THE TOWN OF
Vineyard
240 East Gammon Road
Vineyard, Utah 84058
1-801-226-1929

***MINUTES OF THE VINEYARD TOWN COUNCIL MEETING***
***Vineyard Town Hall, 240 East Gammon Road, Vineyard, Utah***
***May 28, 2014 at 7:00 pm***

| **Present** | **Absent** |
|---|---|
| Mayor Randy Farnworth | |
| Councilmember Sean Fernandez | |
| Councilmember Dale Goodman | |
| Councilmember Julie Fullmer | |
| Councilmember Nate Riley | |

**Staff Present:** Attorney David Church, Town Planner Nathan Crane, UCSO Deputy Collin Gordon, Water Operator Sullivan Love, Building Inspector Douglas Bezzant, Treasurer Jacob McHargue, Engineer Don Overson, Town Clerk/Recorder Pamela Spencer

**Others Attending:** Wesley McDougal President of First Digital, Pete Evans with Flagship Homes, Bruce Baird Attorney for the WatersEdge Development, Residents Sherry Kay Miller and Tiffany Houston.

The Vineyard Town Council held a regular meeting on May 28, 2014 starting at 7:07 PM in the Vineyard Town Hall. The invocation was offered by Mayor Farnworth.

***REGULAR SESSION –*** The meeting was called to order at ***7:07 PM***

**CONSENT ITEMS:** There were no items for consent at this meeting.

**PLANNING COMMISSION UPDATE AND RECOMMENDATIONS TO THE COUNCIL:** Planning Commission Chair Wayne Holdaway expressed mosquito abatement concerns.

**STAFF REPORT**
Planner – Nathan Crane – Mr. Crane wanted to let the council know that he will be looking at the Cottonwood Partners' proposal on the Southwest corner of Geneva and Vineyard Connector on Friday.

Engineer – Don Overson - JUB Engineers – Mr. Overson said that they will be asphalting Holdaway Road next week and that he will be talking with the homeowners to see what needs to be fixed. He mentioned that he advertised for the park and park strip maintenance and should have a company on board next month. He stated that he is still working on the Public Safety building. He said he has three architects and would like to get one more before he sends out the Request for Proposal (RFP). He said that the Main Street soils report for the area north of 400 North has compaction problems and they will have to add soil and compact it to make sure the road is stable. He mentioned that the Megaplex is going full bore and will be pouring cement for a solid week and that they are pushing the 24/7 rule to have it ready for a November opening. He said that they had the preconstruction meeting for the Vineyard Crossing/Pinnacle Apartments and they have started work.

Water Operator Technician – Sullivan Love – Mr. Sullivan had no items to report at this time.

Attorney – David Church **-** Mr. Church said that they have an appraiser working on the appraisals for the new and old railroad spur and should hear back from them in about a week. He mentioned that the Vineyard Connector would be under construction soon. He said the trade on the two rail spurs is still going forward.

Utah County Sheriff Department – Collin Gordon – Deputy Gordon had no items to report at this time.

Treasurer – Jacob McHargue – Mr. McHargue had no items to report at this time.

Town Clerk/Recorder – Pamela Spencer - Ms. Spencer had no items to report at this time.

**COUNCILMEMBER'S REPORTS**

**Councilmember Nate Riley –** Councilmember Riley said that some of the residents asked if we have addressed the Heritage Committee items. Mayor Farnworth mentioned that he did meet with Grant and they could talk about it at the end of the meeting.

**Councilmember Dale Goodman -** Councilmember Goodman reported that the Town received the 2014 Public Works Project of the Year award for the RDA Lift Station #2 from the APWA Utah Chapter. He asked if there was a Weed Ordinance. Mr. Church said we do have a Weed Ordinance that is typical of other cities. Councilmember Fullmer asked if that involves the putting sod in after a certain period. Mr. Church said that is a different section and must have the front and side yard put in within a year. Councilmember Goodman welcomed Don Overson as the new Public Works Director/Engineer. Mayor Farnworth said that they sat down with staff and discussed that Mr. Overson will be over water, inspections and Planning and Zoning.

**Councilmember Julie Fullmer –** Councilmember Fullmer said she would like to receive the meeting packets 48 hours before the Town Council meeting. Mayor Farnworth directed staff to get their agenda items in to the Recorder by the Friday before the meeting and if we do not have the items by Monday, they will not go on the agenda. The Town Council agreed.

**Councilmember Sean Fernandez –** Councilmember Fernandez asked Mr. Overson if they cleared up the concern over a plugged culvert with the ditch company. Mr. Overson said they had and it was a beaver that plugged it.

