

MINUTES OF A WORK AND REGULAR SESSION
OF THE VINEYARD CITY COUNCIL MEETING
240 East Gammon Road, Vineyard, Utah
July 12, 2017 at 6:00 PM

Present

Mayor Randy Farnworth
Councilmember Tyce Flake
Councilmember Julie Fullmer (6:04 PM)
Councilmember Dale Goodman
Councilmember Nate Riley

Absent

Staff Present: Planning Commission Chair Chris Judd, City Manager/Finance Director Jacob McHargue, Public Works Director/Engineer Don Overson, City Attorney David Church, Sergeant Holden Rockwell 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, Mitchell Hatch, Jessica Colyar, Kevin Mehner, and Anthony Jenkins

6:00 PM WORK SESSION

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

OPEN SESSION – *Citizens' Comments*

Resident Ajax Trueblood living in The Cascade subdivision thanked the city for their hard work. He expressed concern that the trash problem had not been taken care of. He stated that the city's complaint system was not working. He said that he had to go to the city to follow up on a complaint he had filed online. He mentioned that other staff members were not aware of the complaint. He felt that it was a problem that there was no link to make a complaint on the home page. He added that there was no way to submit a photo on the complaint system.

Councilmember Fullmer entered the meeting at 6:04 PM.

Mr. Trueblood said that it had been three weeks since he filed the complaint and two weeks since he explained the problem at City Council and the trash pile that was placed on a lot in his subdivision was still there. He mentioned that there was also a contractor working on the drainage in his subdivision which was causing other issues. He felt that the trash pile was a hazard to the neighborhood and the children playing there. He said that the pile was getting bigger with other contractors dumping trash. He said that he knew that an inspector had talked to them and felt that Flagship was dragging their feet. He wanted something done, such as fines, because this was becoming a bigger problem than just the one lot.

Resident Mitchell Hatch living in The Cascade subdivision stated that there was a broken sprinkler line that he thought belonged to the city and that it had caused part of his yard to sink down. He would like to have that cleaned up by the city. He felt that there were safety concerns with children playing on the site that was a dumping grounds for contractors. He mentioned that he had spoken with Bronson Tatton with Flagship Homes, who stated that they were planning on paving that area in the Spring. He said that he would like to see it paved and landscaped now to the park, where the trailhead was located.

Mayor Farnworth asked Mr. McHargue where they were at in having the ability to add a photo to the online complaint system. Mr. McHargue replied that he would look into it. He explained that there was a link on the home page to the complaint system and showed where it was located. He added that the portal was now working. Mr. Overson stated that he had spoken with the developer after the last council meeting and they had promised to have an excavator take care of the problem. He said that he told them that they needed to install a fence if they were not going to get it cleaned up soon. He said that he also told them that their project would not go into warranty in The Cascade subdivision until they had the property landscaped and paved. Mr. Trueblood asked what it would mean financially for the developer. Mr. Overson said that it was a warranty bond and explained how the warranty process worked. Councilmember Goodman asked how big the bond was. Mr. Overson replied that it was about \$100,000. Mr. Trueblood asked if they were able to fine the developers. Mr. Overson replied that there was nothing in the city's ordinances that allowed them to fine contractors. Mayor Farnworth stated that they could hold up issuing Certificates of Occupancy. Councilmember Goodman explained that as long as it was in development and not owned by the city, the developers had a lot of leeway. He said that the city was trying to get the developer to clean up the property and finish their project. There was a discussion about code enforcement. Mr. Church said the problem was that Flagship Homes and their contractors were going to use open spaces to house their waste before they haul it off. He added that it would be moved to the next lot until it could be hauled off. They would not be hauling it off every day. He suggested that they could get them to find another place to hold their construction debris. Mr. Hatch asked what the residents could expect as far staying in the loop as to how the developer was responding. Mr. Overson asked for residents contact information and he would keep them updated. He explained that he had told the developer that they had to have it cleaned up or fenced off by tomorrow.

Councilmember Fullmer asked where the broken sprinkler was. Mr. Hatch explained that it was at 459 North 20 East. He added that the lot was north of his property. He said that as he understood it there were two leaks; one on the south side across from Freedom Preparatory Academy and one on the other side of the fence from his property. Mr. Love stated that he had shut the water off. Mr. Hatch said that he was still getting water on his property. He explained that it was along the trailhead area, in south west corner of the six-acre park. Mr. Overson explained the how storm drain system was going to work.

PLANNING COMMISSION UPDATE AND RECOMMENDATIONS TO THE COUNCIL – Planning Commission Chair Chris Judd – Chair Judd reported that there was no Planning Commission meeting last week. He had no other items to report.

MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS
Councilmember Fullmer reported that the Youth Council would be hosting a Meet the Candidates Night on July 18. She mentioned that the movie in the park went well.

STAFF REPORTS

Public Works Director/Engineer – Don Overson – Mr. Overson reported that the sidewalk on Main Street should be completed within the next week.

Councilmember Fullmer asked about the cleanup of the Flagship property along the Garden subdivision and residents trying to stop it. Mr. Overson expressed concern that the machinery could not be controlled fast enough when residents jump in front of it. He stated that residents were trespassing on private property. Sergeant Rockwell asked them to call the Sheriff's office whenever this happens. Mr. Church asked why residents were jumping in front of the machinery. Councilmember Fullmer said that part of the cleanup was removing some of the trees, etc., that people liked on that property. She said it was a safety concern. She thought that there was a division of people who wanted the area cleaned up and those who wanted to preserve the natural foliage. She wanted to know if they should make a public announcement about the cleanup. Mr. Overson mentioned that from that same subdivision the residents along the open space had encroached onto the open space with gardens, etc. He added that one garden had been destroyed when they started the cleanup. Councilmember Fullmer suggest that they put up private property signs. Mr. Church asked if it was to be future city property. Mr. Overson replied that it would be. Councilmember Goodman asked if any of the property had been delineated as wetlands. Mr. Overson replied that there was a delineation but the area they were discussing was uplands. Mayor Farnworth stated the problem with installing signs would be that the equipment to clean up the area would run the signs over. Councilmember Flake felt that the best solution was to coordinate with the Sheriff's office. Mr. Overson agreed that they would coordinate with the Sheriff's office next time they needed to clean up the area. Councilmember Goodman asked if there was to be a walking path along that area. Mr. Overson replied that there would be one on the east side of the wetlands. He said that there was a problem on the west side of the wetlands with having a mix of wetlands and uplands. They would have to install a boardwalk.

Mr. Overson reported that on the news there was an article about grass clippings starting fires in vacant lots. He said the residents in Vineyard were putting their grass clippings in vacant lots, along fences, and in open fields. He explained that people needed to understand that in the high heat it could start a fire. People cannot drop their grass clippings in open space and on vacant lots.

City Manager/Finance Director – Jacob McHargue – Mr. McHargue reported that he had been contacted by UTOPIA, who was installing services in a subdivision on the Orem side of The Lakes at Sleepy Ridge subdivision and would be willing to extend their services into the Vineyard side of the subdivision. He said that if they could get 30 percent of the homeowners to sign up it would cost \$30 a month per hookup for the infrastructure and \$35 a month for the internet connection. He suggested that they could do an assessment area where the city pays for the cost of the infrastructure upfront and recoups those costs either through the annual property taxes or on the residents' monthly utility bills. He said that they were thinking about sending out a survey to see how the community felt about it. Councilmember Fullmer commented that the internet options were still not ideal in The Lakes at Sleep Ridge subdivision. Councilmember Riley felt that First Digital realized that the Holdaway Road installation was a bigger project than initially thought. He stated that the city was not having to deal with any of the infrastructure. He explained that First Digital was charging the residents, who were either paying upfront or having it included in their monthly internet bill. He suggested that they could look at other providers. Mr. Judd mentioned that there had been other companies that had knocked on his door. He said that First Digital wanted a five to six-year contract with the residents. Mr. McHargue said that UTOPIA was not requiring a contract because the city would be paying for the infrastructure upfront. Councilmember Riley mentioned that the council had voted against being a participating

member in UTOPIA so that they did not have to deal with all of the costs. Mr. McHargue said that if they were a participating city, then UTOPIA would cover the upfront costs. Because they were not a participating city, the city had to pay the upfront costs. Councilmember Flake felt that they should do the survey about UTOPIA. Mr. McHargue said that depending on the interest level he could reach out to different providers. Mr. Church said that because Orem was a member of UTOPIA their Vineyard neighbors would not have the internet option and Vineyard residents would be asking why they could not have it. He asked what the cost would be to install the infrastructure. Mr. McHargue replied that they had a fixed cost and a per-house installation cost. Mr. Judd said that UTOPIA's costs were lower than the other providers. Councilmember Riley felt that they needed to be careful doing this for one subdivision and not the whole city. Councilmember Fullmer explained that The Lakes at Sleepy Ridge subdivision was the only one that did not have conduits or any wiring but it was being done for the rest of the city. There was further discussion about the infrastructure in the city. Mr. McHargue said that the cost would be \$192,000 for the infrastructure and \$1,100 for each home, all of which would be upfront costs to the city. He said that at a 40 percent take rate the total cost would be \$260,000. Mr. Church said that they were talking about spending about \$200,000 for 158 homes to be put into an assessment area. Mr. McHargue said that if they did \$30 a month it would take between four to six years to pay off those costs. If they did an assessment area it would be charged to every lot. It could add about \$200 to their property tax bill to pay it off.

