MINUTES OF
THE VINEYARD TOWN COUNCIL MEETING
Town Hall, 240 East Gammon Road, Vineyard, Utah
December 14, 2016 at 6:03 PM

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

Staff Present*:* Public Works Director/Engineer Don Overson, Community Development Director Morgan Brim, Finance Director Jacob McHargue, Town Clerk/Recorder Pamela Spencer, Planning Commission Chair Chris Judd, Water/Sewer Operator Sullivan Love, Building Official George Reid, Heritage Commission Chair Tim Blackburn

Others Present*:* Gerald Anderson, Stewart Park, and Jerry Grover with Anderson Geneva, and resident Cristy Welsh

WORK SESSION

Mayor Farnworth called the meeting to order at 6:03 PM. Resident and Heritage Commission Chair Tim Blackburn gave the invocation.

OPEN SESSION – *Citizens' Comments*

Mayor Farnworth called for public comment.

Gerald Anderson with Anderson Geneva mentioned that they had been working on getting the right-of-way for the Union Pacific Railroad purchased. He explained that they had sold property to UVU and part of it was a substantial donation. He emphasized that because of the tax laws the bulk of their donation goes away after five (5) years and they were at the end of the fifth year. He said that they had asked the town if they could make the purchase of the property before the end of the year so they would not lose their benefit. He explained that they had envisioned that it would be about 6+ acres at $5 a square foot but had now increased to 10 acres of land. He suggested that they would be willing to trade right-of-way for another right-of-way. He said that the reason they were asking to have the land purchased before the end of the year was that they would make about $2.5 to $3 million of donation credits and their willingness to trade ground to offset some of the cost. Mayor Farnworth mentioned that they would be having a closed session to discuss land purchases. He added that they had the signed contracts for Union Pacific and because it was a lot money they needed to make sure they had everything they needed before making a decision.

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 there were questions on when the middle road on the plat would connect to the roundabout in the Megaplex area. He stated that Planning Commission felt it was a standard subdivision and recommended approval. He added that the Andersons were keeping land for the potential UTA right-of-way. Councilmember Riley asked how the commission addressed the concern with subdividing the property. Chair Judd replied that they were envisioning retail in that area. Mr. Anderson stated that they could have a grocery store such as a Smiths on the 13-acre site and were hoping to have sit-down restaurants on the 8-acre site.

Chair Judd reported that at the last commission meeting they approved a Conditional Use Permit for Coconut Cove, which would be an indoor child's recreation facility. He said that it was granted with restrictions because there were concerns with children and parking. He added that they started the meeting with a site visit. He mentioned that they were working on the Open House for the Public Safety Building. He also mentioned that they needed to hire an alternate Planning Commissioner.

MONTHLY BUILDING ACTIVITY REPORT – Building Official George Reid

Mr. Reid reported that November was a good month but they did not have enough inspectors. Highlights of the report were:

- $205,484 Revenue Received in November
- $864,129 Revenue Received Year to Date
- 107 Permits Issued
- 37 Building Applications Received
- 35 Applications in Review
- 71 Plans Approved
- 511 Active Construction Sites
- 660 Total Inspections

MONTHLY HERITAGE COMMISSION REPORT – Commission Chair Tim Blackburn

Chair Blackburn gave a brief report on the Heritage Commission. He reported that the commission planned to:

- Meet twice a month
- Submit a budget request for 2017
- Work on the Public Safety Building Open House, the trails committee, and the General Plan
- Create a brochure and banner to use at the open house
- Include an article in the monthly newsletter
- Find ways to save artifacts
- Draft By-laws
- Research acquiring a 501(c)(3) status
- Sponsor a Vineyard Heritage Days event
- Digitize historical photos, records, etc.
- Have a link on the town website to a Heritage website
- Retain history

He also reported that:

- They had acquired a DVD about Geneva Steel
- The BYU Museum had a display of Geneva Steel
- The "Our Vineyard Heritage" book publisher – Vineyard Press was a BYU professor
- The Robins family shared that they were interested in having the town obtain ownership of the property west of Town Hall. He said they were willing to allow the land to be used as an historical display area. It would need to be maintained as public use.

Councilmember Riley thanked Mr. Blackburn and the Commission members for their hard work in finding items and creating the commission.

Mr. Anderson felt it was important to preserve the history. He also felt that the biggest problem would be money. He said that contributions could be matched by Anderson, the town and the state through grants.

COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

Councilmember Tyce Flake – Councilmember Flake reported that there were 167 bills submitted for the 2017 legislative session.

Councilmember Nate Riley – Councilmember Riley reported that the Lake Commission meeting had been cancelled.

