. Blakesley replied no and that there was no cost to the agreement.

Mayor Fullmer called for a motion.

Motion: COUNCILMEMBER JUDD MOVED TO ADOPT THE FRANCHISE AGREEMENT WITH QUESTAR GAS COMPANY DBA DOMINION ENERGY UTAH ORDINANCE 2021-13 AS PRESENTED. COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE AND JUDD VOTED AYE. COUNCILMEMBERS EARNEST AND WELSH WERE ABSENT. THE MOTION CARRIED WITH TWO ABSENT.

9.3 DISCUSSION AND ACTION – Approval of PTIF Management Authorization (Resolution 2021-20)

Finance Director David Mortensen is requesting that authority to manage the City's PTIF accounts be given to him and Treasurer Bayley Deason. The mayor and City Council will act to approve or (deny) this request by resolution.

Mayor Fullmer turned the time over to Finance Director David Mortensen.

Finance Director David Mortensen explained that the transition in finance staff required council approval to appoint two individuals who would be authorized to make changes to the city's Public Treasurers' Investment Fund (PTIF) accounts. He was requesting that he and Treasurer Bayley Deason be those two individuals.

Mayor Fullmer called for a motion.

Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE THE PTIF MANAGEMENT AUTHORIZATION RESOLUTION 2021-20 AS PRESENTED. COUNCILMEMBER JUDD SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE AND JUDD VOTED AYE. COUNCILMEMBERS EARNEST AND WELSH WERE ABSENT. THE MOTION CARRIED WITH TWO ABSENT.

9.4 DISCUSSION AND ACTION – Land Donation – 1600 North (Resolution 2021-21)

City Engineer Naseem Ghandour will present a land donation from Geneva Properties (Anderson Geneva) to the city for trail completion along 1600 North. The mayor and City Council will act to approve or (deny) this request by resolution.

City Engineer Naseem Ghandour explained that the city wished to accept approximately 0.29 acres of unimproved property at 1600 North and 250 West from Geneva Properties. This property would be part of the connection to the Lindon Heritage Trail which was to be constructed during 2022. He indicated that there was no cost to the city.

Mayor Fullmer called for a motion.

Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE THE ACCEPTANCE OF DONATION OF UNIMPROVED PROPERTY DESCRIBED IN EXHIBIT "A" FROM GENEVA ANDERSON LLC, RESOLUTION 2021-21 AS PRESENTED. COUNCILMEMBER JUDD SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE AND JUDD VOTED AYE. COUNCILMEMBERS EARNEST AND WELSH WERE ABSENT. THE MOTION CARRIED WITH TWO ABSENT.

9.5 DISCUSSION AND ACTION – Plat Amendment for the Meadows Final Plat 10
City Planner Briam Amaya Perez will present a plat amendment for a boundary line adjustment between landowners Markus and Schramm. The mayor and City Council will take appropriate action.

Mr. Amaya Perez presented the plat amendment and explained that the Markus family bought property in a neighboring lot from the Schramm family, and they were amending their lot lines through the final plat amendment application. Mr. Amaya Perez reported that they had met all Subdivision Code and Utah County Recorder requirements and Mr. Amaya Perez was recommending approval of the final plat.

Mayor Fullmer called for a motion.

Motion: COUNCILMEMBER JUDD MOVED TO APPROVE THE FINAL PLAT AMENDMENT AS REQUESTED BY THE APPLICANT. COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE AND JUDD VOTED AYE. COUNCILMEMBERS EARNEST AND WELSH WERE ABSENT. THE MOTION CARRIED WITH TWO ABSENT.

9.6 DISCUSSION AND ACTION – Interlocal Agreement with UDOT for Vineyard Connector & Main Street Traffic Signal (Resolution 2021-22)
City Engineer Naseem Ghandour will present a request for approval of an interlocal agreement between Vineyard and the Utah Department of Transportation for the installation of a streetlight at the intersection of the Vineyard Connector and Main Street. The mayor and City Council will act to approve or (deny) this request by resolution.

Mayor Fullmer asked Mr. Ghandour to address Resident Randy Gray's earlier question about the intersection at Vineyard Loop Road and Main Street.

Mr. Ghandour first explained the Interlocal Agreement and reported that studies showed that with improvements and future development that a traffic signal was warranted and gave further details on the funding.

Mr. Ghandour responded to the question about Vineyard Loop Road and Main Street and indicated that staff had been in talks regarding a warrant study for that intersection and gave further details on pedestrian improvements. Mayor Fullmer added that council had authorized the warrant study for 400 North and Main Street as well as the 600 North and Main Street and 400 North and Vineyard Loop Road intersections.