Attorney – David Church – Mr. Church reported that The Forge documents were ready to be signed. He said that there was no new information from Union Pacific Railroad on the spur removal. Mr. Overson mentioned that he had received an email from the Western States designer who had mentioned that they had new staff reviewing the plans and were waiting to hear from them. He said that city staff had met with Geneva Nitrogen who wanted to know what the city was going to do to make them whole in regards to the rail spur. Mr. Church stated that the city had not anticipated making them whole. He felt that this issue was between Geneva Nitrogen and Union Pacific. Mr. Overson said that Geneva Nitrogen felt that they were not given a choice in the realignment.

Utah County Sheriff's Department – Sergeant Holden Rockwell – Sergeant Rockwell reported that Deputy Dutson was being reassigned to Eagle Mountain. He mentioned that Deputy Chad Stilson would be taking Deputy Dutson's place. He added that Deputy Dutson would still be doing the NOVA program at Vineyard Elementary for the next school year. Mr. Overson asked if the deputies could write tickets on UDOT roads. Sergeant Rockwell replied that they could. There was a discussion about parking concerns on the Vineyard Connector. Mr. McHargue commented that Deputy Dutson had made a lot of changes to the program at Vineyard Elementary and that the city was sorry to lose him. Councilmember Riley asked how they were doing in regards to theft of materials, building supplies, equipment, etc., on the construction sites. Sergeant Rockwell replied that they were still receiving calls. He explained that part of the issue was that some of the contractors were not reporting the thefts. He added that they had extra patrol in certain areas. Councilmember Fullmer mentioned that the new subdivision on Holdaway Road had things stolen from them also.

Community Development Director – Morgan Brim – Mr. Brim reported that the site plan for the Utah Valley Homebuilders Association had been submitted. He stated that the city was now officially a member of the Economic Development Corporation of Utah (EDC Utah) which would give the city the opportunity to work closely with them. He mentioned they had a lot of tools the city could use to promote Vineyard and bring corporations and retail here. He explained that the first step would be to build a community profile, which would highlight what the city's vision was: They would do this using the city's General Plan and other projections. He said that part of it would entail doing economic development studies to understand what type of

industries we would be attractive to and other types of studies to determine where the city was missing out in economic development.

Mr. Brim reported that he was in the process of amending the General Plan and working with a consultant to do a General Plan Diagnostic. He explained the process to amend the General Plan.

City Recorder – Pamela Spencer – Ms. Spencer reported that the Meet the Candidates Night would be held on Tuesday, July 18 at 7:00 PM at City Hall. She mentioned that Marcus Jessop who was running for City Council had withdrawn his candidacy. She reported that ballots would be sent out on July 25, and to please watch for them to come in the mail. She explained that the official election date is August 15 but because ballots would be mailed out, the voted ballots could be mailed back or dropped off at the county or at her office any time after they receive them. July 16 would be the last day for residents to establish residency in Vineyard in order to vote in the Primary Election. She mentioned that there were deadlines for registering to vote. They could register up to a week before the election and still vote.

Building Official – George Reid – Mr. Reid presented the monthly report for June. He mentioned that it was a more realistic month for statistics.

Highlights were:

Total Revenue	\$ 195,296
Total Year to Date	\$2,443,026
Total Units Issued Permits	108
Single Family	46
Townhome	56
Multi-Family	6
Commercial	1
Total of Certificates of Occupancy Issued to Date	2,682
Estimated Total Number of Residents	8,314
Building Permit Applications Received	56
Building Permit Applications in Review	61
Plans Approved	69
Active Construction Site	586
Inspections	1,091

Water/Sewer Operator Sullivan Love – Mr. Loved reported that the city had received notification that Timpanogos Special Service (TSSD) was now receiving green waste and selling compost. He also reported that the 2016 Water Quality Report had been posted on the city's website and that there was a letter in the Dropbox informing the council of a couple of violations that the city had received.

DISCUSSION ITEMS

No items were submitted.

ITEMS REQUESTED FOR FUTURE AGENDAS

Item

Requested by

Recreation Program

City Manager Jacob McHargue

Mr. McHargue explained that the city had participated in the Li'l Sports League the past few years. He said the numbers of participation in the league had gone down. He mentioned that Bill Hoops who ran the Li'l Sports League was moving and would not be able to run the program. He

felt that the city needed to decide what their vision was for recreation programs. Mr. McHargue stated that he would like to present to the council a proposal as to what he thought a recreation program should look like. He asked the council to send him their thoughts as well.

