MINUTES OF A WORK SESSION AND REGULAR
VINEYARD TOWN COUNCIL MEETING
Town Hall, 240 East Gammon Road, Vineyard Utah
January 11, 2017 at 6:00 PM

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

Staff Present*:* Public Works Director/Engineer Don Overson, Community Development Director Morgan Brim, Building Official George Reid, Permit Technician & Residential Plans Examiner Patricia Abdullah, Finance Director Jacob McHargue, Utah County Sheriff's Deputy Collin Gordon, Attorney David Church, Town Clerk/Recorder Pamela Spencer, Planning Commission Chair Chris Judd, Water/Sewer Operator Sullivan Love

Others Present: Resident Cristy Welsh

WORK SESSION

Mayor Farnworth opened the meeting at 6:00 PM. The invocation was given by Councilmember Flake.

OPEN SESSION: *Citizens' Comments*

Mayor Farnworth called for public comments.

Resident Cristy Welsh living in the Parkside subdivision commented that people were allowing their pets to use the 18-acre park to do their business while they wait in their cars. She recommended having a leash law. She also suggested that they consider having a dog park under the powerlines. Deputy Gordon replied that the city had a leash law. He reviewed the law. He stated that there was an ordinance for defecation as well. Mr. Church recommended that they install signs and provide the green bags for cleanup. Councilmember Goodman expressed concerns with the liability of having a dog park. Mr. Church felt that there was no liability with a well signed dog park, but he would look into it. He added that the issue would be cleanup of the park. Councilmember Fullmer suggested that they could do a post on social media and include it in the next newsletter. Mayor Farnworth asked about people using the 18-acre park for sledding. Mr. Overson replied that it was not the town's park yet.

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

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

Chair Judd reported that the commission was looking forward to the Open House. He asked if they had posted for new Planning Commissioner members and if the mayor had determined which alternate commissioner would replace outgoing commissioner Wayne Holdaway.

MONTHLY BUILDING ACTIVITY REPORT – Building Official George Reid
Mr. Reid turned the time over to Permit Technician & Residential Plans Examiner Patricia Abdullah. She stated that the revised budget had already been met. She reviewed the December report. Highlights were:

- $110.181 revenue
- $974,310 revenue for 2016
- 40 permits issued
- 57 applications received
- 78 applications in review
- 34 plans approved
- 485 active construction sites
- 724 total inspections

She mentioned that they would be presenting a year-end report at the retreat.

COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

Councilmember Nate Riley – Councilmember Riley had no new items to report.

Councilmember Julie Fullmer – Councilmember Fullmer reported that she met with Breanna Olaveson the Vineyard Youth Council Advisor, who would be getting names for Local Officials Day at the Legislature held on January 25. She reported that branding was moving along. She mentioned that the Winter event would be held in February. She stated that the Orem Community Hospital Board would be meeting next week.

Councilmember Dale Goodman – Councilmember Goodman reported that he attended a meeting with Northern Utah Environmental Resources Agency (NUERA) where they discussed budget items and the new landfill.

Councilmember Tyce Flake – Councilmember Flake reported that there will be a luncheon and briefing for the house and the senate at the Salt Palace during the Local Officials Day at the Legislature on January 25. He added that they need to sign up by January 18 if they wish to attend.

MAYOR'S REPORT
Mayor Farnworth asked Councilmember Goodman about the North Pointe meeting. Councilmember Goodman replied that they discussed budget items and the new landfill.

STAFF REPORTS
Public Works Director/Engineer – Don Overson – Mr. Overson gave an update on the Union Pacific contract. He stated that they should have the title report soon. He said that they could move forward with the Alta survey once they get the report. He said that he had spoken with all of the property owners except for UDOT who he was meeting with next week. He said that they had not closed on the Anderson Geneva property but had the description finalized. He added that he spoke with a Martin Snow representative. He stated that he had submitted the information to

Colmena Group, but had not heard back from them. He added that he was concerned about the acquisition of that property. He reported that they had all of the crossings designed and had submitted them to Mountain States for review and to finalize the permits. He said that he was waiting for topographic information to finalize the vertical alignment of the railroad. He felt they were on or ahead of schedule.