Councilmember Julie Fullmer – Councilmember Fuller was excused.

Councilmember Dale Goodman – Councilmember Goodman reported that at the TSSD meeting they tabled the budget adoption for the next calendar year because of concerns. He mentioned that County Commissioner Larry Ellertson wanted to change the TSSD Board membership. Councilmember Goodman felt that management needed an overhaul.

Councilmember Goodman reported that at the North Pointe meeting they adopted their budget, and discussed tipping fees and the new landfill. He added that there was a potential to save money with the new landfill.

Councilmember Goodman reported that NUERA would meet on Monday to adopt their budget. He explained that they had management in place for the new landfill and would reassess it in a year when they had a baseline. He added that they could potentially privatize the management. Mayor Farnworth explained how the purchase and running of landfills worked.

MAYOR'S REPORT

Mayor Farnworth reported that MAG was still involved with the state and were attempting to the get some help in Vineyard.

STAFF REPORTS

Public Works Director /Engineer – Don Overson – Mr. Overson reported that the Public Safety Building was projected would be ready by January 1. He reported the he was working on the property acquisition for the rail spur and going to the title company. He added that he was still working with one property owner. He said that he had all of the railroad crossing designs started for the permitting process. He explained that they were holding weekly meetings to move it forward.

Mr. Overson reported that the Vineyard Connector meetings were completed and he was waiting for the final report. He said that he was also waiting for the final reports on the Geneva Road Widening and 400 North studies. He reported he was working with CUP to obtain more water for the town. They were also waiting for Orem to give comments on the Water Storage study.

Mr. Overson mentioned the Christmas Tree in the roundabout at Center and Main Street. He added he would like to have a lighting ceremony next year.

Councilmember Riley asked if First Digital had requested permits from the town. Mr. Overson replied that he had not heard from them and would be willing to contact them on his behalf.

Mr. Anderson stated that they would need help with their lobbyist to ask for about $32 million in transportation bond money to take the Vineyard Connector to 2000 North. Councilmember Goodman stated that American Fork met with UDOT to discuss the Vineyard Connector. He said that there was public resistance, so they said that the next phase would be from Vineyard Main Street to the Power Plant. Mr. Anderson felt that they should continue to work with the legislature. Councilmember Riley commented on the expansion of the connector to seven (7) lanes and the traffic study in the Town Center. He asked if the traffic study would change anything. Mr. Overson replied that it could. He added that he and Mr. Anderson were working with Ryan Hales on the traffic study.

Attorney – David Church – Mr. Church was excused.

Utah County Sheriff's Department – Deputy Collin Gordon – Deputy Gordon was excused.

Community Development Director – Morgan Brim – Mr. Brim thanked the Heritage and Planning Commission for their work on the Parks and Trails Committee. He reported that they had a map ready to present to Planning Commission and then to Council for approval. He was hoping to have a copy ready for the open house. He stated that he was working on the Zoning Ordinance and Zoning Map. He hoped to have a draft ready for a work session with the Planning Commission and then hold a public hearing in January.

Mr. Brim reported that he spoke with people who were putting together a site plan for the property next to the Megaplex. He said that the was working with the owners of Telos on Geneva Road and 575 South, who wanted to convert the property next to them into retail to provide employment for their students/residents.

Mr. Brim reported that he had received a Conditional Use Permit for an automotive repair center, adjacent to the Coconut Cove area.

Mayor Farnworth mentioned the concerns with the Vineyard Park Place subdivision. He said that there were overlays that needed a clear title and the county would not record the plat until they had a clear title. Mr. Overson added that there was a complication with their bond.

Finance Director – Jacob McHargue – Mr. McHargue reported that the purchasing and budget reports were in the Dropbox. He also reported that he had met with Zions Bank about the saturation schedule on Phase 5 and available tax increment in the RDA. They were looking at bonding options for infrastructure and cleanup.

He mentioned that there would be a town Christmas Party on December 23 at the Seven Peaks Ice Arena. He reported that the new website was moving along and the audit was underway.

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

Building Official – George Reid – Mr. Reid had no new items to report.

DISCUSSION ITEMS

- Set a date and time to hold a Redevelopment Agency (RDA) meeting.

Mayor Farnworth asked council when they could hold an RDA meeting. Council agreed to hold an RDA meeting on Wednesday December 21, 2016 at 6:00 PM.

