

**MINUTES OF THE VINEYARD TOWN
WORK SESSION AND COUNCIL MEETING
Vineyard Town Hall, 240 East Gammon Road, Vineyard, Utah
June 24, 2015, 6:00 PM**

6:23 PM WORK SESSION

PRESENT:

Mayor Randy Farnworth
Councilmember Dale Goodman

ABSENT:

Councilmember Nathan Riley
Councilmember Julie Fullmer
Councilmember Sean Fernandez

Staff Present: Attorney David Church, Planner Nathan Crane, Treasurer Jacob McHargue, Public Works Director Don Overson, Recorder Pamela Spencer, Planning Commission Chair Wayne Holdaway.

Others Attending: Resident Tyce Flake.

Public Works Director/Engineer Don Overson reported that he is putting together a Traffic Calming Committee. He stated that the Vineyard Connector was open to Mill Road. He said that the connector would be open to Main Street and he anticipated that Main Street would be ready to open by the end of August.

Councilmember Goodman asked that the construction company wet down the road on 300 West. Resident Tyce Flake mentioned that people are using 4-wheelers on that road. Mr. Overson said that he would have contractors water down the road.

Councilmember Goodman mentioned that a streetlight was knocked down on Center Street and that construction trucks were running over the curb on the roundabouts.

Mr. Overson mentioned that Center Street's lighting and landscaping would be done when they finish developing the remainder of the land along it.

Jacob McHargue explained that he gave a letter to Dave Robins for the possible purchase of property owned by Margaret Robins. Mayor Farnworth discussed the options that they wanted for the purchase and that they wanted to purchase it with no conditions.

Mr. McHargue discussed concerns that residents have with the new recycling program and that they would be bringing it up at the meeting tonight.

Staff discussed the HOA that Anderson development has when they sell their property and that the Town has nothing to do with it.

Mayor Farnworth discussed the agenda with staff.

7:02 PM REGULAR SESSION

PRESENT:

Mayor Randy Farnworth
Councilmember Sean Fernandez
Councilmember Dale Goodman

ABSENT:

Councilmember Nathan Riley
Councilmember Julie Fullmer

Staff Present: Attorney David Church, Planner Nathan Crane, Treasurer Jacob McHargue, Public Works Director Don Overson, Recorder Pamela Spencer, Planning Commission Chair Wayne Holdaway, Water Operator Sullivan Love.

Others Attending: Residents Tyce Flake, Dave Kimball, Sherry Teschner, Marcus Jessop, Christy Welsh, Eric Ellis with Utah Lake Commission, Pete Evans with Flagship Homes, Bronson Tatton Landscape Architect for Flagship Homes.

Regular Session – The meeting was called to order at 7:02 PM. The invocation was offered by Councilmember Goodman.



CONSENT ITEMS:

- a) Approval of minutes for February 20, 2015 Technical Advisory Committee (TAC) meeting
- b) Approval of minutes for March 6, 2015 Technical Advisory Committee (TAC) meeting
- c) Approval of Water's Edge Final Plat Phase 1 Plat A
- d) Approval of Special Event Permit "Relay Race Around Utah Lake"
- e) Approval of Special Event Permit "We All Fall Down"
- f) Approval of Special Event Permit "Hotter than Heck"

Mayor Farnworth called for a motion.

Motion: COUNCILMEMBER FERNANDEZ MOVED TO APPROVE THE CONSENT ITEMS. COUNCILMEMBER GOODMAN SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED WITH TWO ABSENT.

PLANNING COMMISSION UPDATE AND RECOMMENDATIONS TO THE COUNCIL: Planning Commission Chair Wayne Holdaway – Chair Holdaway asked for time during the discussion on the WatersEdge business item.

STAFF REPORTS

Public Works Director /Engineer– Don Overson – Mr. Overson reported that the connection at Vineyard Connector and Mill Road is now open. He mentioned that the overpass would be completed by mid-July and added that the connection at Main Street would be completed about month after that. He said that the park restroom is almost finished and should be open by June 29 and that the landscaping will done later. He mentioned that the Public Safety building bid opening is scheduled for Monday June 28th. He reported that they have a contractor selected for the 400 South landscaping project. He said that they put together a water storage master plan ready for Orem City and CUP to approve. He mentioned that they needed to have two (2) 3,000,000-gallon storage tanks built in the next six (6) to ten (10) years. Mayor Farnworth asked about the location and if the water would be pumped in and out. Mr. Overson said that they were not able to co-locate with CUP which eliminates the use of their storage and that there is no room in Orem so they will have to located them on north end of town with a pump station.