**MAYOR'S REPORT –** Mayor Farnworth said that we signed the interlocal agreement with North Pointe Solid Waste Special Service District and it is now complete. He mentioned that the Utah Lake Commission has removed 75 million pounds of carp from the lake and that they have another 5 years and are looking for further funding. He said that they have only been speaking to the towns or cities that border the lake and realized that others dump storm water into the lake and are asking them for their help on the committee and the cleanup. He mentioned that there have been more people calling and asking what is going on in the town. He said that there were articles in the Salt Lake Tribune and in the Deseret News that mentioned Vineyard as the third fastest growing community in the state and that Nathan Crane did a great job with the interview. Mayor Farnworth mentioned that he talked to Mr. Overson about fixing up the Tennis Court, with the gate falling off and to look at the restrooms that are sinking. He said that anyone who turns on the gas for the pavilion needs to make sure if gets turned off.

**OPEN SESSION:** *Citizens' Comments*

Mayor Farnworth opened the Public Session; there were no comments so he closed the session.

**BUSINESS ITEMS:**

**8.1 DISCUSSION – Fiscal Year 2014-2015 Tentative Budget**
*Jacob McHargue, Treasurer, will present preliminary budget information for consideration and discussion with the Mayor and Town Council. The Final Budget will be reviewed and approved following a Public Hearing to be held on June 11, 2014.*

Mayor Farnworth asked if the council had any questions. Councilmember Fernandez asked for a quick overview.

Mr. McHargue mentioned that the fire services are the same percentage of the budget as Orem pays for theirs and that it went up to 15.92 percent. Councilmember Fernandez asked if that was because of the population increase. Mr. Church said that we agreed to contribute the same percent from our General Fund that they pay from their General Fund. He stated that we are paying for standby fire protection. Mr. McHargue said that last year it was nine percent and we paid $81,000.00 for fire, which equals out to $7,415.25 a month and if the new percentage is correct that number will jump to $19,000.00 a month. Mr. Church said they did not adjust the number; they just carried over the numbers from last year's budget. Mayor Farnworth said that he will be meeting with the new Fire Chief and City Manager at the end of June. Mr. McHargue said he is moving the budget around to meet the $239,000.00 for the new fiscal year.

Mr. McHargue mentioned that there were changes in the highways and public improvements and if there is additional money from this year, he will roll it into the capital improvements fund for the park strip installation.

Mr. McHargue explained the differences in the budget from last year and the proposed budget for the coming year. The current revenues are $1.778 million and the budget as it stands is $1.5 million. He said that he projected low on building permit fees and development fees, and if we continue on this trajectory, the numbers will far exceed the current budget.

Councilmember Riley asked about the payment on the Cook property. Mr. McHargue said that he has already made the final payment and the obligation is complete.

Councilmember Goodman asked what the balance is for the rainy day fund. Mr. McHargue said there is a fund but that they never decided what the maximum number needs to be and he would like some direction from the Council on it.

Mayor Farnworth asked Mr. Overson if there is enough money in the park maintenance to get the bathroom straightened up. Mr. Overson said that we do not know what it is going to cost until they can get the pit dug to see what it is going to take to raise it. Mayor Farnworth asked Councilmember Goodman for a recommendation, and where did the number come from on the park maintenance. Mr. McHargue said that the park maintenance is at $35,000.00, which is higher than we have spent in the past, and he believes there is room in the park budget as long as it does not cost $25,000.00. Mayor Farnworth mentioned that there are two trees that need to be replaced.

Mayor Farnworth asked about the Public Safety budget and does that include a fulltime sheriff. Mr. McHargue said that he did not put that in the budget and that it would cost $112,000.00 to have a fulltime deputy. He said that from what Deputy Gordon is saying we will need one by the time the Megaplex opens and the apartments are completed. Mayor Farnworth asked Nathan Crane how many residents we should have by October for the Edgewater development. Mr. Crane said that there should be around 120 residents. Mayor Farnworth said that we need to keep in communication with the Sheriff about when we need to add a fulltime deputy. Mr. McHargue said that we need to find the money for it, we currently budgeted $40,000 and need to find an additional $72,000. Mayor Farnworth asked Mr. Church if the sheriff is considered general fund money and can we use RDA funds to pay for it. Mr. Church said that it is a general fund expense and should be paid for from property, franchise and general taxes. He told Mr. McHargue that when he calculates the general fund on the percentage for the Fire Department, not to combine all the funds into the general fund. Mr. McHargue said that the current budget is $1.5 million and if we don't bring a fulltime sheriff on until January we will be a little closer to the $40.000. Mr. Church that they should wait and bring one on after the Megaplex opens and anticipate that there should be a jump in sales tax revenue and the budget should reflect something from them. He mentioned that the revenue lags a quarter behind. Mr. McHargue said that Megaplex should be open for seven months of the fiscal year and with five months of sales tax and based on their estimated annual revenue of $5.5 million we should have an additional $10,000 in sales tax revenue, which is a conservative estimate.

