



**NOTICE OF A WORK SESSION AND REGULAR
MEETING OF THE VINEYARD TOWN COUNCIL
January 11, 2017 at 6:00 PM**

Public Notice is hereby given that the Vineyard Town Council will hold a Work Session, and Regular meeting on Wednesday, January 11, 2017, at 6:00 pm in the Vineyard Town Hall, 240 East Gammon Road, Vineyard, Utah. The agenda will consist of the following:

AGENDA

6:00 PM WORK SESSION WITH STAFF

1. CALL TO ORDER

2. INVOCATION/INSPIRATIONAL THOUGHT/PLEDGE OF ALLEGIANCE

3. OPEN SESSION – *Citizens' Comments*

(15 minutes)

“Open Session” is defined as time set aside for citizens to express their views. 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.

**4. PLANNING COMMISSION UPDATE AND RECOMMENDATIONS TO THE
COUNCIL – Planning Commission Chair Chris Judd**

5. MONTHLY BUILDING ACTIVITY REPORT – Building Official George Reid

6. COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

Nate Riley – Mayor Pro-tem – January - March

- Economic Advisory Committee
- Utah Lake Technical Committee

Julie Fullmer – Mayor Pro-tem – April - June

- Youth Council
- Branding Committee
- Town Special Events
- Orem Community Hospital Board

Dale Goodman – Mayor Pro-tem – July - September

- Timpanogos Special Service District - Board Member

Tyce Flake – Mayor Pro-tem – October - December

- ULCT Legislative Policy Committee

7. MAYOR’S REPORT

- North Pointe Solid Waste Special Service District - Board Member
- Mountainland Association of Governments
- Council of Governments
- Utah Lake Commission

8. STAFF REPORTS

- Public Works Director /Engineer– Don Overson
- Attorney – David Church
- Utah County Sheriff’s Department – Deputy Collin Gordon
- Community Development Director – Morgan Brim
- Finance Director – Jacob McHargue
- Town Clerk/Recorder – Pamela Spencer
- Building Official – George Reid

9. DISCUSSION ITEMS – no items were submitted.

10. ITEMS REQUESTED FOR FUTURE AGENDAS

(Requests for future agenda items are to be submitted to the Town Clerk/Recorder the Friday before a Town Council meeting. If there will be a cost to the town, project and event requests must be submitted with a fiscal impact analysis or report.)

<i>Item</i>	<i>Requested by</i>
• Zoning Code Amendment – Administrative Review Board	Community Development Director Morgan Brim

Items were already discussed and will be placed on future agendas, dates to be determined by staff:

• Board of Adjustments/Hearing Officer • Zoning Map • Zoning Ordinance text amendments • CWP Water Contracts • CWP/Orem/Vineyard Storage Plan Study • Flashing School Zone Lights ◦ tentatively scheduled for 2/8/2017 • Reroof Town Hall • Geneva Road Access Management Plan ◦ tentatively scheduled for 2/8/2017 • ADA ramps for Center Street and Holdaway Road	- Community Development Director Morgan Brim - Community Development Director Morgan Brim - Community Development Director Morgan Brim - Public Works Director/Engineer Don Overson - Public Works Director/Engineer Don Overson - Public Work Director/Engineer Don Overson - Public Works Director/Engineer Don Overson - Public Works Director/Engineer Don Overson - Public Works Director/Engineer Don Overson
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| • Paint striping and crosswalks on Center and Main Street | Public Works Director/Engineer Don Overson |
| • Replace the Gammon Park trail | Public Works Director/Engineer Don Overson |
| • Complete "The Shores" subdivision detention pond | Public Works Director/Engineer Don Overson |
| • Improve the trail along The Shores Subdivision | Public Works Director/Engineer Don Overson |
| • Install a park on the remaining property in The Shores | Public Works Director/Engineer Don Overson |
| • Repair Sleepy Ridge access road for the outfall for sewer and storm drains | Public Works Director/Engineer Don Overson |
| • Good Landlord Program | Councilmember Riley |
| • OHV/ATV use within Town Limits | Deputy Sheriff Collin Gordon |
| • Weapons/Firearms Discharge and Hunting within the Town Limits | Deputy Sheriff Collin Gordon |
| • Data Management System/Software | Town Clerk/Recorder Pamela Spencer |

REGULAR SESSION

11. CONSENT ITEMS

- a) Approval of the November 9, 2016 meeting minutes
- b) Approval of the December 14, 2016 meeting minutes

12. BUSINESS ITEMS

12.1 DISCUSSION AND ACTION – Vineyard Park Place Waiver Request (15 minutes)

Derek Whetten is requesting a waiver to receive building permits prior to the completion of the trail on the east side of the property being constructed. The mayor and Town Council will take appropriate action.