Attorney – David Church – Mr. Church had no new items to report.

Utah County Sheriff Department – Collin Gordon – Deputy Gordon was excused from this meeting.

Planner – Nathan Crane – Mr. Crane reported that the next Technical Advisory Committee (TAC) meeting would be on July 10, to discuss concerns with traffic flow and the design the promenade.

Treasurer – Jacob McHargue – Mr. McHargue reported that the Purchasing and Budgeting Reports are on the Dropbox. He said that staff had received a few questions about the Recycling Program from residents that would like to have an annual opt out program. He stated that there are a few options that will not affect the contract.

Town Clerk/Recorder – Pamela Spencer – Ms. Spencer reported that the election process is under way and that they would be having a Primary Election. She added that she needs poll workers.

COUNCILMEMBERS' REPORTS

Councilmember Nate Riley – Councilmember Riley was excused from this meeting

Councilmember Dale Goodman – Councilmember Goodman reported that he attended a meeting of the Mountain Accord coalition who was trying to control the mountain range in three counties. He said that it had now entered Utah County and American Fork Canyon where a developer wanted to make changes to the canyon, control access to it and that there were people who did not want those changes.

Councilmember Fullmer – Councilmember Fullmer was excused from this meeting

Councilmember Fernandez – Councilmember Fernandez reported that TSSD is about 75 percent complete with their laboratory building. He mentioned that they purchased blowers from a South Korean company and were not able to get parts for them.

MAYOR'S REPORT – Mayor Farnworth had no new items to report. Mr. Crane mentioned that he had received a Request for Information (RFI) for 80 acres.



OPEN SESSION: *Citizens' Comments*

Mayor Farnworth opened the session for public comments.

Resident Dave Kimball in the Sleepy Ridge Subdivision mentioned that he had a background in transportation and he was motivated from the last Council meeting with the discussion of the speed humps. He stated that he drove the roads where he found signs that were not standard and it appeared residents are putting up their own signs, which he doubted had been approved. He said that on Fox Trail and Pheasant Run there were speed limit signs of 11 1/2 miles an hour and explained that the residential speed limit according to State law is 25 miles an hour with exceptions for schools, hospitals, and areas under constructed. He said that in the gated community by the Golf Course the speed limit is 10 miles an hour and they had no parking allowed on the street. He reported that there were some inconsistent signs on 575 South and Lake View Drive with some being 25 miles an hour and others that were 20 miles per hour. He mentioned that while driving around Sleepy Ridge on Lake View Drive did not see any children playing in the street and he felt that this was an emotional issue. His suggestion was to go by the Laws instead of emotions and politics.

Resident Sherry Teschner 188 South Holdaway Road mentioned that they auto pay for the utility bill, so they did not read the mail regularly, figured it was a receipt that they get from Vineyard, and then she has heard that it contains other things. She explained that when the recycling container was dropped off at her house she thought it was optional. She stated that when she opened her mail ten (10) days ago she found that recycling was not optional and that there were charges for it. She said that she came to Town Hall to have the containers removed and the charge taken off. She said she was told that they could not be removed and that she needed to take the concern to Council. She stated that she had

many questions that could not be answered. She said that she did her own investigating and found that it was not Republic but the town that cared if she was on the list or not. She felt that town staff and the Councilmembers she spoke with did not understand the contract with Republic. She mentioned that there are 300 to 400 residents, and that only 10% of the homes requested the recycling. She said that she had a conversation with Mr. McHargue as to why they cannot opt out. She mentioned that she called Republic Services they told her that the town does all of the billing and then gives them the names and addresses of the residents. She said that they did not have a problem if the residents did not want the containers and that they needed to tell the town and have them request to have the cans picked up. She said that Mr. McHargue contacted Republic Services and then explained to her that it is on a tiered system and Vineyard would not have an opt-out agreement until the next tier of about 350 homes which should be reached within the next year.