He reported that he had been working on water projections for the north water zone. He said that based on projections from the developers they would need 550-acre feet of water next year, 250-acre feet the next year, and then 200-acre feet the following year. He said that he met with CUP (Central Utah Project) and they would like to modify the contract and set it up on a 3-year plan. He added that they could not reserve any more water after 2020. He explained that it was a pass-through fee. Councilmember Riley asked what the projections were based on. Mr. Overson replied that he received information from WatersEdge, Martin Snow, the Forge, and the area around the Megaplex. Mr. McHargue explained that the developers pay for the water when they apply for the subdivision so they have the money in advance. Councilmember Riley asked what Anderson Geneva had projected for the Town Center site. Mr. Overson replied that they did not want to project anything until the ground was remediated and they had a buyer. He said that in 2020 the 8,000-acre feet of water that was reserved for them would expire. He stated that they would have to look at the water projections in 2019 and decide how they were going to purchase the water they would need. Councilmember Riley suggested that they may have to have the developers bring the water for their developments. Mr. Overson stated that CUP would not work with developers; they would only work with the town.

<u>Attorney – David Church</u> – Mr. Church thanked the council for their help with trying to close on the Anderson Geneva right-of-way purchase. He stated that it did not go through. Mr. McHargue said that Anderson Geneva did not respond to their final request which included of a 30-day repayment stipulation. Mayor Farnworth asked how that would affect the purchase of the property. Mr. Church felt that they would be going back into negotiations.

<u>Utah County Sheriff's Department – Deputy Collin Gordon</u> – Deputy Gordon reported that Deputy Sean Peterson would be starting on Saturday. He anticipated that he would have an end of year report for the first meeting in February. He said that they went to just over 3,200 calls for service in 2016, which was a dramatic increase from 2015. Councilmember Riley asked how the new deputy would change the coverage. Deputy Gordon replied that he envisioned that Deputy Peterson would take his shift and that he would work a 4/10 schedule and overlap with the other deputy's schedules. He reviewed how the shifts would work. He added that he was willing to adjust the hours as needed.

<u>Community Development Director – Morgan Brim</u> – Mr. Brim reported that they would like to develop an Administrative Review Board made up of the town engineer, the planning director and the building official. He explained that this board would take on minor amendments to developments. Councilmember Riley asked if the council would still be involved in those decisions. Mr. Brim replied that the board would be able to provide exceptions without going to council. Mr. Overson stated that he had worked with municipalities where they turned everything over to the engineer but felt that they should have all of the departments involved. Mr. Brim mentioned that they would not have the authority to add density or height. He said that it would provide staff the ability to work with developers to keep their projects on track. He added that it would be a text amendment to the Zoning Ordinance, so it would need to go to Planning Commission and then Council for approval.

Mr. Brim reported that they were on the final draft for the Zoning Map and Zoning Ordinance Text amendments. He invited everyone to attend the open house for the new Public Safety

Building on January 21 from 2 pm to 5pm. He reported that they would have 4 final plats for the first meeting in February.

Mr. Brim reported that he attended a meeting about the "Point of the Mountain Plan." He explained what the plan was. He mentioned that he would be attending their Housing Committee meetings. He reported that the Economic Development meeting would be held on the January 19 and they would be talking about RDAs. He also reported that they had a CUP (conditional use permit) request scheduled for the next Planning Commission meeting. He explained that Orem had been awarded an EPA grant to develop a master plan for the Geneva Road area. He anticipated that he and Mr. Overson would be working with Orem as they develop their Master Plan.