Councilmember Riley reminded them that a few years ago they had a road repair project on Vineyard Road and it appears that we are on the edge of needing to fix it again, and asked if there is money in the next budget cycle to repair it. Mr. McHargue said that as part of the budget we have $50,000 for road maintenance. Mayor Farnworth said that as developments come in to the area that will be a road we are moving away from. Mr. Bezzant said that there will be a population increase of 80 to 100 single family dwellings. Mr. McHargue said that he budgeted for 200 ERUs, which include the single family and multifamily homes. He said that we have had 102 building permits picked up since January.

Councilmember Fernandez asked about the IT budget for a server. Mr. McHargue mentioned that the server has already been installed, and we should only have maintenance costs. Mayor Farnworth said that if we get the fiber optic in that would help.

Mayor Farnworth said that one more item that needs to be on there is getting Town Hall hooked to the sewer. Mr. Overson said that he is hoping to have enough money from the Holdaway Road budget hook it up and improve the parking lot.

Mr. McHargue said that he is working with Mr. Overson on impact fees charges so the general fund does not have to take all of the balance and the roadway impact fees will help cover it. He added that the main focus is public safety.

Councilmember Riley said that it sounds like we are being very conservative on the revenue side and if there is some point we could re-look at the revenue and bump it up a little bit, but not strip everything out now. Mayor Farnworth said that we are going to be readjusting the budget throughout the year. He said that we are playing it close the chest by being conservative now and will reevaluate it next year with the Megaplex. Mr. McHargue said that the areas we are being conservative on are economy driven. He mentioned that we are high on the revenue side as well as the high on the expense side. He stated that if we are too high on the expenses we may have to amend the budget and there is only one category that is even close. Councilmember Riley said that if we set the number for the fire services we do not need to immediately start cutting checks. Mr. McHargue said that it is 15 percent of this year's general fund revenue. Mr. Church mentioned that it is 15 percent of last year's budget. Mayor Farnworth suggested the Council get a hold of Mr. McHargue with any other concerns and that there has already been a Public Hearing noticed for June 11, 2014.

**8.2 PRESENTATION – First Digital**

*A representative from First Digital will present their internet options for service to the Town.*

Wesley McDougal President of First Digital, presented the company's background and their growth. He mentioned that they provide services to residential homes and businesses and asked if there is a demand in Vineyard for them to continue to invest.

Mayor Farnworth said that the new developments will have conduits put in for fiber. He mentioned that the only place that is struggling to get conduits is the Sleepy Ridge subdivision. He said that their intent is to have fiber throughout the town.

Mr. McDougal asked if the service in the neighborhoods is adequate. Mayor Farnworth said that our intent is that communications companies would lease our conduits. Mr. Overson said they are willing to put in the infrastructure themselves. Mr. McDougal said that they are willing to work with Mr. Overson and see what is already in place and what is not.

Mayor Farnworth asked if they are working with each development. Mr. Overson said that they are serving most of the Geneva property along Mill Road. He mentioned that his concern is getting the same type of service in the rest of Vineyard and how slow the service is to Town Hall.

Mayor Farnworth asked if there is conduit under the railroad tracks. Mr. Overson said that is one thing they did not put in. Mr. McDougal said that it is more expensive to run under the tracks. Mayor Farnworth asked if we have conduit run to the first intersection (Main Street) and if there is any on 575 South. Mr. McDougal said that they do have some service in Orem but no service on the west side of I-15.

Councilmember Fernandez asked if they are competing with UTOPIA in Orem. Mr. McDougal said that they are competing with everyone. They can use UTOPIA's fiber but they prefer to have their own fiber so they can trouble shoot it and only lease it when they have to.

Councilmember Fernandez asked what they are looking for from us other than letting us know you are within reach of the town. He asked if they are looking to partner with Vineyard to utilize our conduits. Mr. McDougal said they wanted to know if there is a demand, and let them know they could bring the cost down by using their conduit. He said that they are currently providing services on a market driven basis, and wants to know if the demand is there, or if there is a specific need for the town. Mr. Overson said that if they are able to associate with First Digital when putting roads in, it would give them the opportunity to put in their conduits. He said it makes sense to do it all at once instead of like Sleepy Ridge where they will have to dig into each driveway. He mentioned that they said they could get a gig to each home.