Mayor Farnworth stated that they held Public Hearings on this subject, no one showed up to the meetings and when it was enacted then they complained. He explained that this item needed to be placed on an agenda and discussed before they could make action on it. He suggested that they put it on the next agenda and discuss having an option for an opt-out period of one week a year. Ms. Teschner said that she did not understand why it ended as an opt-out and not an opt-in. Mayor Farnworth said that the Council made the decision and suggested she read the minutes. Ms. Teschner said that the Government did not have the right to tell her what she can and cannot do.

Resident Wayne Holdaway 332 South Holdaway Road reported that during the Planning Commission meeting they came across a track that was being developed and the Engineer said that he developed another park that had a pond. Mr. Holdaway felt it was a good idea to put the water into a pond in a community park where people could swim etc. Mr. Overson explained that they were already designing a pond in the six-acre park that would be used to irrigate landscaping on Main Street, Vineyard Road and 400 North as well as the two (2) parks. Mr. Holdaway asked if the pond would be designed to be open to the public with sand areas, etc. Mr. Overson said that they have talked about other amenities that could be included in the park. He added that the pond was currently being designed to use for irrigation.

Resident Marcus Jessop 232 East Water Lane asked when the town was going to change the address plaques in the Gardens. He mentioned that the Post Office told him that the town needs to change them. He explained that Rocky Mountain Power was not able to tie his address to his bill. Mr. Overson said that the residents needed to come in and request a plaque change and then the developer would change them. Mr. Jessop asked if all of the residents needed to come in because of all of Water Lane needed to be changed. He wanted to know whose responsibility it was to install the street signs. Mr. Overson said that the street signs should have been installed. Mr. Jessop asked if there was a class someone could take to learn about zoning in the town. He said his concern was for the designation of "Mixed Use", what that meant to the developer and if they could build what they want. Town Planner Nathan Crane was willing to explain it to him.

Resident Christy Welsh 227 Water Lane mentioned that she put in a request for the plaque change two months ago and wanted to know when it would be changed. She asked when Gammon Road would be connected to Mill Road. Mayor Farnworth said that they needed funds for the overpass. Mr. Overson explained that they were in the process of applying for a TIGER grant and if they get it then it would go in sooner. He stated that they would be using impact fees and needed to wait for the money to build up. He said if they get the TIGER grant they could go out and bond for it and then would have two years to use the money.

Ms. Welsh asked if they could get the debris removed from the green space north of Gammon Road and east of the Gardens. Mr. Pete Evans with Flagship Homes explained that they have submitted plats and that it would be cleaned up as the area was built out. He stated that they hesitated cleaning up the property now because they cleaned up the area north of 400 North and it has all grown back. Ms. Welsh asked if they would be developing the green space. Mr. Evans explained that it wetlands and

they cannot do anything without the Army Corps' permission. He mentioned that there would be an 18-acre park connected to it. Ms. Welsh suggested that they contact the Life Science Department at BYU because they work with landowners to experiment on different types of landscaping. Mr. Evans said that he was willing to talk to them.

Mayor Farnworth closed the public session



BUSINESS ITEMS:

8.1 PRESENTATION – Eric Ellis with Utah Lake Commission

Eric Ellis, Executive Director for Utah Lake Commission will introduce himself and answer any questions the Council may have.

Mayor Farnworth introduced Eric Ellis the new Executive Director for the Utah Lake Commission.

Mr. Ellis mentioned some of the items that the Utah Lake Commission is working on. He said that they are focusing on the trail that will come from the Utah Lake State Park and tying it around the lake into Lehi, which ties into Saratoga Spring. He said that they are working with Forestry, Fire and State Lands to put together a draft of where the trail might go, work others to sketch it out and then start working on it. He said that they are working with Orem City to connect the trail at the UTA station towards the lake west and have it loop around the lakeshore and connect with the Vineyard Trail.

Mr. Ellis mentioned that the State appropriated 1 million dollars of which half will go toward improvements on the Utah Lake. He said that they would be opening a Request for Proposal (RFP) and suggested if Vineyard had any ideas for lakeshore improvements that they could apply. He stated that there would be a three (3) to one (1) match and the requester would need to come up with money as well. He said that they are looking at a research/nature center for the area that would connect to UVU and BYU near the lakeshore and close to the new Vineyard Connector. He suggested that they get the community involved.