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***

- *Flashing School Zone Signs for Vineyard Elementary* — *Councilmember Fullmer*

Mr. Overson explained that there were concerns from citizens and the principal. He said that Councilmember Fullmer would like to meet with them and discuss their concerns and bring solutions to the next council meeting. Councilmember Goodman asked for an explanation as to why there were no flashing lights at the elementary school. Mr. Overson replied that they had to go through a warrant study required by the state. He said that the warrant study showed that there were not enough vehicles crossing the crosswalk and the speed limit was to slow. If they raised the speed limit it would warrant them. His concern was that there was not only the school but the sports park there and did not feel that raising the speed limit would solve the problem. He needed to know what the citizens' concerns were. Councilmember Goodman suggested that they could get the activated flashing lights. Mr. Overson replied that they would still have to go through the warrant process. Mayor Farnworth stated that if they did not do the study, put the lights up, and something happens then town would be liable. He said that they also had to work with Orem on the other side of the road. Resident Cristy Welsh expressed concern that all of the schools had the same issues. Mr. Overson replied that Main Street would warrant flashing lights because of the speed limit. He said that they needed to do a warrant study. He added that they had already started the warrant study on 400 North, but needed more students crossing the road. There was a discussion about other types of devices they could use. Councilmember Flake stated that there were other methods that could be used, but until they find out what the residents wanted, they cannot do anything. Mr. Overson mentioned that if they added an island in the middle, or pavers, it would create more attention to the crosswalk. Council agreed to place this item on the next agenda.

- *Board of Appeals* — *Building Official George Reid*

Mr. Reid explained that the Building Code required that they have a Board of Appeals. Council agreed to place it on the next agenda.

These items were discussed in past council meetings and will be placed on future agendas, dates to be determined by staff:

- *Farmers Market* — *Councilmember Fullmer*
    - *Tentatively scheduled for January 11, 2017*
- *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 Work Director/Engineer Don Overson*
• *CWP/Orem/Vineyard Storage Plan Study*	*Public Work Director/Engineer Don Overson*
• *Traffic Warrant Study*	*Public Work Director/Engineer Don Overson*
• *Reroof Town Hall*	*Public Work Director/Engineer Don Overson*
• *Geneva Road Access Management Plan*	*Public Work Director/Engineer Don Overson*
• *ADA ramps for Center Street and Holdaway Road*	*Public Work Director/Engineer Don Overson*
• *Paint striping and crosswalks on Center and Main Street*	*Public Work Director/Engineer Don Overson*
• *Replace the Gammon Park trail*	*Public Work Director/Engineer Don Overson*
• *Complete "The Shores" subdivision detention pond*	*Public Work Director/Engineer Don Overson*
• *Improve the trail along The Shores subdivision*	*Public Work Director/Engineer Don Overson*
• *Install a park on the remaining property in The Shores*	*Public Work Director/Engineer Don Overson*
• *Repair Sleepy Ridge access road for the outfall for sewer and storm drains*	*Public Work Director/Engineer Don Overson*
• *Good Landlord Program*	*Councilmember Riley and Community Development Director Morgan Brim*
• *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*

7: 30 PM REGULAR SESSION

Mayor Farnworth opened the regular session at 7:30 PM

CONSENT ITEMS

a) Approval of the November 9, 2016 meeting minutes

Ms. Spencer requested that they postpone the approval of the minutes until she can make necessary corrections. Mayor Farnworth called for a motion to postpone the consent item.

Motion: COUNCILMEMBER FLAKE MOVED TO POSTPONE THE MINUTES TO THE NEXT COUNCIL MEETING IN JANUARY. COUNCILMEMBER RILEY SECONDED THE MOTION. ALL PRESENT WERE FAVOR. MOTION CARRIED WITH ONE ABSENT.

BUSINESS ITEMS

12.1 DISCUSSION AND ACTION – Preliminary Subdivision Plat – 400 North Commercial Subdivision

The mayor and Town Council will consider an application for a Preliminary Subdivision Plat from Anderson Geneva Development for the 400 North Commercial subdivision. The property is zoned Regional Mixed Use (RMU) and contains 22.38 acres. The Planning Commission recommends approval. The mayor and Town Council will take appropriate action.

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

Mr. Brim gave a brief overview of the subdivision. He stated that it met all of the requirements in the Subdivision Ordinance.