12.2 DISCUSSION AND ACTION – WatersEdge Phase 5A (Cascade) Lots 81, 94 and, 53 Waiver Request (15 minutes)

Garret Seely with Woodside Homes is requesting a waiver to receive building permits for lots 81 and 84 of WatersEdge Phase 5A. The mayor and Town Council will take appropriate action.

12.3 DISCUSSION AND ACTION – Traffic Warrant Study (15 minutes)

Public Works Director/Engineer Don Overson will present the traffic warrant study. The mayor and Town Council will take appropriate action.

12.4 DISCUSSION AND ACTION – Building Code - Board of Appeals (ORD 2017-) (15 minutes)

Building Official George Reid will present for discussion the forming of a Board of Appeals as required by code to hear and decide appeals of orders, decisions or determinations made by the building official. The mayor and Town Council may act to approve (or deny) this request by ordinance.

12.5 DISCUSSION AND ACTION – City Administration (ORD 2017-) *(15 minutes)*

The mayor and Town Council will discuss city administration. The mayor and Town Council may act to approve (or deny) this request by ordinance. (This item was continued from the December 14, 2016 meeting.)

13. CLOSED SESSION

The Mayor and Town Council pursuant to Utah Code 52-4-205 may vote to go into a closed session for the purpose of:

- (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
- (e) strategy sessions to discuss the sale of real property

14. ADJOURNMENT

This meeting may be held electronically to allow a councilmember to participate by teleconference.

The next regularly scheduled meeting is January 25, 2017.

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

I the undersigned duly appointed Recorder for the Town of Vineyard, hereby certify that the foregoing notice and agenda was emailed to the Daily Herald, posted at the Vineyard Town Hall, the Vineyard Town website, the Utah Public Notice website, delivered electronically to town staff and to each member of the Governing Body.

AGENDA NOTICING COMPLETED ON: January 10, 2017

CERTIFIED (NOTICED) BY: /s/ Pamela Spencer

PAMELA SPENCER, TOWN CLERK/RECORDER



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• Zoning Code Amendment – Administrative Review Board	Community Development Director Morgan Brim

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• Board of Adjustments/Hearing Officer	Community Development Director Morgan Brim
• Zoning Map	Community Development Director Morgan Brim
• Zoning Ordinance text amendments	Community Development Director Morgan Brim
• CWP Water Contracts	Public Works Director/Engineer Don Overson
• CWP/Orem/Vineyard Storage Plan Study	Public Works Director/Engineer Don Overson
• Flashing School Zone Lights ◦ tentatively scheduled for 2/8/2017	Public Work Director/Engineer Don Overson
• Reroof Town Hall	Public Works Director/Engineer Don Overson
• Geneva Road Access Management Plan ◦ tentatively scheduled for 2/8/2017	Public Works Director/Engineer Don Overson
• ADA ramps for Center Street and Holdaway Road	Public Works Director/Engineer Don Overson

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Garret Seely with Woodside Homes is requesting a waiver to receive building permits for lots 81 and 84 of WatersEdge Phase 5A. The mayor and Town Council will take appropriate action.

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AGENDA NOTICING COMPLETED ON: January 10, 2017

CERTIFIED (NOTICED) BY: /s/ Pamela Spencer

PAMELA SPENCER, TOWN CLERK/RECORDER



VINEYARD TOWN COUNCIL STAFF REPORT

Date: 1/11/2017

Agenda Item: 12.1

From: Don E. Overson PE, Public Works Director/Engineer

Department: Public Works / Engineering

Subject: Code section 1627 Waiver for Parkside Place @ Vineyard

Recommendation:

Staff recommends that the Vineyard Town Council grant a waiver to the Zoning Code section 1627 for the installation of the trail as required by the Subdivision Plat approval.