Mr. Ellis reported that the carp removal is going great and that they had reached 60% of the original goal. He mentioned that in the next three (3) to four (4) years they would be able to move into a maintenance mode. He said that the population was expected to crash at around 70 percent of removal. He stated that the Phragmites removal is moving ahead and there are about 5,000 acres that have been smashed and treated. He said that this is an ongoing project and they were hoping that as they treat it more natural vegetation would come back. He explained that they are working on an "adopt a shoreline" project and are looking for groups to help volunteer with clean up on sections of the shoreline.

Mr. Ellis talked about the field trips for 4th graders around the lake and that they are open to all of the schools. He mentioned that this year they had 48 classes of about 1200 students attend. He said that the Utah Lake Festival was a huge success. He mentioned that they had a huge carp sandcastle that was very popular.

Ms. Welsh asked how they submit an idea for the grant. Mr. Ellis said that the funding becomes available July 1 and she could apply for it then. Councilmember Fernandez asked if they had set the parameters on the RFP. Mr. Ellis said that the goal was to split it up, but if someone presented a great plan and they could not spend the money elsewhere they would be willing to consider it.

8.2



DISCUSSION AND ACTION – Orem's Provision of Fire, Fire Inspection and EMS Services to Vineyard

Jamie Davidson, Orem City Manager is requesting that Orem continue providing services to Vineyard pursuant to the existing interlocal agreement, with the understanding that the parties will work diligently toward completing and approving the new interlocal agreement as soon as practicable. He proposed that both parties sign a letter to formalize two things that he believes Orem and Vineyard

agreed on for FY2015/2016: (1) the annual fee for fire, fire inspection, and EMS services for FY2015/2016 will be \$284,685.50; and (2) Orem will begin providing fire inspection services in Vineyard effective July 1, 2015. The Mayor and Town Council will take appropriate action.

Town Attorney David Church gave a background on the Fire Services provided by Orem. He mentioned that they were renegotiating the contract, which would not be ready for the July 1 deadline. He explained that in order to continue fire services Orem City provided a letter of agreement to pay a specified amount. He mentioned that the new agreement provides a provision for fire inspection services. He explained that in the next year they need to make some adjustments to the Town's Ordinances and Business Licensing, which would be included in the amended contract. Mr. Church recommended that the Council accept the letter of agreement.

Councilmember Fernandez asked if the money only covers the fire services and not the development review. Mr. Church stated that the interlocal cooperative agreement would have a provision to inspect businesses. He said Orem anticipated Vineyard to adjust the Business License fee to include the fire inspection fee, which would be passed on to them. He said that the amount anticipates fire inspection and participation in the planning process.

Mayor Farnworth called for a motion.

Motion: COUNCILMEMBER GOODMAN MOVED TO APPROVE THE LETTER AGREEMENT WITH THE CITY OF OREM FOR THE PROVISION OF FIRES SERVICES AND AUTHORIZE THE MAYOR TO EXECUTE THE DOCUMENT. COUNCILMEMBER FERNANDEZ SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED WITH TWO ABSENT.

8.3 **DISCUSSION AND ACTION – Moratorium Extension on the Design Standards for the Town Center Area**

Anderson Development is requesting that additional time be allowed to review the proposed design standards for the Town Center area. The Mayor and Town Council will take appropriate action.

Mayor Farnworth turned the time over to Town Planner Nathan Crane.

Mr. Crane explained the process for the Design Standards and mentioned that Gerald Anderson with Anderson Development was willing to extend the moratorium for an additional two (2) months. Mr. Crane recommended that Council approve the extension until the end of September.

Motion: COUNCILMEMBER FERNANDEZ MOVED TO EXTEND THE MORATORIUM UNTIL SEPT 30 TO CONTINUE WORKING ON THE DESIGN STANDARDS. COUNCILMEMBER GOODMAN SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED WITH TWO ABSENT.