Councilmember Fullmer asked if there is any way to put it into Sleepy Ridge. Mr. Overson said there are some options. Mr. McDougal said if there is a demand in Sleepy Ridge, they could do it, but will have to bore and trench. He asked what they are currently using. Councilmember Fullmer said they are currently using Comcast or Digis. Mr. Love said that they should do a survey with the residents and see what they want.

Councilmember Riley mentioned that the population would take what we can offer them. He said we need to find out what the end user and the town are going to have to pay to offer the high-speed service.

Mayor Farnworth said that they should have Mr. Overson sit down with them and get some real numbers.

Mr. Overson said that they will look at the Master Plan roads to see where we need to be. He will make sure that it is all in the works to bring fiber to the homes.

Councilmember Riley asked if there is conduit in Holdaway Road and down to the Shores but not Sleepy Ridge. Mr. Overson said that it was not in Sleepy Ridge because it was built before they even thought of putting fiber in the ground, but they do have some options.

8.3 **DISCUSSION AND ACTION – Utility Statement Billing Options**

*Jacob McHargue, Treasurer, will present an option for the residents to have their Utility Statements emailed to them each month along with any newsletter or inserts. The recommendation is for an Opt Out option The Mayor and Town Council will take appropriate action.*

Mr. McHargue said he has been working with Pelorus to get the option to send utility bills through email, which would be a significant savings to the town. He mentioned that the current residents will have an opt-in option, and new residents have an opt-out option, where they will give us an email address as part of the application and have to state if they want a paper statement.

Mayor Farnworth asked if others cities are going to this format. Mr. McHargue said that not just cities, but also more businesses are going paperless.

Councilmember Fullmer said she has only seen an opt-in option, and asked if the opt-out option is something we can do. Mr. McHargue said that the opt-in is the only way to do it with current customers, but with new customers, we can do an opt-out option.

Mayor Farnworth asked if the council wants to pursue it. Councilmember Fernandez said that he likes the opt-out option and feels that is where everything is heading.

Councilmember Riley said that there will need to be upgrades to our website so that it is easier for people to find the "Pay my bill" button by adding it to the front page and make it more simple. Councilmember Fullmer said that the way it is now it is easy to find.

Mr. McHargue said that Xpress Bill Pay does help a lot and the only people who are having any problems are those that are trying to pay with an EFT from their bank. He said that Pelorus and Xpress Bill Pay are communicating to make it work.

Mayor Farnworth said that we are trying to streamline as much as possible and make it user friendly.

Councilmember Fullmer asked if there is a place for people to opt-in for the newsletter. Mr. McHargue said he is working on a place that they can opt-in to any correspondence and have it emailed to them. Mayor Farnworth asked if the Council agreed to move forward with it and they did.

**8.4 DISCUSSION AND ACTION –**

***Zoning Ordinance Change – General Plan***

*Flagship Homes and Woodside Homes of Utah are requesting to amend the General Plan, to change the Land Use Designation for 244 acres, from Low Density Residential, to Mixed Use Residential. A Public Hearing for this item was held on April 23, 2014. Two work sessions were held previous to tonight's meeting. The Mayor and Town Council will take appropriate action.*

**Zoning Ordinance Change – Chapter 7**

*Flagship Homes and Woodside Homes of Utah are requesting to amend Chapter 7 Special Purpose Districts by adding the WatersEdge Zoning. The proposed project will allow for 2,414 homes on 419 acres. A Public Hearing for this item was held on April 23, 2014. Two work sessions were held previous to tonight's meeting. The Mayor and Town Council will take appropriate action.*

**Zoning Ordinance Change - WatersEdge Zoning District**

*Flagship Homes and Woodside Homes of Utah are requesting to rezone 419 acres from HDR (High Density Residential) and A-1 (Agricultural) to Water's Edge Zoning District. A Public Hearing for this item was held on April 23, 2014. Two work sessions were held previous to tonight's meeting. The Mayor and Town Council will take appropriate action.*

Mayor Farnworth mentioned that the developer came up with a new map and then turned the time over to the Town Planner Nathan Crane

Mr. Crane said that he wanted to focus on three topics, the first one is a history of how they got from point A to point B. He said the second is the value of the amenities and the RDA land values. He said that the third one is the product type, and that at the last meeting there was a lot of discussion on attached units, how to revise the plan, etc. He said that his understanding was that the developer was to revise the plan and bring it back to Council for discussion. He stated that this plan has been through a lot of revisions and one of the things they are asking the Council is to adopt new Zoning. He said that the current zoning does not match the plan and he has heard other concerns such as amenities changing, and things changing in the Zoning District, so they took an approach of," let's design the land use map and have the Zoning District updated and present it to the Council for adoption". He mentioned that they received the revised map late yesterday and he had not had a chance to go through it in detail. He suggested they go through some particular information and ask questions. He mentioned that he received a phone call from the applicants requesting a formal adoption of the project's general plan, the zoning district, and rezoning. He said that working with the City Attorney they came up with an agreement that would allow the Council, if they choose, to provide some level of acceptance of the map as presented tonight with or without changes. He said that is why there are no ordinances or full documentation to implement the entire plan.