Councilmember Fullmer asked if they could choose a date to discuss what the city would like to do with the current council chambers when the new chambers were completed. Mr. McHargue stated that if a recreation department was created they would need to decide where they would be housed. It was decided to discuss both items at the same time.

Councilmember Riley felt that they needed to see at what kind of a loss other cities ran their recreation departments. He said that they had to look into where the subsidy would come from or look at contracting it out and not subsidizing it. Mr. McHargue explained that he would include all of this in his report. He mentioned that he was meeting with other cities about their programs. He mentioned that the cities were telling him that they lost money on baseball and softball. He suggested that the city could just run a soccer program. Councilmember Goodman asked if they were to rent out the park to a program such as Orem's Youth Soccer, would Vineyard residents be allowed to participate. Mr. McHargue replied that Orem charged Vineyard residents the same rates as their residents. There was further discussion about the recreation program.

Strategic Plan

City Manager Jacob McHargue

Mr. McHargue mentioned that he had sent out a draft of the Strategic Plan and asked the council to give him their feedback before he presented it to the public. He added that a copy was also available in the Dropbox.

7:02 PM REGULAR SESSION

Mayor Farnworth opened the regular session at 7:02 PM.

MAYOR'S APPOINTMENTS

No appointments were submitted.

CONSENT ITEMS

- a) Approval of the June 28, 2017 City Council Meeting Minutes
- b) Purchases

Mayor Farnworth called for discussion or a motion.

Councilmember Riley asked for clarification on the purchases. Mr. McHargue explained that it was the construction drawings for the basement finish. Mr. Reid commented that it was also engineering for the stairwell.

Mayor Farnworth called for a motion.

Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE THE CONSENT ITEMS AS NOTED. COUNCILMEMBER GOODMAN SECONDED THE MOTION. MAYOR FARNWORTH, COUNCILMEMBERS FLAKE, FULLMER, GOODMAN, AND RILEY VOTED AYE. MOTION CARRIED UNANIMOUSLY.

Mr. McHargue showed the council what Mr. Trueblood's complaint was about the website. Councilmember Fullmer asked if staff was tracking how many people were visiting the sites. Mr. McHargue replied that Ms. Rimal was tracking the visits.

BUSINESS ITEMS

11.1 DISCUSSION AND ACTION – Utah Wildfire Risk Assessment Agreement

City Manager Jacob McHargue will present the Utah Wildfire Risk Assessment Agreement. The mayor and City Council will take appropriate action.

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

Mr. McHargue gave a brief background on the policy. He explained where the area was that would be included in the agreement. He said that the participation commitment would be about \$530.00 year. He added that this was not monetary but that they had to do specific things to meet those requirements. He explained that if the city were to opt out and there was a fire in the city then the city would have to pay all state costs that would be incurred. He recommended that they approve the contract.

Councilmember Flake asked if the city had to file an annual report. Mr. McHargue replied that there was a report and that the state had a formula to calculate if they had met the qualifications.

Councilmember Riley stated that most of medium risk area along the lake appeared to be on the east side of the road. Mr. McHargue felt that it was between the lake and the road elevation. Councilmember Riley asked if there were people shooting off fireworks in that area. Sergeant Rockwell replied that he had kicked out only two groups from that area on July 4. Mr. McHargue said that they were hoping to have sanctioned firepits on Vineyard Beach in order to deter criminal activities.

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

Motion: COUNCILMEMBER GOODMAN MOVED TO AUTHORIZE THE MAYOR TO EXECUTE THE COOPERATIVE AGREEMENT BETWEEN THE UTAH DIVISION OF FORESTRY, FIRE, AND STATE LANDS (FFSL) AND VINEYARD. COUNCILMEMBER FULLMER SECONDED THE MOTION. MAYOR FARNWORTH, COUNCILMEMBERS FLAKE, FULLMER, GOODMAN, AND RILEY VOTED AYE. MOTION CARRIED UNANIMOUSLY.

CLOSED SESSION

No closed session was held.

ADJOURNMENT

Mayor Farnworth called for a motion to adjourn the meeting.

Motion: COUNCILMEMBER FLAKE MOVED TO ADJOURN THE MEETING AT 7:11 PM. COUNCILMEMBER GOODMAN SECONDED THE MOTION. MAYOR FARNWORTH, COUNCILMEMBERS FLAKE, FULLMER, GOODMAN, AND RILEY VOTED AYE. MOTION CARRIED UNANIMOUSLY.

The next regularly scheduled meeting is July 26, 2017.

MINUTES APPROVED ON: August 23, 2017

CERTIFIED CORRECT BY: /s/ Pamela Spencer

PAMELA SPENCER, CITY RECORDER