MINUTES OF THE WORK AND REGULAR SESSIONS
OF THE VINEYARD CITY COUNCIL MEETING
City Hall, 240 East Gammon Road, Vineyard, Utah
June 28, 2017 at 6:00 PM

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

Staff Present: Planning Commission Chair Chris Judd, City Manager/Finance Director Jacob McHargue, Public Works Director/Engineer Don Overson, City Attorney David Church, Deputy Collin Gordon with the Utah County Sheriff's Department, Community Development Director Morgan Brim, City Recorder Pamela Spencer, Building Official George Reid, and Water/Sewer Operator Sullivan Love

Others Present: Residents Ajax Trueblood, Kevin Mehner, Marcus Jessop, and Michelle Guymon, Planning Commissioner and resident Cristy Welsh, Yvette Rice and Holden Rockwell with the Utah County Sheriff's Office, Mike Olsen with the Homesteads Development, Jeff Walker with Anderson Geneva

6:00 PM WORK SESSION

Mayor Farnworth opened the meeting at 6:00 PM. Councilmember Fullmer gave the invocation.

OPEN SESSION – *Citizens' Comments*

Resident Chris Judd living in the Sleepy Ridge subdivision mentioned that there was a lot of trash in The Cascade subdivision along the fence. He said that residents were asking whose responsibility it was to clean it up.

Ajax Trueblood living in The Cascade subdivision said that the trash was located along Main Street and the first homes to the east. He added that it was where the community walkways would be located going into the 6-acre park. He said that the whole area had broken concrete and rebar. He felt it was unsafe because of the children around the area. He added that there was standing water which he felt would attract mosquitoes. Councilmember Fullmer stated that she had spoken to Don Overson the Public Works Director and that his department was looking into whose responsibility it would be to maintain that area. Mayor Farnworth said that they needed to know who owned the property along the walkway between the homes. Mr. Overson replied thought it was now owned by the city. Mr. Church stated that it was the city's responsibility to clean it up. Councilmember Goodman asked if the construction had been completed. Mr. Church thought that the contractor was using it for temporary storage of broken concrete, etc., until they could haul it off. Mr. Trueblood felt that the problem of contractor trash was accelerating because of the additional construction. He said that in representing his neighbors they felt that it was an ongoing concern.

Kevin Mehner living in The LeCheminant subdivision asked when the fence would be built around the park in the subdivision because of the trash, etc. Councilmember Fullmer asked if the city had fines for people who were dumping trash. Deputy Gordon replied that if they were illegally dumping or littering it was a criminal violation and that residents needed make the Sheriff's Department aware of it. Mr. Overson stated that there was not a fence planned on the park because of the trail and neighborhood access. He said that the Center Street overpass would shield the park. He added that there would be trees planted as well. Mr. Mehner felt they did not want the overpass to be the shield. He felt that a fence would help the neighborhood feel more complete. He asked what it would take to have a fence installed. Mayor Farnworth mentioned that they had the easement for the overpass in that area. Mr. Overson stated that there would be a lot of property that would not be impacted by the overpass. He explained the once the footprint was designed for the overpass that the idea was to have a trailhead at the park. He said that he would have the Public Works staff clean up the area more often. Mr. Mehner commented that he had never seen a park that opened up to an overpass without being fenced. Mayor Farnworth explained that the trail would go under the overpass. Councilmember Fullmer commented that they were working on a parks project and they could see how the design would fit into the development. Councilmember Goodman asked if it was a city owned park. Mr. Overson affirmed that it was a city owned park and explained why the park was located in that area. Mr. Mehner stated that the residents in the subdivision were concerned with the aesthetics of an overpass, the railroad, and the apartments. He stated that people had moved out of the subdivision because of the overpass. He said that residents were requesting that the city look at putting in an underpass. Mayor Farnworth explained that it would have to span under six railroad tracks and with the UDOT requirements they needed to put in an overpass. He recommended that when the city got to the point of installing the overpass that the residents send representatives to the council meeting at which it would be approved. There was further discussion about the overpass.

Mr. Mehner expressed concern with residents parking on both sides of the street in his subdivision. He asked if there was a way to install No Parking signs near the park. He asked if there was a way to not allow parking on parts of the street. Mr. Church mentioned that parking on the streets was not the same issue as the traffic control devices so the City could determine where they wanted parking, what type of parking and for how long. He stated that the only issue would be enforcement. Mayor Farnworth asked if they needed to have a group request the change. Mr. Church replied that the council needed to decide or give authority to the engineering department to determine where to restrict parking. Mayor Farnworth suggested that it be put on an agenda for further discussion. Mr. Church recommended that they not get into a situation where the neighbors did not want the restrictions there. Mr. Mehner felt that they should poll the neighborhood to see what they wanted. Councilmember Fullmer mentioned that there was a petition form that Mr. Mehner could fill out online.