Reasoning

- Engineering Department is requesting that he not install the trail until the Lakeside Park drainage project is completed. This will reduce the cost of the drainage project but still allow him to move forward with the building permits on the lots.

Background/Discussion:

Pursuant to section 1627 of our zoning ordinance:

1. The installation of necessary streets, street widening and improvement(s), curbs, gutters, sidewalks, and trails of a type as required by the Land Use Ordinances of the Town shall be required as a condition of any required Approval, Permit, or License.
2. The Council may provide that the installation of necessary streets, street widening and improvement, curbs, gutters, sidewalks, and trails be delayed until a date certain, or provided as part of any area-wide improvement plan(s). The timing of any improvement plan(s) shall be at the sole discretion of the Council.

Alternatives

Approve the waiver – No Fiscal Impact

Deny the waiver – the cost of the Lakeside Park Drainage Project will increase by 30% and he will not be able to get a building permit until spring due to the weather.

Fiscal Impact

See Alternatives

Attachments

None



VINEYARD TOWN COUNCIL STAFF REPORT

Date: 1/11/2017

Agenda Item: 12.2

From: Don E. Overson PE, Public Works Director/Engineer

Department: Public Works / Engineering

Subject: Code section 1627 Waiver for Woodside Home Phase 5A (Cascade), lots 81, 94, and 53

Recommendation:

Staff recommends that the Vineyard Town Council grant a waiver to the Zoning Code section 1627 for the installation of the sidewalk on lots 81,94 and 53 as required by the Cascade Subdivision Plat approval. It is also recommended that they be required to have the sidewalk installed before they can receive a certificate of occupancy.

Reasoning

- Woodside Homes has requested that lots 81,94 and 53 be extended a waiver due to the excessive amount of peat moss that needed to be removed. The cost to back fill the hole, install the sidewalk, and then re-dig the basement would be disproportionate to the benefit of having the sidewalk at this time.

Background/Discussion:

Pursuant to section 1627 of our zoning ordinance:

1. The installation of necessary streets, street widening and improvement(s), curbs, gutters, sidewalks, and trails of a type as required by the Land Use Ordinances of the Town shall be required as a condition of any required Approval, Permit, or License.
2. The Council may provide that the installation of necessary streets, street widening and improvement, curbs, gutters, sidewalks, and trails be delayed until a date certain, or provided as part of any area-wide improvement plan(s). The timing of any improvement plan(s) shall be at the sole discretion of the Council.

Alternatives

Approve the waiver – No Fiscal Impact

Deny the waiver – the cost of the dig the basement twice and the possibility of damaging the new sidewalk.

Fiscal Impact

See Alternatives

Attachments

None



VINEYARD TOWN COUNCIL STAFF REPORT

Date: 1/11/2017

Agenda Item: 12.3

From: Don E. Overson PE, Public Works Director/Engineer

Department: Public Works / Engineering

Subject: Center St/Vineyard Rd Crossing Warrant Study

Recommendation:

Six Month Plan

Vineyard Town and Franklin Discovery Academy work together to satisfy the SNAP requirement. When the criteria are met for this School Crosswalk Zone are satisfied. It is recommended that the standard for a School Crosswalk Zone, Reduced Speed School Zone, and a Adult Crossing Guard be completed at the Vineyard Road/Center Street.

Interim Measures

Installation of pedestrian crossing sign at the existing crosswalk of the Vineyard Road/Center Street inter-section until a School Crosswalk Zone meets the criteria at this location.

Background/Discussion:

Table 4: School Crosswalk Zone Analysis – Vineyard Road/Center Street Intersection North-South Crosswalk

Standard	Volume/Distance	Criteria
Located along walking routes as indicated on the SNAP plan	N/A	Not Satisfied
School children exceed 10 students during the period of 45 minutes before school starts to 15 minutes after school start or 15 minutes before the end of school to 45 minutes after the end of school	18 north-south schoolchildren, (26 total pedestrians)	Satisfied
ADT exceeds 500 vehicles	3,668 ADT	Satisfied
More than 600' from another school crosswalk, or a marked pedestrian crosswalk	Closest marked crosswalk approximately 2,000 feet west	Satisfied