Councilmember Flake asked about the timeline for the traffic signal at the Connector and Main Street. Mr. Ghandour replied that it would be complete in early- to mid-2022.

Mayor Fullmer called for a motion.

Motion: COUNCILMEMBER JUDD MOVED TO APPROVE THE INTERLOCAL AGREEMENT BETWEEN UDOT AND THE CITY FOR THE INSTALLATION OF A 4-

WAY TRAFFIC SIGNAL AT VINEYARD CONNECTOR ROAD & MAIN STREET RESOLUTION 2021-22. COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS FLAKE AND JUDD VOTED AYE. COUNCILMEMBERS EARNEST AND WELSH WERE ABSENT. THE MOTION CARRIED WITH TWO ABSENT.

10. CLOSED SESSION

No closed session was held.

11. ADJOURNMENT

Mayor Fullmer called for a motion to adjourn the meeting.

Motion: COUNCILMEMBER FLAKE MOVED TO ADJOURN THE MEETING AT 7:55 PM. COUNCILMEMBER JUDD SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS FLAKE AND JUDD VOTED AYE. COUNCILMEMBERS EARNEST AND WELSH WERE ABSENT. THE MOTION CARRIED WITH TWO ABSENT.

MINUTES APPROVED ON: ____

CERTIFIED CORRECT BY: /s/ Kelly Kloepfer
KELLY KLOEPFER, DEPUTY RECORDER

Vineyard Youth Council Executive Committee

Youth Mayor: Holland Welch

Youth City Manager: Janelle Dadson

Youth Recorder: Harrison Welch

Activities Chair: Ashlyn May

Beautification Chair: Alexa Dadson

Meetings and Election Chair: Sean Gudmundson

Service Chair: Natalie Welsh

VINEYARD
STAY CONNECTED

VINEYARD CITY COUNCIL STAFF REPORT

Meeting Date: 10-27-2021

Agenda Item: 9.1 UTA Fence Betterments

Department: Public Works

Presenter: Chris Wilson

Background/Discussion:
UTA is currently working on their double track project along our Public Works Yard. We granted them access for their project to the railroad right-of-way through the property. As part of the work, the UTA contractor, Stacy and Witbeck, removed segments of the existing barbed wire fencing and plan to replace it to match existing. We will need to upgrade this fence with the construction of the water tank and for yard security. We see this as an opportunity for a betterment of the fence. The advantage of completing this work now will eliminate the need for the city to permit with UTA in the future and save flagging and other costs. Stacy and Witbeck have provided a cost of $34.50/lf for a 6-foot black vinyl coated chain link fence betterment. Our water tank contractor provided us current bids for standard 6-foot chain link, not coated, ranging from $32/lf to $52/lf and recommended that we proceed with this betterment with Stacy and Witbeck. The length of fence will need to be closer to 1,370 feet. This will bring the total cost to $50,000 with some minor contingency.