8.4 **DISCUSSION AND ACTION – Water's Edge Phase 5**

The Applicants, Flagship Homes, and Woodside Homes are requesting approval of their Preliminary Subdivision Plat for Phase 5 of the WatersEdge Project. The Mayor and Town Council will take appropriate action.

Mayor Farnworth turned the time over to Town Planner Nathan Crane.

Mr. Crane explained the request for the preliminary plat approval for Phase 5 of the WatersEdge development. He reviewed the area and how it fits into the Master Plan. He mentioned that there were four (4) different planning areas with minimum lots sizes ranging from 4,500 to 5,400

square feet and that they met the Master Plan's minimums. He stated that the 5,400 square foot areas lot numbers would stay the same, however the number of lots in the 4,500 square foot area changed from 117 lots to 99 lots, for a total of 186 lots on this plat. He said in the WatersEdge open space plan they have a 5.9-acre public park and a 1-acre park for a private clubhouse for the residents. He said that there are two trail corridors and open space adjacent to the road. He mentioned when he looked at the numbers they did not total up. He stated that Planning Commission had two issues as it related to the open space. He said the trail that ran north/south on the east side of the area was running farther to the west and included a trail connection between two lots and traveled the sidewalk adjacent to the road. He said that it provided an east/west connection. He explained that the service area for culinary water splits at 400 North and one of the recommended stipulations stated that the water purchase happen before the recording of the plat.

Mr. Evans explained that the original plan was not broken up into phases and stated that the actual open space was not any different from what was originally proposed. He mentioned that they provided a letter of explanation and was confident that the amount of space was the same.

Councilmember Fernandez asked if they were not giving up any density in phase 5 and the difference in lots would be placed outside of phase 5. Mr. Evans mentioned that when they did the original plan they talked about there being inefficiencies as they lot it out. He said that as it was being plotted out, they added roads, included lot depths, etc. and the numbers were going to be different. He said that they lost lots in some of the areas and that they are not transferring them somewhere else. He explained that open space in the original plan included a CPW trail corridor along with other trail corridors, and that the numbers were consolidated and placed arbitrarily. He said in looking at phase 5 if you take the 3-acres plus the other acres it would look like less than what is currently there, but when applied to the area, as a whole the amount of space is the same.

Mayor Farnworth asked if they had not lost any open space. Mr. Crane said that it makes sense as far as you look at how things were numbered. The three acres include the east/west and north/south. Councilmember Fernandez asked how much of the 3.5 acres falls in phase 5. Mr. Evans said that the same space was still in the same place but shifted to align with the park.

Mr. Crane said that the trail corridor that went north/south was added to the park, and that the east/west and the connection on the road were still the same. He stated that the park would go from 5.9 to 6.35 acres.

Mr. Evans explained that they wanted to connect the communities to the amenities. He mentioned when they were designing the pond they found there was a need for more parking to the north. Mr. Evans said that the Planning Commission had concerns with the sidewalk being counted as open space and that they are widening the right of way to accommodate the trail. He mentioned that they had the same condition in phase 3. He reminded the Council that they moved the HOA planning area closer to the smaller lots to service them better.

Planning Commission Chair Wayne Holdaway said that Planning Commission's concern was where the trail comes to the park the children come to an intersection and they gave an alternative of having them go across the park and then access the trail.

Alternate Planning Commissioner Tim Blackburn stated that it was not just a concern with crossing the busy street but also crossing two other streets inside the development. He said that they did not want to encourage crossing streets and wanted the developer to come up with other options and not have to go through the neighborhood. Mr. Evans said that there were no other options for crossing the streets in the neighborhood.

Planning Commissioner Angela Kohl explained that the Murdock trail crosses 35 mile an hour roads and they have gates etc. to keep them from just crossing the road without looking. She suggested that as a town they need to come up with an alternative plan to keep people from crossing the road without warnings.

Councilmember Goodman said that it is easy to show routes that go through, but that it is difficult to get in and out of a subdivision.

Mr. Overson said that the original trail plan was to incorporate enough trails in the city that if you are in a subdivision they allow use of the trail instead of the roads. He suggested that as soon as

you take the mid trail out and move it to a major road the people in the subdivision will have to walk on a sidewalk vs a trail. He said that they wanted to have an alternative to walking on the street. Mr. Evans said that the map does not show the backbone trails and their connections to the other trails.