Mr. Crane discussed the details on the parks, the biggest being the sports park of 18 acres, with a land value of about 3.6 million dollars, reimbursed through the RDA. He said the community park is 5.9 acres and that the RDA will fund the construction of it. It will have a land value of about 1.2 million dollars. He mentioned another park is the lake park at 3.6 acres, with a land value of about $720,000. He said that there are a couple of other city owned parks throughout the development, with a land value of 1.1 million dollars, that will have estimated improvement costs of about $884,000.00. He mentioned that there are two private parks, a clubhouse and other amenities with a flat park fee, that will have a land value and improvement cost of about $700,000.00. The land values of all of the parks combined is about $7,000,000.00 and the improvement values are about 1.2 million dollars.

Councilmember Riley asked about the improvement number on the 18-acre park. Mr. Crane said that he did not include that number or the 5.9-acre park, because they are being reimbursed through the Town. He mentioned that the land value for all of the other parks is about $5,000,000.00 with an improvement value of $900,000.00.

Mr. Crane discussed the different housing types, showing the Cluster housing product with unique aspects of shared driveways, private open space with a clubhouse, and a pool. He showed the Tandem housing product type, which is the Town Home product that is side by side, with the garage entrance from the back.

Mayor Farnworth asked Mr. Crane to point out where the projects are going on the map. Mr. Crane pointed out the town homes in the upper area.

Mr. Crane showed examples of the single family home, and the streetscape. Councilmember Goodman asked if there will only be attached along Vineyard Connector. Mr. Crane said yes and then showed an example from Woodside Homes.

Mayor Farnworth asked the Council if they had any questions, hearing none he turned the time over to Pete Evans from Flagship.

Mr. Evans said that the goal is to look at the plan and decide if it is a plan that is good for the Town. He mentioned that he has been working with Mr. Crane and Mr. Church on the Zoning Ordinances. He showed the revised plans and explained what the major changes are, going from West to East on the south end of the property. He stated that some of the areas changed from 12,000 sq. ft. lots to 15,000 sq. ft. lots, some 8,000 sq. ft. lots changed to 10,000 sq. ft. lots, some 6,500 sq. ft. lots to 8,000 sq. ft. lots. He explained that one area with 4,500 sq. ft. lots with a variety of housing is now 5,400 and 6,500 sq. ft. lots with cluster housing and 4,500 sq. ft. lots with homes to match the ones in the LeCheminant subdivision. He said that all of the attached housing has been removed from the sod farm piece and the lots have gotten bigger with the exception of the area by the LeCheminant subdivision. He mentioned that the open space, parks, and clubhouse stayed the same. He explained that the north area changed with a large section of town homes being moved to a detached housing product and all of the attached product being along the Vineyard Connector. He said that they removed 200 units from the north and 100 units from the south. He explained that the land mass was distributed among the existing lots which changed the lot designations and sizes and because of the changes they need to change the Ordinances. He said that on the north area the town home density went down, and some changed from an apartment to a town home. The Duplex Mansion product was changed to a general six to the acre product and that it is not a product designation, but more a density designation. He explained that the 3,500 sq. ft. lots and the town home area are now all 4,500 sq. lots, with the town homes removed.

Mr. Evans said that when they look at how it fits into the surrounding uses, currently it borders the Homestead development on the south, the Town Center to the north, which is all attached product, from the railroad tracks to the east is Regional Mixed Use (RMU) with 2,000 apartment units. He mentioned that as they looked at the density and uses proposed, in each case they are lower than the adjacent and surrounding uses. He said that the Geneva piece was general planned for Mixed Use Residential, the sod farm was general planned as single family residential and a General Plan Overlay on the shore. He showed a close up of the plan and how the different areas fit together, and how they interconnect with the trails, parks, and open space. He mentioned that in the prior use plan, by acreage 19 percent of the project was attached, and 81 percent was detached. He said on the revised plan it is now 90 percent detached and 10 percent attached by acreage. The product on the prior use by unit was 53 percent detach and 47 percent attached, and on the revised plan you have 65 percent detached and 35 percent attached.