Councilmember Riley asked what the cross section looked like. He felt that they should discuss if they needed to include bike lanes or on-street parking, etc. Mr. Brim explained that it was a private lane. He added that the Planning Commission included bike lanes in their plans. He stated that the road met the town's cross section standards. Mr. Overson explained that they were putting bike lanes on the major roads and asked if Councilmember Riley's concern was putting bike lanes in the commercial developments. Councilmember Riley explained that when he was in Arizona there were bike lanes everywhere and he wanted to anticipate the need now. Mr. Anderson stated that it was an internal road in a commercial area with a speed limit of about 20 miles an hour. Mr. Judd suggested that they could do a "share the lane". Mr. Brim showed the draft plan of the proposed bike lanes in the Parks and Trails Map. He explained that there was room to put a bike lane on Mill Road. He felt that they needed to be more thoughtful with bike lanes in the private developments. Mr. Anderson said that they had envisioned a UTA stop in the middle of the road without parking. He added that he met with UTA and UVU about where the stop should be. Councilmember Riley asked if people would be parking in the parking lots to use light rail. Mr. Anderson replied that there should be parking lots in the Town Center and UVU sites to facilitate transit parking. Mr. Brim explained that on 400 South in Salt Lake people were using business parking lots to park and use light rail, which was taking up business parking. He said that they were ticketing people for using street parking and businesses were towing cars that were parked long term.

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

Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE THE PRELIMINARY PLAT FOR THE 400 NORTH COMMERCIAL SUBDIVISION WITH STAFF RECOMMENDATIONS:

CONDITIONS

1. THE APPLICANT PAYS ANY OUTSTANDING FEES AND MAKES ANY REDLINE CORRECTIONS.
2. THE FORTHCOMING FINAL PLAT BE IN CONFORMANCE WITH THIS PRELIMINARY PLAT.
3. THIS APPLICANT IS SUBJECT TO ALL LOCAL, STATE AND FEDERAL LAWS.

COUNCILMEMBER GOODMAN SECONDED THE MOTION ALL PRESENT WERE FAVOR. MOTION CARRIED WITH ONE ABSENT.

12.2 DISCUSSION AND ACTION – <u>Timing on Triggering Payment of Streetlights</u>

Public Work Director/Engineer Don Overson will present suggestions for when payment should be received from developers for the installation of streetlights. The mayor and Town Council will take appropriate action.

Mayor Farnworth turned the time over to Public Work Director/Engineer Don Overson

Mr. Overson explained the original process and how long it took to install the lights. He stated that he had changed the process to require the developer to pay the street light fees before they can have a preconstruction meeting. He felt that with this change they should have the streetlights installed by the end of the project. He recommended that the council adopt the amended plan.

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

Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE THE NEW PLAN FOR STREET LIGHTING, SIGNS, AND ENGINEERING COSTS AS PROPOSED BY THE TOWN ENGINEER. COUNCILMEMBER RILEY SECONDED THE MOTION. ALL PRESENT WERE FAVOR. MOTION CARRIED WITH ONE ABSENT.

12.3 DISCUSSION AND ACTION – Lakeside Park Storm Drain Project

Storm Water Manager Sam Bell will present the Lakeside Park Storm Drain Project with costs. The mayor and Town Council will take appropriate action.

Mayor Farnworth turned the time over to Storm Water Manager Sam Bell.

Mr. Bell reviewed the storm drain improvement project. Councilmember Riley asked what the future plan was for the road base area. Mr. Overson replied that the Post Office was requiring that a mailbox bank be installed and it would provide a place that people could pull off the road to get their mail. He said that the new park plan had a connection from the trail in Pod 11 and could make a connection into the future trail that would go into the park. Councilmember Riley asked when it could be blacktopped. Mr. Overson replied that they needed to have it in the trial plan and then they could go after funding for the trail. He explained where the trail would be located. Councilmember Riley expressed concern with a road that was unfinished; he felt it should be blacktopped now. Mr. Overson replied that they could take care of the road in the spring when they were having other projects done. Councilmember Riley wanted it done as soon as possible.

Mr. Bell asked that they approve the bid tonight. He would like the project done as soon as possible. Councilmember Riley asked if they had clean outs going in with access to the pipes. Mr. Overson replied that they put it in the trail corridor so they could bring in trucks to clean it out. He explained that the new pipe should be big enough to scour itself. He added that the old ADS pipe had roots growing in it. He said that they would have to build a new manhole.

Mayor Farnworth called for a motion.

Motion: COUNCILMEMBER RILEY MOVED TO APPROVE THE LOWEST BID FROM WILSON EXCAVATION AND APPROVE THE PROJECT FOR THE PARK SIDE STORM DRAIN PIPE AT $21,737.50. COUNCILMEMBER GOODMAN SECONDED THE MOTION. ALL PRESENT WERE FAVOR. MOTION CARRIED WITH ONE ABSENT.

12.4 DISCUSSION AND ACTION – City Administration

The mayor and Town Council will discuss city administration. The mayor and Town Council will take appropriate action.

Mayor Farnworth asked for discussion.