Resident Christy Welsh mentioned that she came from Portland where it is a big biking community and they had flashing lights that could turn on to safely cross the street.

Mr. Blackburn said that the opposition was not with the design of the trail but the safety issues in the neighborhoods that would be using the trail system.

Mayor Farnworth said that all they could do is the best they can and be ready for the amenities Ms. Welsh said that the roadway access would make a huge difference.

Mr. Crane said that they anticipate that the trails will be used recreationally for jogging, biking, etc. Councilmember Fernandez asked if they had included in the design standards to deal with these types of things and felt that they should talk about it in future phases.

Motion: COUNCILMEMBER GOODMAN MOVED TO APPROVE THE PRELIMINARY PLAT FOR PHASE 5 OF THE WATERSEDGE SUBDIVISION SUBJECT TO THE EIGHT (8) STIPULATIONS RECOMMENDED BY PLANNING COMMISSION:

1. THE FINAL PLAT SHALL CONFORM TO THE PRELIMINARY PLAT DATED STAMPED JUNE 11, 2015 EXCEPT AS MODIFIED BY THESE STIPULATIONS.
2. PRIOR TO FINAL PLAT APPROVAL, THE STREET NAMES AND ADDRESSING SHALL BE APPROVED BY THE TOWN ENGINEER AND TOWN PLANNER.
3. ALL STREET RIGHT OF WAY AND IMPROVEMENTS SHALL BE DEDICATED AS REQUIRED BY THE TOWN ENGINEER.
4. THE FINAL PLAT AND FINAL LANDSCAPE PLANS SHALL BE REVISED AS DETERMINED BY THE TOWN ENGINEER AND TOWN PLANNER.
5. THE FINAL PLAT SHALL NOT BE RECORDED UNTIL THE CONSTRUCTION OF THE VINEYARD ROAD IS COMPLETED.
6. THE PRELIMINARY PLAT SHALL BE REVISED TO INCLUDE THE MINIMUM AMOUNT OF OPEN SPACE AS SHOWN ON THE APPROVED MASTER PLAN.
7. WATER SHALL BE PURCHASED BY THE APPLICANT FROM CUWCD PRIOR TO FINAL PLAT RECORDATION.
8. THE EAST TRAIL SOUTH OF THE PARK SHALL NOT COUNT TOWARDS THE OPEN SPACE REQUIREMENTS. THE APPLICANT SHALL IDENTIFY ALTERNATIVES TO KEEPING THIS TRAIL AND AVOID A MOD BLOCK CROSSING.

COUNCILMEMBER FERNANDEZ SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED WITH TWO ABSENT.

8.5 DISCUSSION AND ACTION – Pay Scale and Hiring of Three (3) New Public Works

Employees

Treasurer

Jacob McHargue will present for approval a pay scale and the qualifications for three (3) new Public Works positions. The Mayor and Town Council will take appropriate action.

Mayor Farnworth mentioned that this business item would be postponed until the next Town Council meeting.

Councilmember Fernandez was wondering what the status was of the Orem resident's request to have an annexation discussion placed on the agenda. Town Clerk/Recorder Pamela Spencer explained that the resident contacted her and wanted more information. Mr. Church said that he would contact her and that she needs to make sure a majority of her neighbors and Orem City were in favor of it.

Councilmember Fernandez inquired about a letter that Council received from a resident in regards to several concerns he had. He was asked if the issues were being addressed. Mr. Church

requested that a parking restrictions amendment be added to the next agenda. Mr. Blackburn said that he wanted to make sure something was going to be done. Mr. Church explained the different types of Ordinances that address parking restrictions. Mr. Blackburn explained his letter and the possible violations.

Mayor Farnworth mentioned the Town Celebration on July 1. Mr. McHargue stated that it would be posted on the Town website and Facebook this week.



ADJOURNMENT

Motion: COUNCILMEMBER FERNANDEZ MOVED TO CLOSE THE MEETING.
COUNCILMEMBER GOODMAN SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED WITH TWO ABSENT.

Meeting adjourned at 8:40 PM. Next regularly scheduled meeting is July 8, 2015

MINUTES APPROVED ON: August 26, 2015

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