Mr. Evans showed the distribution by acreage by the different product types on the south area. He pointed out that the prior plan had everything from clusters, detached housing, deluxe mansions, and 3,500 sq. ft. lots to 20,000 sq. ft. lots. He said that the new plan starts at 4,500 sq. ft. lots and goes up to 20,000 sq. ft. lots, and on the south 31 percent of the acreage is open space.

Mr. Evans gave a quick summary of the changes where they reduced the attached product by 400 units, reduced the overall unit count by 312 or by 13 percent, and increased the lot size overall on the sod farm. He said they increased the average lot size in the Geneva parcel and reduced the attached housing to just the cluster housing along the Vineyard Connector. He mentioned that they eliminated the 7,000 sq. ft. lots on the sod farm and went to 8,000 sq. ft. lots, the 12,000 sq. ft. lots went to 15,000 sq. ft. lots, the 8,000 sq. ft. lots to 10,000 sq. ft. lots, and they eliminated the 3,500 and 5,000 sq. ft. lots on the sod farm and the duplex mansions.

Mr. Evans said with these changes there were trickle down changes that he wanted the Council to be aware of. He said the new TIF is about $57,000,000.00 in tax increment over the RDA period, which is a reduction of about $11,000,000.00 in RDA dollars from the previous plan. He said they are still planning on working with the Town on a beachfront restoration project.

Mr. Evans showed examples of their products. He said if you look at the general plan zoning designation with what the town has planned, there is no a real increase in density based on the anticipated use and the current zoning on the north piece. He said that they will generate $57,000,000.00 million in RDA funding to pay for infrastructure, tentative incentives and environmental cleanup. He stated that they believe it is a well-planned residential development, which will drive future commercial use and be a magnet for other uses in the town. He said they feel it has a variety of housing types with a good balance, of product, price and style. He mentioned the front load funding for the construction of the infrastructure on Vineyard Road and 400 North and the dedication of the needed right of way for master planned roads such as Vineyard Road, 400 North and Main Street. He said they are planning to dedicate 77 acres of parks, parkways, and open spaces, with the land costs not being reimbursed by the RDA. He said that they believe it is a cohesive plan that integrates coordinated development, phased improvements, and high construction standards that will hold value for the Town.

Mayor Farnworth asked if the Council had any questions for Mr. Evans. He said that he thinks they did what they were asked to do and brought back another version of the plan.

Councilmember Fullmer asked what the total number of units was. Mr. Evans stated that it is 2126.

Resident Sherrie Kaye Miller asked if there is any targeted income housing. Mr. Evans said that there is no targeted income for this development.

Councilmember Fullmer said that she likes the overall plan, has taken a lot of time to go through it, talked to residents, and looked at other master plans. She said she feels it is a good product but would like to know why they are adding the 26 extra units, where it is a hard number for the residents to deal with. Mr. Evans said that how the plan was laid out, it came to that number. He stated that if they want to stick with the 2100 they can find a way to remove the 26 units. Mr. Evans said that he does not disagree that it is a large number, but if you look at the north half, it is slated for eight units to the acre, on average, giving it 1400 units. He said that if you look at the south half with an average of three to the acre it is 723 units giving you a total of 2123 units for the entire project. He mentioned that they can get to 2100 hundred units and that the logic behind it is not the big increase in density but that the city gets an incredible amenity package.

Councilmember Fullmer said she feels like 2100 units changes the product types and that the amenity packages fit the 2100 units, which is a fit for most of the residents she talked to and who signed had the petition.

Resident Sherrie Kaye Miller mentioned that it depends on what kind of high density you bring in such as retirement units for 55 and older; they do not want big lots. She said that you could have high quality town homes without a large lot to take care of.

Councilmember Fernandez said that from the list they are going to dedicate 77 acres for parks and open space. He said that prior to reducing the density they were willing to front some of the money to build something on it and now the proposal is that no money will be fronted. Mr. Crane said that the original proposal was that the RDA fronts all of the cost, and the revised proposal for the sports park, community park and lakeshore park is that the RDA participates. He said the lakeshore park would be defined at a later date and the other parks the RDA would pay for the improvements. Mr. Evans asked if Councilmember Fernandez was asking what the timing was for the RDA money. He said that in the past they were willing to front the money but with this density level it would depend on the timing of the improvements. He mentioned that there are two issues, the first is what happens with the land and the second is what happens with the improvements. He said that they would be willing to dedicate the land immediately upon approval, so the Town would own the property. He said that they need to look at the phasing of the development so that it is being phased along with the demand that is being created and not putting in improvements that no one is going to use for years.

