MINUTES OF A WORK SESSION WITH STAFF AND REGULAR MEETING OF THE VINEYARD TOWN COUNCIL
Town Hall, 240 East Gammon Road, Vineyard, Utah
September 14, 2016 at 6:00 PM

Present	**Absent**
Mayor Randy Farnworth	Councilmember Dale Goodman
Councilmember Tyce Flake	Councilmember Julie Fullmer
Councilmember Nate Riley	

Staff Present: Building Official George Reid, Community Development Director Morgan Brim, Planning Commission Chair Chris Judd, Town Clerk/Recorder Pamela Spencer, Finance Director Jacob McHargue, Utah County Sheriff's Deputy Collin Gordon, Water and Wastewater Systems Manager Sullivan Love, Community Development Technician Elizabeth Hart, Attorney David Church.

Others present: Stephen Berry with Franklin Discovery Academy

6:00 PM WORK SESSION WITH STAFF

PLANNING COMMISSION UPDATE AND RECOMMENDATIONS TO THE COUNCIL: Planning Commission Chair Chris Judd – Chair Judd reported on the zoning text amendments that would be discussed during the public hearing later in the meeting. He mentioned that Planning Commission would be changing their start time to 6:30 PM.

COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

Councilmember Dale Goodman – Councilmember Goodman was excused.

Councilmember Tyce Flake – Councilmember Flake reported that at the Utah League of Cities and Towns (ULCT) their main concerning was the gas tax allocation. He said that ULCT had made their recommendations to the legislature.

Councilmember Nate Riley – Councilmember Riley reported that he attended the Utah County Economic Development meeting. He briefly discussed the Heritage Commission.

Councilmember Julie Fullmer – Councilmember Fullmer was excused.

MAYOR'S REPORT - Mayor Farnworth had no new items to report.

STAFF REPORTS
Public Works Director /Engineer– Don Overson – Mr. Overson was excused.

Utah County Sheriff's Department – Deputy Collin Gordon – Deputy Gordon had no new items to report.

Community Development Director – Morgan Brim – Mr. Brim reported that he was working on an amendment to the zoning map for a future agenda. He wanted to have zoning in place for any new development and make sure the text and map matched.

Finance Director – Jacob McHargue – Mr. McHargue reported that they met with Everbridge, an emergency notification system that they were working on introducing to the Town staff and residents. He reported that there were some change orders for the Public Safety Building. Mr. Reid reported that the four-way for the Public Safety Building had been done and that they would start landscaping next week.

Attorney – David Church – Mr. Church reported that he spoke with Todd Trane from JUB and they did not have a right-of-way secured from the property owners. Mike Hutchings with Anderson Geneva thought that it had been agreed upon and they were working with the property owners. Mr. Church said that Martin Snow and Anderson Geneva was on board but he was not sure if the other landowner was in agreement. He added that once they sign the contract there would be a 30-day period to give Union Pacific the environmental conditions (No further action letter).

Town Clerk/Recorder – Pamela Spencer – Ms. Spencer had no new items to report.

Building Official – George Reid – Mr. Reid reported that he was looking at other options for a third party review company. Mr. McHargue said that the job posting for a building inspector was open until filled.

ITEMS REQUESTED FOR FUTURE AGENDAS

- *Amend the Consolidated Fee Schedule* **–** Ms. Spencer explained the recommended fee changes.
- *Interlocal Agreement for Building Inspection Services*
- *OHV/ATV use within Town Limits*
- *Weapons/Firearms Discharge and Hunting within Town Limits*
- *Film Permit* – Mr. Brim briefly explained the need for a film permit.
- *How to Develop a Committee* – Mayor Farnworth felt there was a need to have a work session on how to develop a committee.

AGENDA REVIEW
Time permitting, the Mayor and Town Council will review the items on the agenda.

Mayor Farnworth briefly went over the regular agenda items. Mr. Brim briefly explained the amendments to the zoning ordinance.

***RDA Agenda* –** The Council briefly discussed the RDA agenda.

Council took a break at 6:32 PM.

6:40 PM REGULAR SESSION

Present	**Absent**
Mayor Randy Farnworth	Councilmember Dale Goodman
Councilmember Tyce Flake	Councilmember Julie Fullmer
Councilmember Nate Riley	

Staff Present*:* Building Official George Reid, Community Development Director Morgan Brim, Planning Commission Chair Chris Judd, Town Clerk/Recorder Pamela Spencer, Finance Director Jacob McHargue, Utah County Sheriff's Deputy Collin Gordon, Water and Wastewater Systems Manager Sullivan Love, Community Development Technician Elizabeth Hart, Attorney David Church.

Others present: Stephen Berry with Franklin Discovery Academy, Jonathan Kano with Freedom Preparatory Academy.

Mayor Farnworth called the regular session to order at 6:40 PM. The invocation was given by Councilmember Flake.