Fiscal Impact:
CIP Funds

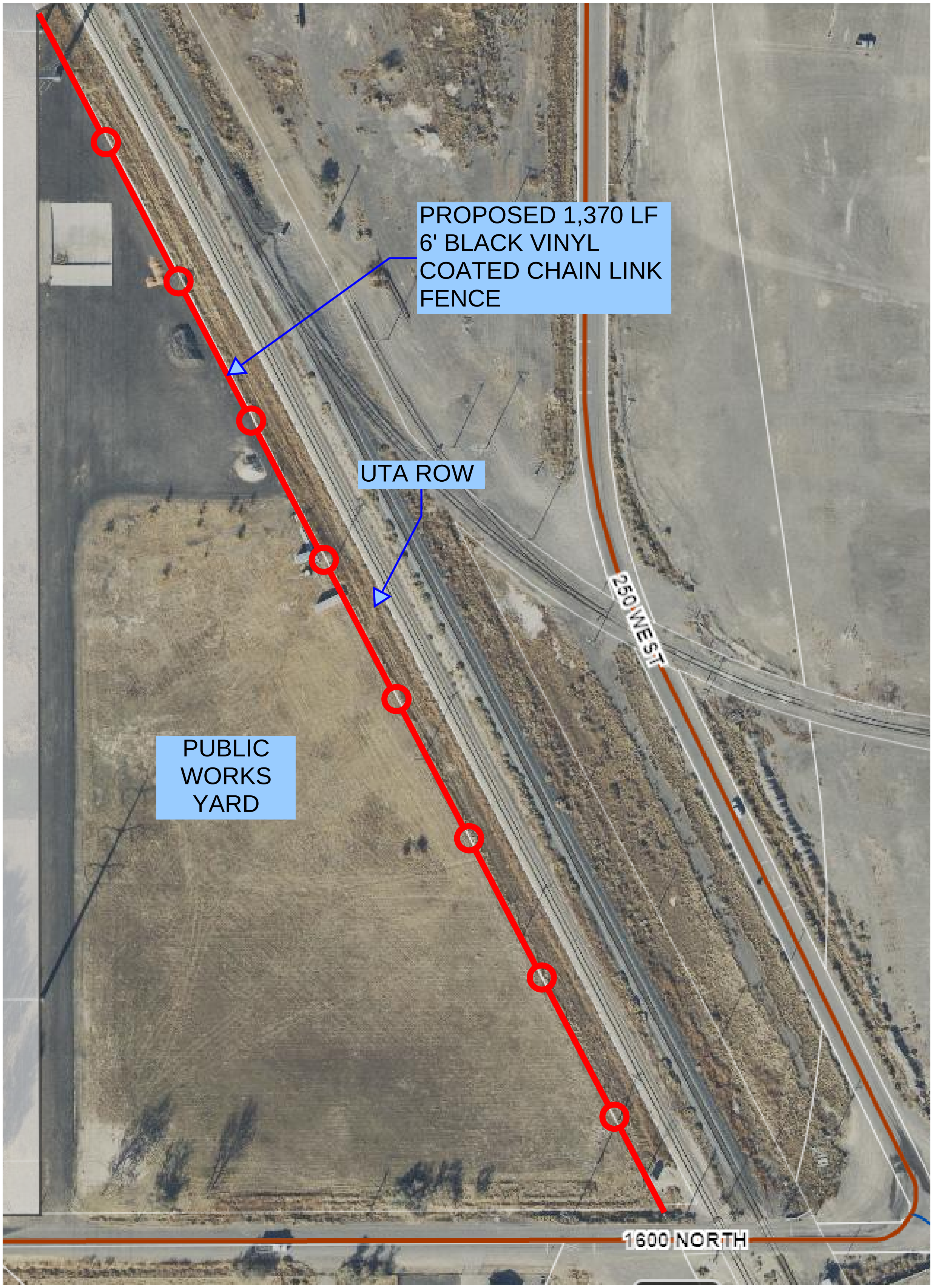
UTA Fence Betterment	= $42,577.78
Additional length to bid	= $ 5,520.00
Contingency	= $ 1,902.22
Total	= $50,000.00

Recommendation:
Motion to Approve.

Sample Motion:
Motion to approve the proposed UTA fence betterment and budget and allow staff to proceed with the work as proposed.

Attachments:
UTA Fence Betterment Exhibit
Fence Contractor Estimate
Stacy and Witbeck Change Order

UTA FENCE BETTERMENT EXHIBIT



155 W Central Ave
Millcreek,UTAH 84107
801.671.0489
fence1@comcast.net

INVOICE NO.
DATE September 22, 2021
CUSTOMER ID

STACY&WITBECK
VINEYARD PROJECT
ATTN;Marcus Olmstead

SALESPERSON	JOB	PAYMENT TERMS	
CHRISTOPHER RODRIGUEZ	Vineyard	NET 30	

QUANTITY	DESCRIPTION	UNIT PRICE	LINE TOTAL
1210.00	Furnish and install appproximately 1210' of six foot tall	$34.50	$41,745.00
	BLACK chain link. TYPE IV.		
	PRICE GOOD FOR 14 DAYS		
		SUBTOTAL	$41,745.00
		SALES TAX	
		TOTAL	**$41,745.00**

SIGNATURE: ____________________

Make all checks payable to Wasatch Front Fence
THANK YOU FOR YOUR BUSINESS!

Stacy and Witbeck

POTENTIAL CHANGE ORDER

PCO# 004

Date 10-13-21

To:
Utah Department of Transportation
Attn: David Gill RE
658 North 1500 West
Orem Utah, 84057

From:
Stacy and Witbeck Inc
1958 W North Temple
Salt Lake City Utah 84116

Project Name: Vineyard Commuter Rail Station
Project number: S-R399(283)
Project ID: 16790

Description of Change: Vinyl Fencing for Vineyard City

Summary of requested change:

Vineyard City has requested a proposal to install 1,210 LF of six-foot vinyl fencing in front of their water storage tank on Vineyard Road.