Mayor Farnworth said that there is logic to that, if there is infrastructure that sits and isn't used for years it becomes a big burden for maintenance. Councilmember Goodman stated that they could get beat up with construction equipment. Mr. Evans said you would end up replacing 90 percent of the trails etc.

Councilmember Riley stated that he spoke with Mr. Seely about this issue that we have eliminated about 400 units and have gone from doing it up front to now doing it in phases. He said that we have learned from experience that there is a real down side to that and we still have to have some mechanism to sink into them so that if the economy does fail we have the capacity to complete those improvements. He said that it gets messy for him when they talk about phasing, reimbursement agreements, and time periods, etc. He said that he would not back down from making sure the community does not end up in the situation where we cannot fulfil what we are from some plan are trying to do.

Mayor Farnworth said that the first step would be the dedication of the property up front and then through the impact fees and the RDA to make a mechanism where the funds would be in escrow.

Mr. Crane said that by tying the improvements to the reimbursement agreement, by being reimbursed on a schedule, so that if they are not generating it they will not be reimbursed. He said if the project doesn't get built we won't have the RDA dollars.

Councilmember Riley said that we are basing this approval on the amenities and we have to ensure that we can complete them regardless of what takes place economically and we do not want to renegotiate.

Councilmember Goodman asked if it was possible to bond. Mr. Crane said that when they went through the foreclosure process on the Homesteads they lost the bond. Mr. Church said that the bond did not disappear on what was bonded for, they prebuilt the infrastructure we required but the housing never came along with it. He said they went broke and the bank foreclosed and what wasn't put in were the parks, trails, opens spaces, amenities and the overpass. Councilmember Riley said that those amenities were the basis for those increased density and when we lost those then we could not take away the density. Mr. Church said that we did get the parks, trails, etc. but not the public safety building or the overpass. Mayor Farnworth said that they did get the land for the public safety building. Mr. Church said the compromise with the mortgage company that was foreclosing was to give up the public safety building and the overpass.

Councilmember Goodman Dale said that from his experience it is easy to require a bond but harder to exercise it. Mr. Church said that he has foreclosed on bonds and they are tough to get out of the bank and surety company. He said that what Councilmember Riley is identifying is that the parks be front end loaded so that the first houses with children have a place to play and not the three hundredth house. He said that it is not a problem of guaranteeing that they are built but that they are built in a timely fashion. Councilmember Goodman agrees that there is an issue of front end loading the amenities without houses in, and that they will be torn up putting them in so it becomes a timing issue. He said that as a phase goes in you have the adjacent amenities go in before the next phase can start, so they are not all done at once but make sure they do go in.

Mr. Church stated that it can be done with phasing in the agreements. He said that what they can accomplish tonight is to vote on whether or not they want Mr. Crane and him to negotiate with the developer and bring back a proposed development agreement that reflects all of the issues. He said that he needs three things from the Council, the first is do you accept this proposed general master plan change, the second thing is are you willing to start the approval process to change the zone, master plan etc. and the third thing is are you willing to do this with a development agreement. He mentioned that it can be rolled into one agreement, but if the master plan and outline does not have the support from Council now then there is no sense talking about how many units there are. He told the Council that the land owners need to know if they are doing this incrementally or if they are doing a planned community and if they are doing a planned community is this the plan you like.

Resident Tiffany Huston in the LeCheminant subdivision said she was curious as to the roads going in. She said she received an email about all the new people putting a strain on the sewer system and inlets into Vineyard and wanted to know how they are being addressed. She asked if this will be a traffic nightmare. Mr. Overson stated that there will be three ways to get to the west side of town. He said the first way is the Vineyard Connector at 800 North that is being constructed right now, the second is the overpass on Center Street as soon as we have the financing to do it, and the third is on 400 South. Mayor Farnworth mentioned that there is 575 South as well. Mr. Overson said that the Vineyard Connector will connect with Main Street that will be constructed this summer and by opening that up there will be 5 lanes of road. He said that the projections are that by the time we are at build out, we will max out Main Street and Center Street, but that is 20 years from now. He mentioned that the concern right now is that we are putting homes in with only one entrance, which is 400 South so when the Connector is put in that will alleviate that concern.

Mr. Overson said that when they put in the sewer they accounted for all of the development and the we can negotiate the capacity with TSSD. Mayor Farnworth said that we already have the infrastructure in the ground and will handle what is coming. Councilmember Fullmer said that the TSSD contract is being met and we can contract out for more. She stated that by the time that the building will actually go in, the streets would be nearing completion.

Mr. Evans mentioned that he was contacted by the LDS Church to meet with them about two to three church sites on the property and they fully anticipate the Church acquiring them.