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

PLANNING COMMISSION UPDATE AND RECOMMENDATIONS TO THE COUNCIL – Planning Commission Chair Chris Judd – Chair Judd reported that Planning Commission did not hold a meeting last week. He added that Commissioner Kohl had resigned from the Planning Commission and thanked her for her service.

MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS

Mayor Farnworth explained that there was seat open as a Planning Commissioner and that he had appointed alternate Planning Commissioner Anthony Jenkins to fill the vacancy. He mentioned that there was an opening for an alternate and that Chair Judd would be taking applications.

Councilmember Fullmer reported that the Youth Council had held their first official meeting. She mentioned that the minutes for the meeting had been turned in and that they would be choosing a mayor this Friday. She said that they were hoping to encourage more youth to sign up.

Councilmember Fullmer reported that the Summer Celebration would be held tomorrow. She suggested that staff and residents pick up wristbands ahead of time.

Councilmember Fullmer reported that Utah County was having each city decorate a wooden bull in conjunction with the County Fair. She said that the bulls would be on display at each city and encouraged everyone to vote for Vineyard's bull. Mr. McHargue reported that they would be showing the movie Despicable Me in Gammon Park on July 8. Councilmember Fullmer added that there would be more movies and to watch for announcements.

Councilmember Fullmer said that the city would be updating social media posts to let residents know what was happening in the city. She requested that residents who know about trash dumping or had other concerns let staff know so they can get them taken care of. She reported that the Orem Community Hospital was holding tours.

STAFF REPORTS

City Manager/Finance Director – Jacob McHargue – Mr. McHargue reported that the Summer Celebration would be held at Seven Peaks Water Park and start at noon and go until 9:00 PM. He reported that any Youth Council member ages 12 to 18, who volunteered from 6:00 PM to 7:30 PM at the Seven Peaks event would receive a free Pass of all Passes. He said that they needed to talk with the city before they could volunteer. He reported that the budget and purchasing reports were in the Dropbox.

Public Works Director/Engineer – Don Overson – Mr. Overson reported that he had sent out a link to the new GIS based mapping program. He stated that it would be included on the website. He reported that they were still working on the Union Pacific Railroad spur realignment. He stated that they had finished the Main Street, Vineyard Road, 400 North, and Loop Road landscaping. He reported that the concrete sidewalks would be installed in about a week. There was a discussion about the process to finalize sidewalks.

Attorney – David Church - Mr. Church reported that the bonds would close by July 6. Mr. McHargue would have the final amount for the bonds tomorrow. Mr. Church anticipated that they would start receiving applications to use the money. Ms. Spencer mentioned that they would be signing the resolution on July 5.

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

Community Development Director – Morgan Brim – Mr. Brim reported that developers were ready to submit or had already submitted two site plan applications. He reported that there were plans to construct two warehouse office buildings just west of 1750 North in the industrial area. He reported that just west of the Megaplex the city had officially received building permits. He explained that there would be eight retail spaces across two buildings. He added that the plan was to build two additional buildings to give them a total of sixteen spaces. He mentioned that Blue Lemon had signed a contract with the developer.

Mr. Brim stated that he had attended Mountainland Associations of Governments' (MAG) Economic Development luncheon. He explained that a representative from EDCUtah gave a rundown of all of the tools that they had and that they had opened up a retail arm. He mentioned that the city was in the process of becoming a member. He explained that one of the services they provided was a booth at the Retail Convention in Las Vegas. He explained that they match up retailers with cities that match the retailers search criteria.

City Recorder – Pamela Spencer – Ms. Spencer reported that there would only be a Primary Election for the mayoral race. She mentioned that there would be a Meet the Candidates Night on July 18 and invited everyone to come and participate.

Building Official – George Reid – Mr. Reid reviewed the May monthly building report. Highlights were:

Monthly Revenues $ 319,902.86
- Residential $ 311,971.80
- Commercial $ 78,391.06

Mr. Reid stated that the year to date revenue comparison had more than doubled any other year previously.

Budgeted Amount	$ 829,300.00
Total to date	$2,247,729.00
May revenue	$ 390,363.00
Projected revenue	$ 126,616.00
Units Issued Permits	238

Residential Occupancy
- Total Units with Certificates of Occupancy 2,574
- Estimated population 8,159
- Does not include the 880 units under construction or approved for issuance.

Building Permit applications received	80
Applications in review	75
Plans approved	84
Active Construction Sites	588
Inspections	1,070

Mr. Reid commented that the Building Department had a phenomenal team. He reported that Megan Lefler and Elizabeth Hart passed their technician certifications. Cris Johnson had passed his commercial mechanical certification and Cameron Wright had passed his commercial plumbing certification.