Due to the requirement that all School Crosswalk Zones be located along walking routes as indicated on the SNAP plan, the evaluated intersections do not satisfy the standards for a School Crosswalk Zone. It is recommended that the Town of Vineyard, Franklin Discovery Academy and Freedom Preparatory School work together to develop SNAP plans for both schools. Additionally, it is recommended that as a SNAP plan is developed for Franklin Discovery Academy, a walking route be identified along the intersection of Vineyard Road/Center Street. Having a walking route indicated on a SNAP plan at this



VINEYARD TOWN COUNCIL STAFF REPORT

intersection would satisfy the final criteria and meet all standards for a School Crosswalk Zone on Center Street.

Alternatives

1. Do Nothing
 - a. No Fiscal Cost
2. Move forward with developing the SNAP Plan and install the Interim Measures
 - a. \$ 12,000
3. Move forward with developing the SNAP Plan
 - a. \$ 10,500

Fiscal Impact

See Alternatives

Attachments

None



VINEYARD TOWN COUNCIL STAFF REPORT

Date: 1/11/2017
Agenda Item: Building Code- Board of Appeals
From: George Reid
Department: Building
Subject: Forming of a board of appeals as required by code to hear and decide appeals of orders, decisions or determinations made by the building official.

Recommendation:

It is the recommendation of Building Official to adopt the attached ordinance creating into law the Board of Appeals.

Background/Discussion:

The 2015 International Building Code Section 113 requires that a board of appeals be appointed to allow an avenue to appeal the orders, decisions or determinations made by the building official. Section 113.1 states:

In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

Alternatives: As per the State adopted building code there shall be a board of appeals.

Fiscal Impact:

There will be minimal fiscal impact beyond the impacts that are currently in place, such as staff time, materials and equipment. There will be an additional impact of providing the members of the board of appeals with meals/refreshments during meetings. The estimated yearly fiscal impact is \$200-\$300.

Attachments: Please see the attached Ordinance titled:

**AN ORDINANCE AMENDING TITLE NINE THE VINEYARD TOWN CODE TO
CREATE A BOARD OF APPEAL FOR THE BUILDING DEPARTMENT**

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE NINE THE VINEYARD TOWN CODE TO
CREATE A BOARD OF APPEAL FOR THE BUILDING DEPARTMENT**

WHEREAS, the Vineyard Council has the duty and authority under Utah Code 15A-1-207 to create an appeal board to hear and decide appeals of orders, decisions, or determinations made by the building official of Vineyard relative to the application and interpretation of the International Building Code or International Residential Code.

NOW THEREFORE BE IT ORDAINED by the mayor and Town council of the Vineyard Town, Title 9 of the Town Code is amended to include a new Part 9-550 to read as follows:

Part 9-550 BOARD OF APPEALS

9-551 BOARD ESTABLISHED: There is created in Vineyard Town a board of appeals, which shall consist of Three (3) regular members and any number of alternate members, any one of whom may serve as a regular member in the event a regular member is absent from a meeting of the board for any reason.

9-552 APPOINTMENT AND REMOVAL:

A. Appointment: The Mayor with the advice and consent of the city council shall appoint all members of the board of appeals, both regular and alternate, to staggered and specified terms by appropriate resolution.

B. Removal: Any member of the board of appeals may be removed for cause by resolution of the city council, but only after giving notice to such member, including notice of the grounds of removal, and affording such member an opportunity to be heard by the city council. Except as provided in this subsection, the term of office of any member of the board of appeals may not be shortened.

C. Qualifications: Members of the board of appeals shall be qualified by experience and training to pass upon matters pertaining to building construction. Board members must have an active relation to construction and, at minimum, ten (10) years of experience within the field they represent. Valid construction related fields include; Engineering, Architecture, Fire Inspector, Building Inspector or Superintendent for construction. The members of the board of appeals shall not be employees of the city.

9-553 ORGANIZATION OF BOARD: The board of appeals shall organize and elect a chairperson. The board is authorized to establish policies and procedures necessary to carry out its duties. Meetings of the board shall be held at the call of the chairperson and at such other times as the board may determine in accordance with law. The chairperson or in his or her absence, the acting chairperson, may administer oaths and compel the attendance of witnesses.