Mayor Farnworth said that they have heard constructive information from Mr. Church about what they should do. Mr. Church said that as far as they are concerned on the Town's side is that the development agreement is contingent on Main Street and the Connector going in. He said that one of the benefits of doing the master plan is that the roads have to be front end loaded because they are a big concern.

Mr. Bruce Baird stated that he was retained as council for the project and the way to answer the question is to phase the approvals in conjunction with the building of the parks and the rest of the infrastructure and write that into a development agreement. He stated that he was part of the development process in Herriman and in doing it this way there are now several improved parks there.

Mayor Farnworth called for further discussion. Councilmember Riley said that they were skirting the main issue, which is that they have a group of concerned residents that find the current number of units unacceptable and have threatened the means available to them to stall this out. Mr. Church stated that the referendum process is an appropriate process, and that there is nothing we can do about it and we shouldn't be afraid of it. He said that the Council needs to make the decision they think is best and pass the ordinances they feel are appropriate. He mentioned that if the residents want to file a petition and put it on the ballot, then they'll get to vote on it and the land owners and the Town know there is no way to avoid that because the zone changes and legislative acts that are subject to referendums will be required for the development of the church parcel no matter what. His advice to the Council was to make their best decision and start the process and if the residents want to refer it, to respect the process and see how the vote comes out. He mentioned that knowing it can happen, it is important to make decisions in a timely fashion to hit the November election date, otherwise it would be doing the landowner a disservice by delaying them for a period of time. Mr. Baird said that they could end up the way Orem did, where they did not have a budget for 16 months. Mr. Church said that if they file a petition the Ordinance does not take effect until the vote is in. He said it is an appropriate process and the Council needs to make a decision.

Councilmember Fullmer stated that she spoke with a lot of people on the petition and their special number was around 2,000 units. She said in talking with the developers, if we want a master plan, this the number they were willing to come down to. She mentioned that in comparing other master plans these amenities are really good. She said she was in favor of a master plan and in talking to citizens they felt good about having a master plan as well. She mentioned that that is why she pushed to have it come down to the 2100 because it was in between what the residents were wanting and the developer was proposing and it would be a change to more viable product types.

Mayor Farnworth asked if they wanted to push a motion to accept the plan. Mr. Church said that there is no zone change to adopt tonight, but what they could do is if they are in favor of this plan, vote to instruct Mr. Crane and him to come up with the development agreement, bring it back with the ordinances, and if the development passes then the residents will have a set date by which they can run the referendum if they want to.

Councilmember Riley asked what happened to the original plan. Mr. Evans said that they were told that the original plan was way off and they will work with Mr. Crane and Mr. Church to true up the plans and the ordinances.

Mr. Church said the difference on this plan compared to the Homesteads is that they are not going to sell to other developers. He said that he has worked with Woodside & Flagship before and they plan to build them.

Mr. Fernandez asked if they are going to change to 2100 units. Mr. Evans said they will accept that request.

Mayor Farnworth called for a motion.

Motion: COUNCILMEMBER FERNANDEZ MOVED TO ACCEPT THE PLAN WITH THE OVERALL DENSITY NUMBER AT 2100 AND ALLOW STAFF TO WORK TOGETHER TO BEGIN A DEVELOPMENT AGREEMENT THAT REFLECTS THE CHANGES DISCUSSED. COUNCILMEMBER GOODMAN SECONDED.

Mayor called for further discussion, hearing none he called for a vote.

COUNCILMEMBERS FULLMER, GOODMAN, FERNANDEZ AND MAYOR FARNWORTH WERE IN FAVOR WITH COUNCILMEMBER RILEY OPPOSED. MOTION CARRIED WITH ONE OPPOSED

Mayor Farnworth asked to have it completed by the next meeting.

Mayor Farnworth mentioned that a gentleman came in with a plan to divide a lot in the Shores in two and said that his feeling is the lots are already dedicated the way they are. Mr. Crane said that he told him that there is a minimum lot size and they are what is on the plat. One of the things you do is set a cap in the development, can we do that, yes but it would be contrary to the development agreement. Mayor Farnworth asked if the Council has any desire to move forward with a discussion, and the Council was not in favor of it.

**ADJOURNMENT –**

COUNCILMEMBER FERNANDEZ MOVED TO ADJOURN THE MEETING. COUNCILMEMBER FULLMER SECONDED THE MOTION. MOTION CARRIED.

The meeting adjourned at 9:20 pm. The next regularly scheduled meeting is June 11, 2014

**MINUTES APPROVED ON:** December 10, 2014

**CERTIFIED CORRECT BY:** /s/ Pamela Spencer
**P. SPENCER, TOWN CLERK/RECORDER**