Finance Director – Jacob McHargue – Mr. McHargue reported the he and Mr. Brim had met with someone from the Lake Commission and discussed the process to obtain permits for a cleanup project. He reported that the Audit statements were being finalized. He said that a draft of the retreat agenda would be coming for approval. He asked council and staff to block out the evening of Thursday January 26 to recap last year's retreat and accomplishments. He invited everyone to the open house. He said that the cubicles were installed at the new building and that office furniture was coming. He added that the move was still a couple weeks out because they were waiting for internet and a couple of items from the contractor. He reported that the purchasing and budget reports were in the Dropbox. He said that the property tax money came in and was right on budget. He added that they were at 88% of revenue for the year.

Town Clerk/Recorder – Pamela Spencer – Ms. Spencer reported that the mayor and two councilmembers were up for reelection this year. She mentioned that there were several bills in the legislature related to elections so she would have to wait and see if there were any changes.

Building Official – George Reid – Mr. Reid reported that they had posted a job opening for a building inspector. He said that they were putting together a building inspector mentorship program.

DISCUSSION ITEMS – no items were submitted.

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.)

Item	***Requested by***
• *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*	*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*
• *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

CONSENT ITEMS

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

Mayor Farnworth called for a motion.

Motion: COUNCILMEMBER RILEY MOVED TO APPROVE THE CONSENT ITEMS. COUNCILMEMBER FLAKE SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED UNANIMOUSLY.

BUSINESS ITEMS

12.1 DISCUSSION AND ACTION – <u>Vineyard Park Place Waiver Request</u>

Derek Whetten is requesting a waiver in order 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.

Mayor Farnworth turned the time over to Town Engineer Don Overson.

Mr. Overson explained the reason for the request. He read the requirements out of the ordinance. Councilmember Fullmer asked if there was a timeframe for the developer to install the trail. Mr. Overson replied that it would be weather dependent. Councilmember Riley asked if they could tie it to the Certificate of Occupancy. Mr. Overson replied that it would be tied to the warranty. Mayor Farnworth mentioned that they were not aware of the storm water issue until after they had started the subdivision.

Motion: COUNCILMEMBER FULLMER MOVED TO APPROVE THE WAIVER FOR THE 12.1 REQUEST. COUNCILMEMBER FLAKE SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED UNANIMOUSLY.

12.2 DISCUSSION AND ACTION – <u>WatersEdge Phase 5A (Cascade) Lots 81, 94 and, 53 Waiver Request</u>

Garret Seely with Woodside Homes is requesting a waiver in order to receive building permits for lots 81, 94, and 53 of WatersEdge Phase 5A. The mayor and Town Council will take appropriate action.

Mayor Farnworth turned the time over to Town Engineer Don Overson.

Mr. Overson explained that the developer ran into a tremendous amount of peat moss which created a large hole. He added that they were only asking for a waiver on three lots in this subdivision. He said that this would be tied to the Certificate of Occupancy.

Motion: COUNCILMEMBER FULLMER MOVED TO APPROVE THE WAIVER FOR ITEM 12.2 WATERSEDGE PHASE 5A LOTS 81, 94, AND 53. COUNCILMEMBER FLAKE SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED UNANIMOUSLY.

12.3 DISCUSSION AND ACTION – <u>Traffic Warrant Study</u>

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

Mayor Farnworth turned the time over to Town Engineer Don Overson.

Mr. Overson explained that there were four (4) warrant studies that had been completed. This discussion was for the second study on Gammon and the new Vineyard Road. He said that they needed to have a SNAP (student neighborhood access program) plan in place for safe routes to school. Once that was completed then they could install the crosswalk, lights, and signage. Councilmember Riley asked if the SNAP plan was something that the town and school would work out. Mr. Overson replied that in the case of the Vineyard Elementary they would have to work with Vineyard Elementary and Alpine School District. He said that in this case they would only have to work with the charter school. He asked the council for approval to allow him to get the SNAP plan in place. He added that Franklin Discovery Academy would have to provide crossing guards. He stated that the crossing at Holdaway and Gammon would have been approved if the trail had been completed on the north side. He said that it had been suggested that they have a more sophisticated crossing because of the five (5) lanes of traffic. Councilmember Goodman asked if any of the crossings would be signalized. Mr. Overson replied that the intersection at Vineyard Road and the Center Street overpass would be signalized. He felt that the intersection at 400 North and Main Street would have the next signal.

Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE THE SIX-MONTH PLAN AS SUGGESTED BY THE PUBLIC WORKS DIRECTOR AND THE INTERIM MEASURES AS NOTED. COUNCILMEMBER RILEY SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED UNANIMOUSLY.

12.4 DISCUSSION AND ACTION – <u>Building Code - Board of Appeals</u> *(ORD 2017-01)*

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.

Mayor Farnworth turned the time over to Building Official George Reid.

Mr. Reid explained this was required by the adopted State Building Code. He explained how the board would work. He recommended approval. Mr. Church also recommended approval. Mr. Reid explained that the board would be a three-member board appointed by the mayor. They cannot live in the town and must have 10 years of experience in the construction industry and must have experience in engineering, architecture, fire inspection, building inspection, or Superintendent for construction. Mr. Church recommended that they pass the ordinance and then appoint the board when the need arises. Mr. Reid said that the board would cost around $300 a year. He added that it would be a volunteer board.

Mayor Farnworth called for comments from the council. Hearing none, he called for a motion.

Motion: COUNCILMEMBER FULLMER MOVED TO APPROVE ORDINANCE NUMBER 2017-01 AMENDING TITLE NINE THE VINEYARD TOWN CODE TO CREATE A BOARD OF APPEALS FOR THE BUILDING DEPARTMENT. COUNCILMEMBER GOODMAN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FARNWORTH, COUNCILMEMBERS FLAKE, FULLMER, GOODMAN, AND RILEY VOTED AYE. MOTION CARRIED UNANIMOUSLY.

12.5 DISCUSSION AND ACTION – <u>City Administration</u> (ORD 2017-02)

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.)

Mr. Church explained that the ordinance only created the position. He said that in order for it to pass the mayor must vote yes or all four council members must vote yes. He asked if they had any questions. He added that they did not need to fill the position.
Councilmember Fullmer asked if they were approving the ordinance or discussing how they were going to fill the position. Mayor Farnworth replied that they were only approving the ordinance but could appoint someone tonight if they wanted to. Councilmember Riley asked about the RDA. Mr. Church replied that this was separate from the RDA and if they wanted the city administrator to have RDA duties they would need to do that in an RDA meeting. Councilmember Riley asked about RDA bonding. Mr. Church replied that was a separate issue.

Mayor Farnworth called for further discussion. Hearing none, he called for a motion.

Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE ORDINANCE NUMBER 2017-02 AMENDING TITLE THREE OF THE VINEYARD TOWN CODE TO CREATE AND DEFINE THE POSITION OF CITY MANAGER. COUNCILMEMBER GOODMAN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FARNWORTH, COUNCILMEMBERS FLAKE, FULLMER, GOODMAN, AND RILEY VOTED AYE. MOTION CARRIED UNANIMOUSLY.

Councilmember Fullmer requested that the council go into a closed session. Mr. Church mentioned that the ordinance did not set salary, benefits, contract rights, etc., but that it only laid out the position. Mr. Reid requested that the council allow the department heads who were not interested in applying for the position to briefly attend the closed session to give their opinions. Council agreed.

CLOSED SESSION

Motion: COUNCILMEMBER FULLMER MOVED TO GO INTO A CLOSED SESSION TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL AT 7:16 PM. COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FARNWORTH, COUNCILMEMBERS FLAKE, FULLMER, GOODMAN, AND RILEY VOTED AYE. MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

Motion: COUNCILMEMBER FULLMER MOVED TO ADJOURN THE REGULAR SESSION AT 7:17 PM. COUNCILMEMBER FLAKE SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED UNANIMOUSLY.

The next regularly scheduled meeting is January 25, 2017.

MINUTES APPROVED ON: January 25, 2017

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