CONSENT ITEMS:

a) Approval of the August 24, 2016 meeting minutes
b) Approval of the Final Plat for Leisure Villas
c) Approval of the Final Plat and Site Plan for FKW Properties

Mayor Farnworth called for a motion.

Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE THE CONSENT ITEMS AS NOTED. COUNCILMEMBER RILEY SECONDED THE MOTION. ALL PRESENT WERE IN FAVOR. MOTION CARRIED WITH TWO ABSENT.

OPEN SESSION: *Citizens' Comments*

Mayor Farnworth called for public comments. Hearing none, he closed the session.

BUSINESS ITEMS:

5.1 DISCUSSION AND ACTION – <u>Franklin Discovery Academy Evacuation Plan</u>
Franklin Discovery Academy will present their evacuation plan. The Mayor and Town Council will take appropriate action.

Mayor Farnworth turned the time over to Stephen Berry with Franklin Discovery Academy.

Mr. Berry explained Franklin's evacuation plan, which was to use Gammon Park if they needed to remove the students and staff completely from the property. He asked for Council's approval to use the park. Councilmember Flake asked that they give the Council a yearly update on the school. He added that the Town would like to be notified of any evacuations. Mayor Farnworth asked them to come back and report to Council when they have their winter evacuation plan. Council agreed to allow the use of the park.

5.3 DISCUSSION AND ACTION – <u>Amend the Municipal Code Section 3-301</u>
(ORD# 2016-11)
The Mayor and Town Council will approve by Ordinance to change the Regular Town Council Meeting start time from "7:30 PM" to "once the work session has concluded".

Ms. Spencer explained the need for the change. Mayor Farnworth called for a motion.

Motion: COUNCILMEMBER RILEY MOVED TO AMEND THE MUNICIPAL CODE SECTION 3-301 TO INDICATE THAT THE COUNCIL MEETING WILL START ONCE THE WORK SESSION HAS CONCLUDED. COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FARNWORTH, COUNCILMEMBERS FLAKE AND RILEY VOTED AYE. COUNCILMEMBERS FULLMER AND GOODMAN WERE ABSENT. MOTION CARRIED WITH TWO ABSENT.

5.4 DISCUSSION AND ACTION – Amend the Municipal Code Chapter 9

(ORD No. 2016-12)

Staff is requesting an amendment to the Municipal Code; Chapter 9 Section 9-114 to change the date that Business License fees are due, the date we start charging a late fee, and adding a provision for collecting penalty fees for not having a license and for collecting late renewal fees.

Ms. Spencer explained the need for the change. There was a brief discussion on the proposed changes.

Mayor Farnworth called for a motion.

Motion: COUNCILMEMBER FLAKE MOVED TO AMEND THE MUNICIPAL CODE CHAPTER 9 SECTION 9-114 OF THE VINEYARD TOWN CODE REGARDING THE LICENSING OF BUSINESSES PROVIDING FOR A LATE FEE AND PENALTY FOR NOT TIMELY RENEWING OR APPLYING FOR A BUSINESS LICENSE. COUNCILMEMBER RILEY SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FARNWORTH, COUNCILMEMBERS FLAKE AND RILEY VOTED AYE. COUNCILMEMBERS FULLMER AND GOODMAN WERE ABSENT. MOTION CARRIED WITH TWO ABSENT.

Mayor Farnworth called for a motion to go into the RDA meeting.

Motion: COUNCILMEMBER FLAKE MOVED TO ADJOURN THE COUNCIL MEETING AT 6:54 PM AND MOVE INTO AN RDA MEETING. COUNCILMEMBER RILEY SECONDED THE MOTION. ALL PRESENT WERE IN FAVOR. MOTION CARRIED WITH TWO ABSENT.

The Council meeting resumed at 7:26 PM.

5.2 DISCUSSION AND ACTION – Freedom Preparatory Academy Evacuation Plan

Freedom Preparatory Academy will present their evacuation plan. The Mayor and Town Council will take appropriate action.

Mayor Farnworth turned the time over to Jonathan Kano with Freedom Preparatory Academy.

Mr. Kano explained the school’s evacuation plan. He said that the main plan would be to evacuate to the park across the street if they needed to leave the premises. He mentioned that he had spoken with Mr. Overson about putting a cross walk or stop light for the children to cross Main Street at 400 North. He said that Mr. Overson suggested moving it farther north near the future parking lot. Mayor Farnworth asked if there was a gate in the fence on the east side of their property. Mr. Kano replied that there was walkway but the children did not walk through it. Mayor Farnworth expressed his concern with cars stopping on the road at that spot to drop their children off. Mr. Kano replied there was no drop point there and added that they had crossing guards to prevent that. Councilmember Flake requested that they include in their emergency plans that they would notify the Town in case of an emergency. Mayor Farnworth thanked Mr. Kano for being proactive in helping with the crossing guards.