All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member on each question, or if absent or failing to vote indicating such fact, and shall keep records of its examinations or other official actions; all of which shall be immediately filed in the office of the city recorder and shall be a public record.

9-554 APPEALS TO BOARD: Appeals to the board of appeals may be taken by any person aggrieved or by any officer, department, board or bureau of the city affected by any decision of the building official made under this title. An appeal must be taken within 10 business days from the decision being appealed or the right to appeal shall be deemed waived. The appeal must be in writing and delivered to the City Recorder. Upon filing of a written request for hearing, the building director shall forthwith transmit to the board of appeals all papers constituting the record upon which the action appealed from was taken.

9-555 STAY OF PROCEEDINGS PENDING APPEAL: An appeal stays all proceedings and furtherance of the action appealed from, unless the building official certifies to the board of appeals after the request for hearing shall have been filed, that by reason of the facts stated in the certificate, the stay would in his or her opinion cause eminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of appeals or by the district court on application and notice and on good cause shown.

9-556 NOTICE OF HEARING ON APPEAL: The board of appeals shall fix a reasonable time for the hearing of the appeal, give public notice thereof as well as due notice to the parties in interest, and shall decide the same within a reasonable time. Upon the hearing, any party may appear in person or by agent or by attorney.

9-557 POWERS OF BOARD OF APPEALS: The board of appeals shall have the following powers:

A. To hear and decide appeals where it is alleged that there is error in any order, requirement, decision or determination made by the building official in the enforcement of the adopted building codes of Vineyard Town and the State of Utah or of any ordinance adopted with regard thereto;

B. To hear and decide requests for interpretation to the terms of this title, upon which such board is authorized to pass.

9-558 DECISION ON APPEAL: In exercising the above-mentioned powers, the board may in conformity with the provisions of this part reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken. The board shall not have the authority to waive requirements of the state adopted building codes.

9-559 VOTE NECESSARY FOR REVERSAL: The concurring vote of majority, (2)

members, of the board shall be necessary to reverse any order, requirement or determination of the building official, or to decide in favor of the appellant on any matter upon which it is required to pass under any such ordinance, or to affect any variation in such ordinances.

9-559.1 JUDICIAL REVIEW OF BOARD'S DECISION: The city or any person aggrieved by any decision of the board of appeals may have and maintain a plenary action for relief there from in any court of competent jurisdiction; provided, the petition for such relief is presented to the court within thirty (30) days after the filing of such decision in the office of the city recorder.

PASSED this _____ day of _____, 2017.

Mayor

ATTEST:

Town Recorder



VINEYARD TOWN COUNCIL STAFF REPORT

Date: 10.26.2016

Agenda Item: 9.3 City Administration

From: Julie Fullmer

Department: N/A

Subject: City Administration

Recommendation: To have all staff report to one person, who is a department head, who works in the City on a daily basis. This person would have oversight of all the departments. This person would report to the Council, and the Council members would report to the Mayor & Council. Either to just make the adjustment within staff or to hire a position. I believe if it stays in office it should be someone who is mostly filling the role.

Background/Discussion:

Staff has been discussing moving in this direction with the Mayor, and we have discussed this at several prior meetings—including the last council meeting where we decided to put it on the Agenda.

Alternatives:

In office or Hiring, etc.

Fiscal Impact:

See attachment by Finance Department

Attachments

Comparison Analysis

City	Preferred Title	Min Range	Max Range	Actual
SANTAQUIN	CITY MANAGER	\$ 80,529.00	\$ 120,341.00	\$ 97,305.00
MAPLETON	CITY ADMINISTRATOR	\$ 94,779.78	\$ 105,877.41	\$ 94,779.78
PAYSON	CITY MANAGER	\$ 92,300.00	\$ 138,257.00	\$ 104,832.00
EAGLE MOUNTAIN	CITY ADMINISTRATOR	\$ 91,289.00	\$ 134,539.00	\$ 115,357.00
CEDAR HILLS	CITY MANAGER/CITY ENGINEER	\$ 92,344.00	\$ 115,430.00	\$ 138,516.00
LINDON	City Administrator	\$ 91,270.00	\$ 136,656.00	\$ 116,729.00
SARATOGA SPRINGS	CITY MANAGER	\$ 85,971.00	\$ 126,206.00	\$ 121,500.00
SPANISH FORK	City Manager	\$ 99,552.00	\$ 149,328.00	\$ 129,314.00
AMERICAN FORK	City Administrator	\$ 111,713.00	\$ 161,984.00	\$ 131,329.12
SPRINGVILLE	CITY ADMINISTRATOR	\$ 89,610.17	\$ 135,852.02	\$ 132,185.90
PLEASANT GROVE	CITY ADMINISTRATOR	\$ -	\$ -	\$ 134,832.00
LEHI	CITYADMINISTRATOR	\$ 98,501.32	\$ 147,751.98	\$ 135,806.74
PROVO	CHIEF ADMINISTRATIVE OFFICER	\$ 114,013.00	\$ 159,618.00	\$ 148,468.00
OREM	CITY MANAGER	\$ 114,411.00	\$ 171,616.00	\$ 159,011.00
Average		\$ 89,734.52	\$ 128,818.31	\$ 125,711.82

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE THREE OF THE VINEYARD TOWN CODE TO
CREATE AND DEFINE THE POSITION OF CITY MANAGER**

WHEREAS, Vineyard Council has the authority under Utah Code 10-3b-403 to create a position of city manager and to provide for the powers and duties of that position.

NOW THEREFORE BE IT ORDAINED by the mayor and Town council of the Vineyard Town, Title 3 of the Town Code is amended to include a new Chapter 3-500 to read as follows:

CHAPTER 3-500 CITY MANAGER

3-501 OFFICE CREATED; ADMINISTRATIVE PROVISIONS:

A. Office Created: The office of the city manager, which shall be known as "city manager", is created and established pursuant to Utah code section 10-3b-403. The city manager shall be referred to as the city manager or the chief administrative officer.

B. Control: The powers, duties and functions of the office of city manager shall be subject to the control and policies of the governing body which is defined in state law as being the mayor and council as a group).

C. Appointment: The governing body shall appoint the city manager, who shall be appointed on the basis of experience, administrative, executive abilities and qualifications.

D. Bond: Before taking office, the city manager shall furnish a fidelity bond, at the expense of the city, in the amount of _____ (\$_____), conditioned upon the faithful performance of his or her duties, with a corporation licensed to do business in this state as a surety. Such bond shall be filed with the city recorder after being approved by the governing body.

E. Term Of Office: The city manager shall serve at the pleasure of the governing body and may be removed at any time, with or without cause, by a majority vote of the governing body, subject, however, to the provisions of the next succeeding subsections.

1. Notice: In the case of removal by the governing body without cause, the city manager shall be furnished with a fourteen (14) days' written notice before the effective date of removal. In the case of removal by the governing body for cause, the governing body may effect removal of the city manager immediately upon notice to the city manager.

2. Discretion Of Governing Body: In removing the city manager, the governing body

may use its discretion and its action shall be final and shall not depend upon any particular showing or degree of proof.

F. Employment Agreement: Nothing in this chapter shall be construed as a limitation on the power or authority of the governing body to enter into any supplemental agreement with the city manager with additional terms and conditions of employment not inconsistent with any provisions of this chapter.

G. Salary: The salary and other compensation of the city manager shall be established by the governing body in accordance with Utah law.

H. Office And Time Spent: The city manager shall maintain an office in the city hall and shall spend such time in the performance of the duties of city manager as is necessary or may be required from time to time by the governing body. The City manager shall be an exempt employee for purposes of the fair labor standards act and shall not be entitled to overtime pay unless specifically agreed to by the governing body. The city manager shall not accept any outside employment in addition to employment by the city without prior approval of the governing body.

I. Residence: The city manager need not be a resident of the city at the time of the city manager's appointment or thereafter.

3-501 POWERS; DUTIES; OBLIGATIONS:

A. City Manager Duties: Pursuant to the policies and programs established by the governing body, and under the direction and oversight of the governing body and except as otherwise set forth by the governing body in ordinance, resolution, motion, or this code, the city manager shall:

1. Be responsible for managing the internal affairs of the city; develop, recommend and implement city policies, practices, rules, regulations and procedures; report to the governing body; advise the governing body regarding policy options and implementation procedures; carry out legislative directives and decisions; be responsible for contracts administration.