Below is the estimated cost to install 1,210 LF of six-foot vinyl fencing including the removal of 517 LF - barbed wire fencing and the deletion of 693 LF - new barbed wire fencing. The unit costs for items 102020.3 and 115020.1 come from our original estimate for the Vineyard Commuter Rail Station Project. The new vinyl fencing quote is from Wasatch Front Fence (see attached).

Activity ID	Description	Quantity	Direct Cost UP	Total Direct Cost	Indirect +Markup (12.75%)	Total Cost + Ind/MU
102020.3	Remove Fence-Barbed Wire	517	$3.41	$1,762.97	$224.78	$1,987.75
115020.1	RIGHT-OF-WAY FENCE TYPE A (METAL POST)	(693)	$8.29	($5,744.97)	($732.48)	($6,477.45)
N/A	New Vinyl Fence per quote	1,210	$34.50	$41,745.00	$5,322.49	$47,067.49
					Total for PCO#004:	$42,577.78

A total of $ 42,577.78 is requested in PCO#004 for new vinyl fencing along Vineyard Road.

Please let me know if you have any questions.

Sincerely,

Marcus Olmstead
Stacy and Witbeck
801.644.0520

VINEYARD
STAY CONNECTED

VINEYARD CITY COUNCIL STAFF REPORT

Meeting Date: 10-27-2021

Agenda Item: 9.2 Acceptance of Unimproved Property from Geneva Anderson

Department: Engineering Development

Presenter: Naseem Ghandour, P.E. (City Engineer)

Background/Discussion:
This agenda item was presented to and approved by Council on October 13, 2021, but lacked the required resolution language, and is presented again to Council with resolution accompanied. The agenda documents presented are as approved by Council on October 13, 2021.

City staff wishes to accept the section of unimproved property of approximately 0.29 acres, shown in the attached boundary survey, adjacent to the 1600 North and 250 West from Geneva Anderson, LLC. This unimproved section would allow the city to provide connectivity to the Lindon Heritage Trail, that is expected to be constructed in 2022, providing for pedestrian access to the Lindon Marina. The Lindon Heritage Trail is aligned to the City's Trail Master Plan and its Active Transportation Plan. The unimproved property is will not provide additional maintenance responsibility to the City other than the grounds maintenance per the City's landscaping maintenance requirements. Geneva Anderson LLC is requesting to provide this subject unimproved property to the City at no cost to the City.