5.5 7:30 PM – PUBLIC HEARING – **Zoning Ordinance Amendments**

The Town Council will hold a public hearing regarding Town initiated zoning text amendments regarding Planning Commission authority, planning application process and accessory dwelling units. The following chapters are under consideration:

- Chapter 3 Land Use Authorities and Other Officers
- Chapter 4 Applications and Decision Making Standards
- Chapter 5 Amendments to the General Plan and Land Use Ordinances
- Chapter 9 Noticing Requirements
- Chapter 12 Land Use Application Procedures
- Chapter 14 Permitted Uses
- Chapter 15 Conditional Uses
- Chapter 17 Supplementary Development Standards
- Chapter 18 Project Site Planning and Building Design Requirements
- Chapter 30 Definitions

Mayor Farnworth turned the time over to Community Development Director Morgan Brim.

Mr. Brim briefly discussed the proposed changes. Highlights were:

Purpose:

- Ease the current work load of the council by providing the commission with decision-making authority of non-legislative application processes
- Stream-line the application process to encourage economic development and overall effectiveness of the review process
- Provide clarity in application processes by removing procedural redundancies and internal code conflicts

Amendments:

- Conditional Uses approved by Planning Commission
- Site Plan with 10 or more single family residential units, multifamily and commercial uses are approved by the Planning Commission
- Alternate Planning Commissioners are defined as "Members"
- Text amendments and zone map changes only require one meeting with the Planning Commission and Town Council
- Standards are provided for accessory dwelling units

Councilmember Riley asked how they addressed issues such as the subdivision that went in west of the Mayor's house. He explained that they were surprised at how high the subdivision was, which caused complaints from Orem residents. They did not want people looking into their backyards. Mr. Brim replied that it would be addressed through the code. He said that they could not add conditions onto the site plans. He added that they could address impacts. He said that it would go through the Development Review Committee (DRC), who would make sure that the development met the standards. He explained the DRC process. Mayor Farnworth asked at what point in time would they catch elevation concerns, etc. Councilmember Riley felt they were going backwards, to address things like the storm water issues. Mayor Farnworth explained that Orem did not put the drainage in deep enough which determined the elevation of the homes. There was a discussion of storm water and sewer issues. Mr. Judd felt that it was having trust in staff to find any issues when reviewing the applications. Mr. Reid explained that they were reviewing in detail the sites that were being proposed and working through those types of issues.

Mr. Judd suggested that if there were concerns staff could address them in their staff reports. Mr. Brim explained that they were creating a criteria compliance check sheet that they would use when reviewing applications. Mr. Judd felt that it was helpful that staff was looking at it together. There was further discussion about the DRC process.

Councilmember Flake asked what the term “sight lines” meant in the code. Mr. Brim replied that it was what you could see, usually from a designed spot. There was further discussion on sight lines. Mr. Brim stated that they needed to have text in the code that was clear and defined things so they were enforceable. Mr. Judd asked if a Certificate of Occupancy would affect the retention of water on a site. Mr. Reid replied that it would.

Mr. Brim said that staff and Planning Commission were recommending approval of the proposed changes.

He explained the Accessory Dwelling Units (ADU). He said that they would be a protected use. Mr. Judd commented that staff would have the ability to track those units.

Motion: COUNCILMEMBER FLAKE MOVED TO OPEN THE PUBLIC HEARING AT 7:51 PM. COUNCILMEMBER RILEY SECONDED THE MOTION. ALL PRESENT WERE IN FAVOR. MOTION CARRIED WITH TWO ABSENT.

Mayor Farnworth called for public comment. Hearing none, he called for a motion to close the public hearing.

Motion: COUNCILMEMBER FLAKE MOVED TO CLOSE THE PUBLIC HEARING AT 7:51 PM. COUNCILMEMBER RILEY SECONDED THE MOTION. ALL PRESENT WERE IN FAVOR. MOTION CARRIED WITH TWO ABSENT.

Mayor Farnworth called for a motion to schedule the action date for this item.

Motion: COUNCILMEMBER FLAKE MOVED TO SCHEDULE THE ACCEPTING OF THE AMENDMENT TO THE ZONING ORDINANCE TO THE NEXT SCHEDULED COUNCIL MEETING ON SEPTEMBER 28. COUNCILMEMBER RILEY SECONDED THE MOTION. ALL PRESENT WERE IN FAVOR. MOTION CARRIED WITH TWO ABSENT.

CLOSED SESSION:

No closed session was held.

ADJOURNMENT:

Mayor Farnworth called for a motion to adjourn the meeting.

Motion: COUNCILMEMBER RILEY MOVED TO ADJOURN THE COUNCIL MEETING AT 7:52 PM. COUNCILMEMBER FLAKE SECONDED THE MOTION. ALL PRESENT WERE IN FAVOR. MOTION CARRIED WITH TWO ABSENT.

The next regularly scheduled meeting is September 28, 2016.

MINUTES APPROVED ON: September 28, 2016

CERTIFIED CORRECT BY: /s/ Pamela Spencer
PAMELA SPENCER, TOWN CLERK/RECORDER