Mr. Reid said that in regards to the trash issue that was discussed earlier, that they were cracking down on having developers take care of their trash. He mentioned that there was a microburst which caused some of the trash problems. He added that it was hard to prove whose garbage it was. Mr. Trueblood asked how they could submit complaints. Mr. Reid suggested that he call the Building Department or he could submit a complaint online.

Water/Sewer Operator Sullivan Love - Mr. Love had no new items to report.

DISCUSSION ITEMS
No items were submitted.

ITEMS REQUESTED FOR FUTURE AGENDAS

Item	***Requested by***
Utah Wildfire Risk Assessment Agreement	City Manager Jacob McHargue

Mr. McHargue explained that the contract stated that Vineyard would do their part to mitigate any wildland fires in the specific geographic location. He said that if Vineyard did their part it would allow the State of Utah, Division of Forestry, Fire, and State Lands (FFSL) to be back up on fires. He explained that the Utah Lake cleanup would be assigned a value. He said that the estimated yearly contribution would be $500.00, which could include staff time, materials donated, and equipment used, etc. Mr. Church stated that it was important to follow the agreement because if there were to be a fire, the city could be liable for the full cost to fight the fire. Mr. McHargue said that it was either money or “in lieu of” payment.

Councilmember Fullmer requested that parking in the LeCheminant subdivision be added to the Future Agendas Requests.

6:48 PM REGULAR SESSION

MAYOR’S APPOINTMENTS
No appointments were submitted.

CONSENT ITEMS
a) Approval of the June 14, 2017 City Council minutes
b) Purchases

Mayor Farnworth called for a motion.

Motion: COUNCILMEMBER FULLMER MOVED TO APPROVE THE CONSENT ITEMS. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FARNWORTH, COUNCILMEMBERS FLAKE, FULLMER, AND GOODMAN VOTED AYE. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

BUSINESS ITEMS
11.1 PUBLIC HEARING – 2016-2017 Fiscal Year Budget Amendment
(RESOLUTION 2017-05)
The mayor and City Council will hear public comment regarding amendments to the 2016- 2017 Fiscal Year Budget. The mayor and City Council may act to approve (or deny) this request by resolution.

Mayor Farnworth turned the time over to City Manager/Finance Director Jacob McHargue.

Mr. McHargue reviewed the budget amendments. He stated that with becoming a city the General Fund requirements had changed. Highlights of the report were:

Reasons for Amendment

- Move from a Town to a City
- Town is allowed a fund balance equal to 75% of general fund budget
- City is allowed a fund balance between 5% and 25% of general fund budget
- A transfer to capital projects of excess fund balance needs to happen prior to year's end.
- Proposed Budget is $6,639,000

Changes Proposed

- Revenue increased by $3,061,500
    - True up of actual revenue amounts $1,561,500
    - Appropriation of beginning fund balance $1,500,000
    - Expenditures increased by $3,061,500
    - Increase Public Safety Budget by $43,000
    - Transfer to Capital Projects increased by $3,018,500

Calculation

- Allowed Fund Balance $331,950 - $1,659,750
- Current Fund Balance $4,600,900
- Proposed Transfer $3,261,600
- Remaining Fund Balance $1,339,338

Mr. Church explained how the budget worked. The state wanted the city to keep at least 5 percent in a rainy-day fund, which was money to be held for emergencies. He explained that cities were not allowed to keep more than 25 percent in the rainy-day fund. When they transfer money to the Capital Improvements Fund it was money to be used for big projects. Mr. McHargue stated that the proposed amount was just under 20 percent, but he could change it if the council wanted him to. There was a discussion about the rainy-day fund. Councilmember Goodman asked how Mr. McHargue had come up with the amount to leave in the rainy-day fund. Mr. McHargue explained that he used specific calculation that would keep the city safe. Councilmember Goodman asked about the Enterprise Funds. Mr. Church explained how the Enterprise Funds worked. He said that a well-run city would be saving for depreciations of equipment or infrastructure, etc. Mr. McHargue added that until this year the Enterprise Funds had run at a loss. Mr. Church and Mr. McHargue explained how the city purchased water.

Enterprise Funds

- Water Fund
    - Revenues $901,000
    - Expenditures $719,800 (Increase of $80,100)
        - Increased Supplies Budget for purchase of new water meters
        - Increased Contract Water with CUWCD
- Sewer Fund
    - Revenues $380,000
    - Expenditures $368,200 (Increase of $20,000)
        - TSSD Sewer Costs
- Storm Water Fund
    - Revenues $71,000
    - Expenditures $62,400 (Decrease of 3,800)
- Transportation Fund
    - Revenues $34,000
    - Expenditures $9,500 (No Change)

Mayor Farnworth called for a motion to open the public hearing.