Councilmember Flake felt that they should move forward with making a decision. Councilmember Riley asked if there had been discussion about the direction they should move in. Mayor Farnworth understood that Councilmember Fullmer felt that they needed to have a go-to person/manager so they had one person with whom people communicate. Councilmember Riley stated that the main person to oversee staff was presently the mayor. Mayor Farnworth replied that he was the main person along with department heads communicating with him. He felt that Julie's frustration was that there were too many people to talk to and they should have one person that they go to who talks to the department heads. Councilmember Flake added that he interacted with the department heads on a weekly basis and that they were all very busy. He felt that the town had reached a point where they needed a manager. He also felt that they should promote from within and that they had talented people they should use. Mayor Farnworth asked if the council was in favor of having a City Manager/Administrator. He stated that when they hire this person, there would be additional costs and that they would need to have a division of duties. He said that one concern was that City Managers are not elected officials and they cannot be controlled. He asked what they wanted the division of duties to be. Councilmember Flake felt that they could be managed by the definition of the duties that the council writes. Councilmember Riley felt that there was an opportunity to discuss it the planning meeting (retreat) in January. Mayor Farnworth wanted to have a decision made within the next few months. He felt that they needed to give the work load to staff to make the day-to-day decisions. Councilmember Flake felt that they needed to start now by creating the job description. Councilmember Goodman explained that in American Fork the mayor was still responsible for the day to day, but the administrator was his right-hand man. He said that he worked for the mayor and council to make sure the council's goals were accomplished. He agreed with hiring from within if that person had the required level of experience. He stated that most cities were requiring 10 years or more of experience in a department head level. He added that it would keep the mayor involved but he would not have to answer every question. He stated that the law limited what managers/administrators could do. The legislature wanted the council to hold the real power and the administrator administrates what the council wanted. Councilmember Riley felt it would be good to have more information and have things to talk about at the retreat. Councilmember Goodman felt they needed a draft of the responsibilities. Mr. McHargue stated that the retreat was scheduled for January 27th. Mayor Farnworth suggested that they could bring in someone that was retired to help train the new manager. Councilmember Flake felt that they needed to move to the point where they did not have a broad-ranging discussion at the retreat; it needed to be a narrow discussion. Mr. McHargue mentioned that he would be meeting with the facilitator and then he could send out a tentative agenda for the retreat. Councilmember Riley asked if they would be spending more or less time than last year on what the council wanted to accomplish. Mr. McHargue felt that they would be spending more time on what the council wanted to accomplish but it would be more structured.

Council felt that they should move forward with hiring an administrator, have the duties defined, and answer the question "if they wanted to remain a strong mayor form of government." Councilmember Riley summarized that they had access to broad information nationally and that they could reach out to other municipalities and get their job descriptions. Councilmember Goodman felt that David Church would be a good resource for outlining what a city administrator's duties should be.

Mayor Farnworth commented that he did not want to lose staff because of the administrator they hire. The person they hire would need to work with the mayor, council, and staff. Councilmember Goodman felt that they should have the staff involved in the hiring process. They could have interviews with the mayor, council and staff separately. There was further discussion. Mayor Farnworth felt that they needed to look at getting input from staff.

Councilmember Goodman said that an administrator could provide continuity if a mayor chose not to run for office again. He stated that the life expectancy of a City Administrator was five (5) years. Mayor Farnworth expressed concern that a new mayor/council would change staff. He felt that staff needed to express their feelings and get the information to the council. Someone needed to keep the city moving in the direction the council wanted to move. He also felt that they needed to compensate appropriately for the position.

Council agreed to continue the discussion at the next meeting. They requested that the Town Attorney get them information before the meeting.

CLOSED SESSION

Mayor Farnworth called for a motion to go into a closed session.

Motion: COUNCILMEMBER FLAKE MOVED TO GO INTO A CLOSED SESSION IMMEDIATELY FOLLOWING THE TOWN COUNCIL SESSION TO DISCUSS ACQUISITION OF REAL PROPERTY AND WATER. COUNCILMEMBER GOODMAN SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS. MAYOR FARNWORTH, COUNCILMEMBERS FLAKE, GOODMAN AND RILEY VOTED AYE. COUNCILMEMBER FULLMER WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

ADJOURNMENT

Mayor Farnworth called for a motion to adjourn the regular session.

Motion: COUNCILMEMBER RILEY MOVED TO ADJOURN THE REGULAR SESSION AT 8:31 PM. COUNCILMEMBER FLAKE SECONDED THE MOTION. ALL PRESENT WERE IN FAVOR. MOTION CARRIED WITH ONE ABSENT.

The next regularly scheduled meeting is January 11, 2017.

MINUTES APPROVED ON: January 11, 2017

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