Fiscal Impact:
No Cost to City

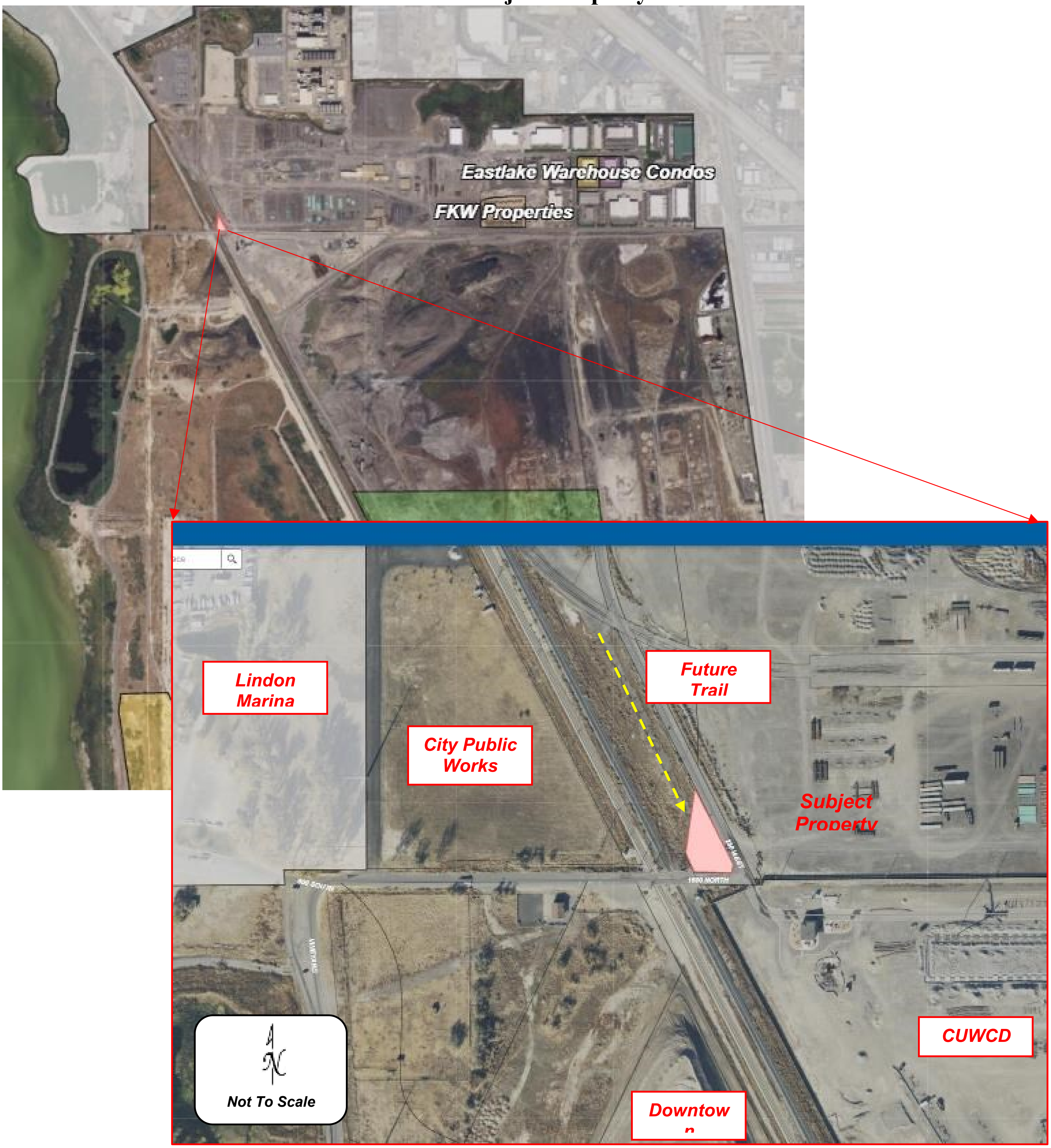
Recommendation:
Staff Recommends Approval.

Sample Motion:
Motion to approve **the resolution of** the acceptance of donation of unimproved property described in Exhibit "A" from Geneva Anderson LLC.

Attachments:
Aerial of Subject Property
Quit Claim Deed and documents

VINEYARD CITY COUNCIL STAFF REPORT

Aerial of Subject Property



VINEYARD

RESOLUTION 2021-21

A RESOLUTION OF VINEYARD CITY, UTAH ACCEPTING A SECTION OF UNIMPROVED PROPERTY FROM GENEVA ANDERSON, LLC

WHEREAS, Geneva Anderson, LLC, ("Geneva") owns approximately 0.29 acres of unimproved property adjacent to approximately 1600 North and 250 West (the "Property"), as shown on Exhibit A, attached hereto, and incorporated herein by reference; and

WHEREAS, Geneva desires to donate the Property to the City at no cost to the City; and

WHEREAS, the acceptance of the Property would allow the City to provide connectivity to the upcoming Lindon Heritage Trail; and

WHEREAS, the City Council has determined that the proposed donation of the Property will promote the public interest and welfare and desires to accept the donation;

NOW, THEREFORE, be it resolved by the City Council of Vineyard, in the State of Utah, as follows:

Section 1. Approval. The City Council of Vineyard City hereby approves the donation of the Property, as shown on Exhibit A, attached hereto, and incorporated herein by reference.

Section 2. Authorization. The City Council hereby approves that certain Special Warranty Deed and Certification of Acceptance of Real Property Conveyance by Municipality, attached hereto as Exhibit B, and incorporated herein by reference. The Mayor of the City is authorized to execute the agreement for and on behalf of the city.

Section 3. Severability Clause. If any section, part, or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance; and all sections, parts, and provisions of this Ordinance shall be severable.

Section 4. Effective Date. This Resolution shall be in full force and effect from October 13, 2021 and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE VINEYARD CITY COUNCIL ON THIS 27th DAY OF OCTOBER, 2021.