Motion: COUNCILMEMBER FLAKE MOVED TO OPEN THE PUBLIC HEARING AT 7:02 PM. COUNCILMEMBER FULLMER SECONDED THE MOTION. MAYOR FARNWORTH, COUNCILMEMBERS FLAKE, FULLMER, AND GOODMAN VOTED AYE. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

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

Motion: COUNCILMEMBER FLAKE MOVED TO CLOSE THE PUBLIC HEARING AT 7:02 PM. COUNCILMEMBER FULLMER SECONDED THE MOTION. MAYOR FARNWORTH, COUNCILMEMBERS FLAKE, FULLMER, AND GOODMAN VOTED AYE. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

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

Motion: COUNCILMEMBER GOODMAN MOVED TO APPROVE THE 2016-2017 FISCAL YEAR BUDGET AMENDMENT AS PRESENTED. COUNCILMEMBER FLAKE SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FARNWORTH, COUNCILMEMBERS FLAKE, FULLMER, AND GOODMAN VOTED AYE. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

11.2 DISCUSSION AND ACTION – <u>Updated Utah County Sheriff's Contract</u>

City Manager Jacob McHargue will present the updated contract with the Utah County Sheriff's Office. The mayor and City Council will take appropriate action.

Mayor Farnworth turned the time over to City Manager Jacob McHargue.

Mr. McHargue welcomed Yvette Rice with the Utah County Sheriff's Office. Ms. Rice introduced Sergeant Holden Rockwell, who will be working with Vineyard. She publicly thanked Deputy Gordon, who will still be working with the city, for his exceptional service to the city.

Mr. McHargue reviewed the changes to the contract. He said that they had been paying actual costs with a set price. The updated contract would fluctuate as the actual costs fluctuate. He added that it would be a yearly contract with five renewals and a 90-day opt-out option. Ms. Rice mentioned that one unique change was that overtime would be billed separately. She said that if in a given month they exceeded seven percent of the actual costs, the Sheriff's Department would be required to notify the city. Mr. McHargue stated that there were provisions that allowed the city to have oversight of the contract. He added that the Sheriff's Department had been easy to work with. Mr. Church stated that it was a good form of agreement, which met the minimum requirements by law.

Mayor Farnworth called for questions. Hearing none, he called for a motion.

Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE THE INTERLOCAL COOPERATIVE AGREEMENT AS PRESENTED BETWEEN VINEYARD AND THE UTAH COUNTY SHERIFF'S DEPARTMENT. COUNCILMEMBER GOODMAN SECONDED THE MOTION. MAYOR FARNWORTH, COUNCILMEMBERS FLAKE, FULLMER, AND

GOODMAN VOTED AYE. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

11.3 DISCUSSION AND ACTION <u>Amended Homesteads Development Agreement</u> (RESOLUTION 2017-06)

City Attorney David Church will present the final amended Homesteads Development Agreement. The mayor and City Council may act to approve (or deny) this request by resolution.

Mayor Farnworth turned the time over to Economic Development Director Morgan Brim and City Attorney David Church.

Mr. Church gave a background on the original and amended agreements. He stated that he put together an amended and restated agreement, which included the previous amendments and fairly represented the new changes that were agreed upon.

Mr. Brim explained that they used the bullet points from the list that had been presented at an earlier meeting to make some of the changes. He said that one change was to allow fencing types and not restrict the color of the vinyl. He added that it did restrict metal and chain link fences. He stated that the architecturally specific details had been removed. He said that in general it gave allowances for the types of development that were currently in the subdivisions.

Mr. Church said that they needed to list who would be appointed as the representatives in the agreement. He suggested that they have Mr. Overson and Mr. Brim be the city representatives and that Mr. Olsen would represent the developers. Mr. Brim suggested that they only specify titles or remove that section altogether.

Councilmember Fullmer asked if they could fill in the representative section with the title of City Planner, City Engineer, and the developer. Council agreed.

Mayor Farnworth called for a motion.

Mr. Church mentioned that the developer also needed to agree to the amendment. Mike Olsen with The Homesteads Development stated that the developer agreed to the amendment.

Motion: COUNCILMEMBER FLAKE MOVED TO ACCEPT THE AMENDED HOMESTEADS DEVELOPMENT AGREEMENT AS PRESENTED. COUNCILMEMBER FULLMER SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FARNWORTH, COUNCILMEMBERS FLAKE, FULLMER, AND GOODMAN VOTED AYE. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

CLOSED SESSION

No closed session was held.

ADJOURNMENT

Mayor Farnworth called for a motion to adjourn the meeting.

Motion: COUNCILMEMBER FULLMER MOVED TO ADJOURN THE MEETING AT 7:23 PM. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FARNWORTH, COUNCILMEMBERS FLAKE, FULLMER, AND GOODMAN VOTED AYE. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

The next regularly scheduled meeting is July 12, 2017.

MINUTES APPROVED ON: July 12, 2017

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