2. Establish and maintain effective working relationships with the governing body, the city attorney, management employees, citizen committees, special interest groups, employees, press, contractors, public vendors and representatives from other city, county, special district, state and federal agencies; issue public statements to the press and respond to questions from the press related to city management, policies, procedures and administrative decisions and is consistent with the majority opinion or direction of the governing body.

3. Consistent with the direction of the governing body, be responsible for the full and effective use of city personnel by establishing, in consultation with the city attorney, department directors, division heads or other management employees, overall department objectives, priorities and standards consistent with the goals, direction, and objectives of the governing

body; serve as a facilitator in the achievement by city divisions of governing body goals and in coordinating with management employees for effective implementation of city service levels, ordinances, resolutions, rules, regulations and directives; exercise managerial control to ensure that the city government and its respective departments function in the most efficient and effective manner.

4. Be the budget officer of the City and finance director of the City under the uniform fiscal procedures act for Utah Cities; plan, organize and supervise city financial operations and keep the governing body at all times advised as to the financial condition and needs of the city; prepare and deliver financial reports to the governing body as needed; supervise the preparation and administration of the city budget under the direction of the governing body; ensure that all executive procedures and activities are in compliance with the uniform fiscal procedures act for Utah cities and Utah money management act as passed and amended by the state legislature.

5. Represent the city at various meetings or other functions and respond to requests or inquiries about city policies, rules, ordinances, regulations, resolutions or services rendered by the city government.

6. Enforce all applicable laws, ordinances, rules, regulations, and policies of the city. Assure that all franchises, leases, permits, licenses, contracts and privileges granted by the city are fully performed and observed.

7. Recommend and prepare for consideration by the governing body and advisory committees long range strategic plans and programs to provide for the health, safety, and welfare of the current and future inhabitants of the city; furnish reports to the governing body as requested.

8. Except as otherwise provided, be responsible for the overall personnel management function; implement city personnel ordinances, rules, and regulations that have been adopted, approved, or revised by the governing body; coordinate personnel ordinances and rules and regulations adopted by the governing body; coordinate personnel functions with management employees such as recruitment, selection, and appointment; have authority to appoint and remove any employees of the city, except the city recorder, the city treasurer, and the city attorney who shall be appointed, removed, or terminated by majority vote of the governing body, serve as a step in the appeals process available to employees with grievances; monitor personnel actions, promotion, discipline, demotion, separation and reclassification; coordinate personnel decisions with department directors; coordinate activities of individuals rendering professional services under contract with the city.

9. Investigate into the affairs of the city and any department or division thereof, and any contract for the proper performance of any obligations of the city.

10. Create all necessary departments as approved by the governing body. Create all necessary divisions, sections, and offices necessary for the government of the city; prepare recommendations for the governing body regarding the addition, deletion or reduction in

municipal services.

11. Attend and participate in all meetings of the governing body unless otherwise excluded by the governing body in an executive session meeting, but shall not have a right to vote in said meetings.

12. Approve and sign commercial and residential subdivision plats on behalf of the city.

13. Perform all other duties, obligations, and exercise the powers set forth by ordinance, resolution, regulation, or directive imposed by the governing body.

14. Notify the governing body forty eight (48) hours prior to the effective date of any permanent termination of any city department director. nothing herein shall limit the city manager's ability to institute temporary employee suspensions or temporary administrative leave of city employees.

B. Department Cooperation: It shall be the duty of all subordinate employees to cooperate with the city manager in administering the affairs of the city efficiently, economically and harmoniously.

C. Planning And Land Use: Notwithstanding the foregoing, the city manager shall exercise no authority over the planning commission or an appeal and variance hearing board or officer.

D. Performance Evaluation: The governing body shall evaluate, at least annually, the performance of the city manager.

E. Powers Of The Mayor Not Delegated: Nothing in this chapter shall be construed to delegate to the city manager the legislative and judicial powers of the mayor, the mayor's position as chief executive officer of the city pursuant to Utah code section 10-3b-104(1)(a), chairperson of the governing body, or any ex officio position which the mayor shall hold.

PASSED this _____ day of _____, 2016.

Mayor

ATTEST:

Town Recorder