Presiding Officer	Attest
____________________________	____________________________
Julie Fullmer, Mayor, Vineyard	Pamela Spencer, City Recorder

MAIL TAX NOTICES TO GRANTEE(S) AT:
125 S. Main, Vineyard, UT 84059

Property Reference Information:
Tax Parcel No(s).:**38-507-0013**

SPECIAL WARRANTY DEED
and
Certification of Acceptance of Real Property Conveyance by Municipality

Anderson Geneva, LLC, a Utah limited liability company, and
Ice Castle Retirement Fund, L.L.C. a Utah limited liability company, ("Grantors"),

in exchange for good and valuable consideration, hereby conveys and warrants against all who claim by, through, or under Grantor to

VINEYARD CITY, a body politic organized in the State of Utah. ("Grantee")

in fee simple the following described real property located in **UTAH** County, Utah, together with all the appurtenances, rights, and privileges belonging thereto, to wit (the "Property"):

> **LOT 13, EASTLAKE AT GENEVA INDUSTRIAL BUSINESS PARK, AMENDMENT 2, PHASE 5 SUBDIVISION, ON FILE AND OF RECORD IN THE OFFICE OF THE UTAH COUNTY RECORDER.**

With all the covenants and warranties of title from Grantor in favor of Grantee(s) as are included with a conveyance of real property by special warranty deed under Utah law, except for, however, the Property is subject to: (a) leases, rights of way, easements, reservations, plat maps, covenants, conditions, and restrictions appearing of record and enforceable in law; (b) zoning and other regulatory laws and ordinances affecting the Property; and (c) real property taxes and assessments for the year **2021** and thereafter.

APPROVAL AND CERTIFICATION OF ACCEPTANCE by GRANTEE

Vineyard City, as Grantee, having duly approved the transfer of the real property parcel described herein, hereby acknowledges, and accepts the conveyance of the Property.

[Remainder of page intentionally left blank. Signature pages to follow.]

-Signature Page to Special Warranty Deed-

Each individual signing below certifies that they are duly appointed by the Grantor entities as agent representatives authorized to execute this instrument on their behalf with the intent and for the purposes described herein.

Witness the hand of Grantors this ____ day of ____________________**, 2021**.

Anderson Geneva, LLC

By:________________________________
Name:

Title:

Ice Castle Retirement Fund, L.L.C.

By:________________________________
Name:

Title:

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

On this ____ day of ____________**, 2021**, personally appeared before me ________________________ who stated he is the __________________________ **of Anderson Geneva, LLC** the named Grantor of the within instrument, proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and duly acknowledged that he executed this instrument in his authorized capacity on behalf of said company, intending to be legally bound. Witness my hand and official seal.

____
NOTARY PUBLIC

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

On this ____ day of ____________**, 2021**, personally appeared before me ________________________ who stated he is the __________________________ **of Ice Castle Retirement Fund, L.L.C.** the named Grantor of the within instrument, proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and duly acknowledged that he executed this instrument in his authorized capacity on behalf of said company, intending to be legally bound. Witness my hand and official seal.

____
NOTARY PUBLIC

-Signature Page to Special Warranty Deed-

Grantee Acknowledgement of Acceptance of Conveyance

The official who signs this deed certifies that this conveyance has been duly approved by Grantee and that they have executed this deed in their authorized capacity on behalf of Grantee.

Witness the hand of Grantee this ____ day of ___________________________**, 2021**.

VINEYARD CITY

By:_______________________________________
Name:

Title:

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

On this ____ day of _______________**, 2021**, personally appeared before me ________________________ and stated that they are the _______________________________ of **Vineyard City** the named Grantee of the within instrument, proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and duly acknowledged that they executed this instrument in thier authorized capacity on behalf of said company, intending to be legally bound. Witness my hand and official seal.

____
NOTARY PUBLIC

Receipt for Donation of Real Property

Vineyard City, a body politic organized in the State of Utah, hereby acknowledges the receipt of the conveyance of the following described real property located within the boundaries of Vineyard City, Utah County, Utah, together with all the appurtenances, rights, and privileges belonging thereto (the "Property"):

LOT 13, EASTLAKE AT GENEVA INDUSTRIAL BUSINESS PARK, AMENDMENT 2, PHASE 5 SUBDIVISION, ON FILE AND OF RECORD IN THE OFFICE OF THE UTAH COUNTY RECORDER.

(For Reference: Tax Parcel ID No. 38-507-0013)

At the time of conveyance, the Property has an agreed upon market value of Seventy Thousand Dollars ($70,000.00).

The Property was donated and conveyed by Grantors:

Anderson Geneva, LLC, a Utah limited liability company; and
Ice Castle Retirement Fund, L.L.C. a Utah limited liability company

Acknowledged this ______ day of ____________________, 2021.

VINEYARD CITY

By:_____________________________________
Name:

Title: