

**MINUTES OF A WORK SESSION WITH STAFF,  
PUBLIC HEARINGS AND A REGULAR MEETING OF  
THE VINEYARD TOWN COUNCIL**  
**Vineyard Town Hall, 240 East Gammon Road, Vineyard, Utah**  
**June 10, 2015 at 6:00 pm**

---

**6:00 PM WORK SESSION WITH STAFF**

**Present:**

Mayor Randy Farnworth  
Councilmember Dale Goodman  
Councilmember Nate Riley

**Absent**

Councilmember Sean Fernandez  
Councilmember Julie Fullmer

**Staff:** Public Works Director/Engineer Don Overson, Attorney David Church, Town Planner Nathan Crane, Deputy Collin Gordon, Treasurer Jacob McHargue, Town Clerk/Recorder Pamela Spencer

Others in attendance: Resident Chris Judd, Tyce Flake, Jan Blackburn, Tim Blackburn, Milan Malkovich LDS Church Project Manager.

Mayor Farnworth and staff discussed the agenda items for the regular session.

Mayor Farnworth asked for a brief report on the last Technical Advisory Committee (TAC) meeting. Planning Commissioner (alternate) Chris Judd gave the report on the meeting. Mr. Overson mentioned that he had concerns about the traffic section. Councilmember Riley said that there were some concerns raised by Gerald Anderson with Anderson Development on the cross section of Main Street. He is concerned that the road is not wide enough for the anticipated trips per day.

Councilmember Riley mentioned that there was also discussion about the Business Campus in the north area and south of it was mixed-use that had been modified to row housing. He said they suggested changing that area to all Business offices. He stated that he had a concern that the Lake mixed-use area is inadequate and that it needs to have more space that is public.

Commissioner Judd mentioned that he is concerned with the developer getting credit for the potential park space on the CAMU on the west side of the tracks. He suggested they include amenities in the park and along the walkable section to the water.

Mayor Farnworth asked for any comments not on the agenda.

Councilmember Riley reported that he spoke with a representative from the LDS Church about their submittal. Mr. Overson mentioned that there was an agreement when they exchanged property with the LDS Church that that there would be no fees.

Mayor Farnworth asked for a work session with Lewis Young to discuss financial options for hiring an Economic Development Director. There was a discussion about reasons for hiring an Economic Development Director and any incentives they can offer.

They discussed the deadline for the rail spur removal. The only deadline was from Anderson Development for the acquisition of the property for the new rail line. Mr. McHargue will schedule a time to meet with Lewis Young.

## **7:00 PM COUNCIL MEETING**

### **Present:**

Mayor Randy Farnworth  
Councilmember Nate Riley  
Councilmember Sean Fernandez  
Councilmember Dale Goodman  
Councilmember Julie Fullmer

### **Absent**

**Staff Present:** Public Works Director/Engineer Don Overson, Attorney David Church, Town Planner Nathan Crane, Deputy Collin Gordon, Treasurer Jacob McHargue, Town Clerk/Recorder Pamela Spencer, Planning Commission Chair Wayne Holdaway.

Others in attendance: Residents Doug Drury, Beverly Drury, Chris Judd, Kelly Godbold, Tyce Flake, Jan Blackburn, Tim Blackburn, Robert Holdaway, Dave Kimball, James Noble, Christy Noble, Tamsin North, Alison Carlile, Andrea Paxman, Melissa Henkel; Milan Malkovich LDS Church Project Manager; and Orem resident Carolee Parkin; Pete Evans with Flagship Homes; Gerald Anderson with Anderson Development.

**Regular Session** - The meeting was called to order at 7:04 PM. The invocation was offered by Resident Tim Blackburn.

### **CONSENT ITEMS:**

- a) Approval of Minutes for April 22, 2015
- b) Approval of Minutes for May 13, 2015

**Motion:** COUNCILMEMBER FULLMER MOVED TO APPROVE THE TWO CONSENT ITEMS. COUNCILMEMBER GOODMAN SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED UNANIMOUSLY.

### **PLANNING COMMISSION UPDATE AND RECOMMENDATIONS TO THE COUNCIL:**

Planning Commission Chair Wayne Holdaway – Chair Holdaway asked to save his comments until the discussion on the Business Items that were recommended by Planning Commission.

### **STAFF REPORTS**

Public Works Director /Engineer– Don Overson - Mr. Overson had no new items to report.

Attorney – David Church – Mr. Church reported that he reviewed the new proposed interlocal agreement with the Orem Fire Department. He said that there are some changes that need to be made because Orem is changing their approach on how they calculate by using an ERU system instead of

a percentage of the budget so that it is consistent with how they work with Lindon. He said that they agreed with Orem that they would not push to get the contract approved before July 1 and that they would continue with the current contract for the next month or two until they can work out a new agreement to present to Council.

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

Town Planner – Nathan Crane – Mr. Crane reminded Council that there would be a TAC meeting on Friday to go over the draft code. He said that he would be willing to sit down with anyone before the meeting and go over the proposed ordinance. He mentioned that he and Mr. Overson had received some Requests for Information (RFI) and that they have reviewed them. He indicated that he is reviewing two (2) new office warehouse projects.

Treasurer – Jacob McHargue – Mr. McHargue had no new items to report.

Mr. Overson mentioned that Orem would like to start having a quarterly meeting with them.

Town Clerk/Recorder – Pamela Spencer – Ms. Spencer reported that the new recording system would be installed on Tuesday.

## **COUNCILMEMBERS' REPORTS**

Councilmember Riley – Councilmember Riley reported that he met with Russ Fatheringham with EDCUtah about the Economic Development Director position. He said that Mr. Fatheringham recommended that they look into hiring someone. He said the he also talked to him about several scenarios; one example was Payson establishing a committee, which included businesses, Councilmembers, Real Estate Agents, and others that had a strong interest in the community. He said that Mr. Fatheringham suggested some individuals the Town could consider hiring or putting under contract.

Councilmember Goodman – Councilmember Goodman had no new items to report.

Councilmember Fullmer – Councilmember Fullmer had no new items to report.

Councilmember Fernandez - Councilmember Fernandez reported that he submitted a few dates for meeting with Senator Hatches' office in regards to the TIGER grant. Mr. Overson said that he gave those dates to Cindy Gooch with JUB and she will make contact with Senator Hatch's office. He mentioned that the State HARC has a connection for imaging services. Mr. Overson said that he has already downloaded the program.

**MAYOR'S REPORT** – Mayor Farnworth reported that the Utah Lake Commission has a new director who has started a new forum. He mentioned that they have removed 81 million pounds of carp from the lake and the carp are getting smaller in size. He said that they would continue to remove them for one (1) more year and then provide maintenance after that.

Mayor Farnworth stated that the petition for the Bus Rapid Transit (BRT) system did not pass. He reminded everyone that people are to enter the North Pointe Transfer Station from 200 North 2000 West in Lindon (the road north of the animal shelter).

**OPEN SESSION:** *Citizen's Comments*

Mayor Farnworth opened the session for public comment.

Orem Resident Carolee Parkin, who lives in the East Lake Subdivision, would like to annex into Vineyard. She said she would like to get direction from the Council. Mr. Church stated that it would be a boundary adjustment and that both Cities would have to pass resolutions. He said that they would need to hold Public Hearings and get feedback from the landowners. He explained that it would be a decision for Vineyard; they would need to work with Orem and update the infrastructure to provide services such as water and sewer. He said that the first step is to see if there is any interest on both Councils. Mayor Farnworth said that it needed to be put on the agenda to vote on it. Councilmember Fullmer asked if Ms. Parkin needed to collect signatures. Mr. Church said that Council needs to decide what the pros and cons would be in considering things such as financial implications, property taxes, and the cost of moving the water and sewer systems. Mr. Overson said that they would need to add a lift station and if they would need to increase the size of the Center Street sewer system. Mr. Church said if Council is willing to do it and then make a proposal to Orem. Ms. Parkin asked if there were only 20 of the 90 homeowners that want to annex then there would be no motivation for Orem to do it. Mr. Church confirmed that if there were a strong minority that wanted it then there would be no motivation for Orem to do it. He said it would need to be a near majority to even consider it.

Resident Robert Holdaway asked what the differences in the taxes and fees were that Vineyard and Orem pays. Mr. Church said that the property tax rates are higher than Orem and that annexed residents would have to pay Library and Rec Center fees.

**BUSINESS ITEMS:**

**8.1 DISCUSSION AND ACTION –Revised Municipal Code (Ordinance # 2015-08)**

Attorney David Church will present the revised Municipal Code. This item was postponed from the May 13, 2015 meeting. The Mayor and Town Council will take appropriate action.

Mayor Farnworth turned the time over to Attorney David Church.

Mr. Church explained the incorporation of the Town in 1989 and the subsequent adoption of the Municipal Code. He mentioned that since that time the code has not been maintained or updated. He said that he took the original code, added in current codes, and included new sections at the request of the County Sheriff. He stated that he changed some of the numbering to match the county codes. His recommendation to Council was to pass the code tonight for the benefit of residents and staff so they have an updated code; then makes changes as needed. He explained that the Zoning Code is separate from the Municipal Code.

Councilmember Riley said that residents suggested creating a committee to allow them the opportunity to go through the code. Mr. Church said that the committee that writes laws is the Council. Councilmember Riley said that Council did not have time to go through all of it and a

committee could go through it and make suggestions for any revisions. Mr. Church said that they could do that and he added that there was a lot there, but not a lot of substance that the public would have an interest in. He said that the two big issues could be the Ordinance that discusses dogs and the Nuisance Ordinance. He mentioned that the Current dog Ordinance allows residents to have six dogs. Councilmember Riley stated that in 1989 when there were 32 families it was not big deal and now the town has grown and is changing. Mr. Church said that it does not matter how they choose the committee because different people will be interested in different sections. He mentioned that it needs a lot of work. He said the he would work with the Recorder and as new Ordinances are passed they would keep the Code updated.

Mayor Farnworth called for a motion.

**Motion:** COUNCILMEMBER FERNANDEZ MOVED TO ADOPT AN ORDINANCE THAT REVISES, CODIFIES, AND COMPILES THE GENERAL ORDINANCES OF VINEYARD TOWN AND TO ALLOW STAFF TO WORK WITH MR. CHURCH TO INCORPORATE NEW ORDINANCES AS THEY ARE ADOPTED. COUNCILMEMBER FULLMER SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

## **8.2 PUBLIC HEARING – Final Budget for Fiscal Year 2015-2016 (Resolution # 2015-06)**

The Town Council will hear public comment concerning the final budget for Fiscal Year 2015-2016. The Tentative Budget was presented on May 13, 2015. The proposed budget was also discussed as an agenda item during the March 25, 2015 Town Council meeting. The Mayor and Town Council will act to approve by resolution the Final Budget for Fiscal Year 2015-2016, to set to the certified property tax rate for 2015-2016, and adjust the utility rates.

Mayor Farnworth turned the time over to Treasurer Jacob McHargue.

Mr. McHargue reported that he presented the tentative budget at the last Town Council meeting, and with the feedback he received, he made some minor changes. He said that he budgeted for \$900,000 to come in from property taxes, and mentioned that he received the certified tax rate this week and the money that will come in should be slightly higher than budgeted. He stated that for the sales tax number he received a report from the Census Bureau and it stated that the town's current population is just over 600. He said that he was appealing their decision. Councilmember Fernandez asked if anyone knows what the population is. Mr. McHargue said that with rough estimates from the multi housing complexes and the current single-family homes, there are around 2,000 to 3,000 residents. Mr. McHargue said that the total taxes coming into the town are \$1.2 million. He explained that the development fees were a significant source of revenue for the town last year because of the larger developments that went in and he added that they would see less this year. He said that the sanitation fee is higher because of the new recycling program.

He explained that the highest expenditure in the budget is administration with the largest being salaries, wages, and employee benefits. He mentioned that under Public Safety that this will be the first full year they would be paying the cost of a full-time Deputy Sheriff, he also included the Fire contract with Orem in the budget. He said that under Highways and Public Improvements he included salaries for three new staff, and explained that the road treatment HA5 is for asphalt preservation. Resident Cumorah Holdaway asked where the treatment would be done. Mr. Overson

said that there are four (4) areas that would be done, Sleepy Ridge, and The Shores subdivisions; some of Center Street and that the newer roads would be done next year.

Mr. McHargue went over the updated water and sewer rates and how the base gallons allowance would go down. Councilmember Riley asked what the current allowance of gallons were for the base water rate. Mr. McHargue said that the current gallons are 10,000 gallons. He explained that these rates are on a tiered scale that was approved two (2) years ago. He mentioned that there are two (2) monthly fees: the Transportation Utility fee of \$3.50 and the Stormwater Utility fee of \$4.00, collection of these fees would start with the July billing. He said that the construction meter fee was raise to a \$1,100.00 deposit and the monthly rental rate went up to \$100.00. He mentioned the addition of a returned check fee of \$10.00.

Mr. McHargue said that he included a Capital Projects Strategic Plan in the budget. He explained that at the retreat earlier in the year Town Council listed a few projects as their priorities, which he included in this budget. He said the some of those projects were the Public Safety building; water storage tank; Center Street Overpass; Fire Station property acquisition; Gammon Park expansion; Lake Side Park expansion and the Geneva water line. He stated that the Certified Tax Rate for this year is .00287.

Mayor Farnworth called for a motion to open the Public Hearing.

**Motion:** COUNCILMEMBER GOODMAN MOVED TO OPEN THE PUBLIC HEARING AT 7:45 PM. COUNCILMEMBER FULLMER SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

Resident Cumorah Holdaway asked how they were going to expand Gammon Park. Mayor Farnworth said that they would expand it going west.

Resident Tim Blackburn asked where the expenses come from for enforcing existing Ordinances and Codes. Mayor Farnworth said that if they do an Ordinance there should be a penalty or enforcement built into it. Mr. Church mentioned that Animal Control is taken care of through a contract with Utah County. He explained that other code enforcement has to come out of administration costs. He said that with enforcement, there are some fees and fines but they are never enough to cover the cost of enforcement. Councilmember Fernandez asked if there is ever a fiscal note attached to an Ordinance. Mr. Church explained that the State Legislature attaches a fiscal note on the bill to know what the impact will be of passing it. Mr. Church said that they can attach one but it is not common to add it. He explained that the Certified Tax Rate is a rate that the County and State Tax Commission sets to generate the same revenue as last year.

Resident Chris Judd asked what the future project's budget is on the Lake Side Park expansion. Mr. McHargue said that is \$196,000.00, which is the same percentage of the budget as the percentage of land that Vineyard owns in the park.

Resident Alison Carlisle asked if they would still be providing the library reimbursement. Mr. McHargue answered that he left it the same amount as last years budget.

Mayor Farnworth called for a motion to close the Public Hearing.

**Motion:** COUNCILMEMBER FERNANDEZ MOVED TO CLOSE THE PUBLIC HEARING AT 7:51 PM. COUNCILMEMBER RILEY SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

Mayor Farnworth called for a motion.

**Motion:** COUNCILMEMBER GOODMAN MOVED TO ACCEPT THE FINAL BUDGET FOR THE 2015-2016 FISCAL YEAR AND ADOPT THE CERTIFIED TAX RATE OF.002878. COUNCILMEMBER RILEY SECONDED THE MOTION.

Mayor Farnworth called for a roll call.

MAYOR FARNWORTH, COUNCILMEMBER FERNANDEZ, COUNCILMEMBER GOODMAN, COUNCILMEMBER FULLMER, AND COUNCILMEMBER RILEY VOTED AYE. MOTION CARRIED UNANIMOUSLY.

Mayor Farnworth called for a motion on the Consolidated Fee schedule.

**Motion:** COUNCILMEMBER RILEY MOVED TO AMEND THE UTILITY RATES AND OTHER FEES AS PRESENTED. COUNCILMEMBER FULLMER SECONDED THE MOTION.

Mayor Farnworth called for a roll call.

MAYOR FARNWORTH, COUNCILMEMBER FERNANDEZ, COUNCILMEMBER GOODMAN, COUNCILMEMBER FULLMER, AND COUNCILMEMBER RILEY VOTED AYE. MOTION CARRIED UNANIMOUSLY.

### **8.3 DISCUSSION AND ACTION – Lake Park Subdivision Preliminary and Final Plat Approval**

Orem City is seeking preliminary and final approval of their Subdivision Plat located at 1908 W. 400 S. Proposed Lot 1 has an existing single family home, and is on 0.345 acres. Proposed Lot 2 is on 1.33 Acres, and will eventually be soccer fields for the neighboring park.

Mayor Farnworth turned the time over to Nathan Crane.

Mr. Crane reviewed the request for a subdivision of one lot to two lots. He mentioned that the only issue as it relates to the Zoning Ordinance is that it would need Council to approve Lot 2 as a flag lot. He said that any use on Lot 2 would require a conditional use permit. He said that Planning Commission recommended approval subject to five (5) stipulations.

Councilmember Fernandez asked if there were any water rights. Mr. Penrod with Orem City mentioned that there are two (2) wells on Lot 2. He said that one well was abandoned and the other well goes to the neighbors to the west, which they left in place. He said that the water rights on the home's property would be transferred to the new owner. Councilmember Fernandez asked if they would need an easement in Lot 2. Mayor Farnworth asked if the water rights would be transferred. Mr. Crane said that they would make sure the well is at the right location and add an easement.

Resident Robert Holdaway asked about which well it is and who actually had the title to these wells and suggested that they contact Dee Hansen about who has ownership. Mr. Crane said that he would research it.

Councilmember Fernandez asked if under the current Ordinance it allows for 37 feet of frontage. Mr. Crane said that the Ordinance does not mention it but allows the Town Council to determine the frontage.

Councilmember Goodman mentioned that in his meeting with Orem they were interested in moving forward and turning the lot into temporary parking until monies are available for the permanent parking. Councilmember Riley suggested that if it is going to be gravel that they have a way to secure it to keep people off it when the soccer fields are not in use.

Mayor Farnworth called for a motion.

Motion: COUNCILMEMBER RILEY MOVED TO APPROVE THE PRELIMINARY AND FINAL PLAT FOR A TWO LOT LAKE PARK SUBDIVISION WITH FIVE (5) STIPULATIONS FROM PLANNING COMMISSION AND ADDING A SIXTH (6) THAT THE WELL BE REVIEWED AND IF NECESSARY WITH AN EASEMENT PROVIDED.

1. THE FINAL PLAT SHALL CONFORM TO THE PRELIMINARY PLAT DATE STAMPED MAY 1, 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 SHALL BE REVISED AS DETERMINED BY THE TOWN ENGINEER AND TOWN PLANNER.
5. A CONDITIONAL USE PERMIT SHALL BE REVIEWED AND APPROVED PRIOR TO CONSTRUCTION OF THE PARKING LOT.

COUNCILMEMBER FERNANDEZ SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Mayor Farnworth asked the Town Planner to include fencing on subdivisions.

#### **8.4 PUBLIC HEARING – Amendment to the WatersEdge Zoning Ordinance (Ordinance #2015-09)**

The applicant is requesting to make the following amendments to the WatersEdge Zoning Ordinance. The requests are as follows:

- To adjust Table 2.1 to remove the regulation “1.5 times the lot width” and replace it with “100 Feet” specifically relating to SFD: 54, 65, 8, 10, 15, and 20.
- To change the side yard setbacks in planning areas with 8,000 and 10,000 square foot lots from 18’ combined yard setbacks with an 8’ minimum, to 14’ combined yard setbacks with a 6’ minimum. The Mayor and Town Council will take appropriate action.

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

Mr. Crane explained that this was a request to change two standards in the WatersEdge Zoning Regulations. He said that the two regulations relate to single-family 8,000 square foot and 10,000 square foot lots’ setback regulations. He explained that the current requirement is an 8-foot minimum with a total of 18 feet. He said that the proposal was to reduce the setbacks to 6 feet with a total of 14 feet. Mr. Crane explained how the setbacks work and how they fit with the house

products. He gave an example of taking a total lot size of 75 feet and subtracting the 18 feet, which gives you 57 feet for the house product. He said that if you subtract for garages, which are typically 24 feet you have 33 feet of space to do bay windows, living rooms etc. He stated that with the amendment, you take the same 75 feet and you would add 4 feet bringing it up to 37 feet of space, which would allow for different house product designs.

Mr. Crane explained that the second amendment relates to lot depth in the 8,000, 10,000, 12,000 and 20,000 square foot lots. He said that the current requirement that lot depth be 1.5 times the minimum lot width. He gave an example of the single-family homes in the 8,000 square foot lots being about 113 feet and you end up with different lot configurations. He said that you could you end up with a lot that is more narrow than deep and that affects the house product as well. He mentioned that the Planning Commission's recommendation is to change for the setbacks on the 8,000 square foot lots and keep the 10,000 square foot lots the same. He said the Commission's concerns were the distance between homes and that they wanted a greater distance in the 10,000 square foot lots.

Mayor Farnworth explained what really happens is that the footprint of the home gets bigger and the green space gets smaller. Mr. Crane said they are bigger than the homes that are being built now and are a little different from the Shores. He said that it is a different type of living where the distance between the homes is different. He said he could show the Council homes that are closer together with the owners having some of the highest per capita income.

Mr. Pete Evans with Flagship said that with the bubble plan they knew they would have to make adjustments when plotting the subdivisions. He said that it comes down to product differentiation. He explained that the 6,500 square foot lots are 5-foot and 5-foot setbacks, which gives you a 55-foot product type. He said that on the 8,000 square foot lots with an 18-foot combined side yard setback gives them 57 feet and that is only a two (2) foot difference, which means they cannot do a different product type. He said that they would like the ability to do two (2) distinct product types.

Councilmember Goodman asked what LeCheminant's lot sizes and setbacks were. Mr. Evans said that they are 4,000 square foot lots with 5-foot and 5-foot setbacks; he added that the Homesteads are also 5-foot and 5-foot setbacks, so even with narrowing them they are larger than the homes that are currently being built.

Mr. Evans mentioned that the lot depth was an oversight during the entitlement process. He said that the current formula works well on smaller lots, but encourages the larger lots to be narrower.

Councilmember Riley asked what the setbacks and lot depths were for the development that WatersEdge was modeled after in North Salt Lake. Mr. Evans said that the setbacks were 5-feet and 5-feet with a 20-foot in front and a minimum of a 100-foot lot depth.

Alternate Planning Commissioner Tim Blackburn mentioned that he liked the idea of product differentiation but did not want the neighbors so close on the 10,000 square foot lots.

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

**Motion:** COUNCILMEMBER FERNANDEZ MOVED TO OPEN THE PUBLIC HEARING AT 8:09 PM. COUNCILMEMBER RILEY SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Mayor Farnworth asked for public comment.

Resident Wayne Holdaway mentioned that there are situations where they could have two driveways next to each other with the other side open to a wider space. He said that he likes the idea of 6 feet and a total of 14 feet on the bigger lots with more product types.

Resident Chris Judd said that he likes what Mr. Holdaway remarked that the last thing they want is a subdivision where they can only build two story homes vs ramblers. He asked if the 10,000 square foot lots had the 57 feet space for homes. Mr. Evans said that the lots are 100 foot minimum, so they can have a square lot, with an 18 foot setback and 82 feet for the home. Mr. Judd said that it is a trade off from seeing other subdivisions and added that flexibility is key in getting different product types. Councilmember Fullmer asked Mr. Judd if he did not mind the closeness of the houses. Mr. Judd said he is not opposed to it.

Resident Dave Kimball said that people have toys and if they cannot be parked on the side of the house then they end up in the street and if you keep narrowing the green space then you will have that problem all of the time.

Resident Doug Drury said that his home is on a corner lot and if he wanted the garage on the corner then they would have to have a 22-foot setback and push the home to eight (8) feet on the other property line. Mr. Evans mentioned that the corner lot would have to have the driveway away from the intersection. Mr. Crane said that the corner lot would have the street setback on both sides. Mr. Drury said that they wanted a 22-foot setback and that would have pushed the entire structure within eight (8) feet of the property line so they had to go with the code to get a balanced position on the lot. Mr. Evans said that the code was written to include clear site boundaries and side yard setbacks on corner lots and the driveways on the interior of the intersection.

Resident Robert Holdaway asked if the setbacks were calculated from the curb or the sidewalk. Mr. Crane said that they are calculated from the interior lot line or the back of sidewalk.

Mr. Judd asked what percentage of the 8,000 and 10,000 square foot lots would have an HOA. Mr. Evans said 100 percent. Mr. Judd said that it looked like the developer had planned ahead for potential issues such as trailer parking.

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

**Motion: COUNCILMEMBER RILEY MOVED TO CLOSE THE PUBLIC HEARING AT 8:17 PM. COUNCILMEMBER GOODMAN SECONDED THE MOTION. ALL IN WERE FAVOR. MOTION CARRIED UNANIMOUSLY.**

Councilmember Riley asked where the incentive was for the developer to create the variety of housing and to encourage them to utilize it. Mr. Crane explained that they have the design standards but nothing that says they will get the different product types. He said that logic would say it influences, but if you have a house that is popular, they will keep building it. Mr. Evans said that there is not a mechanism in place to build different products but they are the ones that are requesting the changes so they can build the different house product types and he did not feel that there was a downside to approving the amendments.

Councilmember Riley asked if it was really an oversight when they went through the Ordinance the first time. Mr. Evans said that they did not spend time on the setbacks and lot configurations; they spent the time on the bubble plan, number of units, and the lot sizes. Councilmember Riley asked if in these areas the number of homes did not change. Mr. Evans explained that nothing changed, and added that when he started designing the 6,500 and the 8,000

product lines he could not make a different product type in the two areas. He said that his preference was to have separate product lines for the two areas but it would require a zoning change.

Councilmember Fernandez asked when working on the configuration of the lots if he tried stretching out the frontage and reducing the back setbacks, and if so would they be able to meet the setback requirements and still have the wider lots. Mr. Evans said that there are minimum setbacks for the rear yards that they need to meet. Mr. Crane explained that if you have a 100-foot lot, with 20 feet on the front and 20 feet on the back minimums, that totals 40, which gives you 60 feet for the footprint. He said you could do it but you are stretching it out. Mr. Evans said that the two amendments do two things: the first was to give more flexibility in the lot dimensions to drive the product on the larger lots and the second was for the setbacks on the smaller lots width.

Mr. Crane mentioned that in other parts of the country, you have narrow lots with long homes, a 25-foot garage and a 20-foot bathroom window, you are excited if you get a door in the front vs on the side. He said in Utah the pattern is to go wider and get more on the street.

Councilmember Fernandez said that he can see the challenge of doing this up front and that the downside might be the loss of grass for children to play on. He asked is there would be anything left over to add more green space to a park. Mr. Evans said that getting rid of the formula would allow them more green space.

Councilmember Fullmer asked if they were originally asking for changing the 10,000-foot lots as well. Mr. Crane said that the request is for the 8,000 and the 10,000-foot lots but Planning Commission is asking to leave the 10,000-foot lots alone. Mr. Evans said that the reason they were requesting the 10,000-foot lots as well was to give more room to work with.

Mayor Farnworth called for a motion.

**Motion:** COUNCILMEMBER GOODMAN MOVED TO AMEND SECTION 760 WATERSEdge ZONING DISTRICT RELATING TO THE LOT DEPTH AND SETBACK REQUIREMENTS AS RECOMMENDED BY THE PLANNING COMMISSION. COUNCILMEMBER RILEY SECONDED THE MOTION. MAYOR FARNWORTH, COUNCILMEMBER FERNANDEZ, COUNCILMEMBER FULLMER, COUNCILMEMBER GOODMAN, AND COUNCILMEMBER RILEY VOTED AYE. MOTION CARRIED UNANIMOUSLY.

Councilmember Fernandez asked for clarification on the ordinance that the Planning Commission recommended for the 8,000-foot lots with a minimum of 6-foot setbacks and a total of 14 feet but what was the lot depth. Mr. Crane said that the lot depth would change from 1.5 times the lot width to 100 feet. He also clarified that in the Ordinance the Single Family 5,400 square foot and 6,500 square foot lot sizes would not change.

### **8.5 DISCUSSION AND ACTION – WatersEdge Phase 2 Subdivision Plat**

Applicant is seeking approval of their preliminary subdivision application. This property is designated as Low Density Residential in the WatersEdge Zoning District. The Mayor and Town Council will take appropriate action.

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

Mr. Crane explained the plat and said that it is consistent with the previous approval. He gave clarification that it is the area below the planned 18-acre park. He mentioned that it would be done in phases. He said that there would be a concrete wall between the fence and park and that they would not record the final plat until the roads are completed and accepted. He explained that they are 8,000 square foot lots and have a connection to the park in the northeast corner of the park.

Councilmember Riley asked if that access point into the park would attract traffic into the subdivision and parking on the street for the soccer fields. Mr. Crane said that parking would be attractive where soccer fields are currently located. Mr. Overson recommended that they move the access closer to where there is the possibility of a trail going in and still make it convenient for residents of the neighborhood to get to the park.

Councilmember Riley asked if the tennis or basketball courts could be moved closer to the subdivision and then move the soccer fields farther up. Mr. Crane said that it could be difficult to get the same size fields in there, but they could possibly put the smaller fields there. Councilmember Riley asked if the detention basin has to go where it is. Mr. Crane said that there is a pipe for the detention basin. He suggested that they could plan it out before the first phase is completed and decide where the access point goes, or remove it all together. He said they could move it to the side or to the cul-de-sac so that it is not as visible.

Councilmember Fernandez asked if there would be issues in the future with the wetlands if they put a trail in the open space. Mr. Overson said that the area is not in the wetlands and that they could put a trail in.

**Motion:** COUNCILMEMBER FERNANDEZ MOVED TO APPROVE THE PRELIMINARY PLAT FOR WATERSEDGE PHASE 2 WITH ALL OF THE RECOMMENDATIONS AND STIPULATIONS AS OUTLINED BY STAFF AND THE PLANNING COMMISSION.

1. THE FINAL PLAT SHALL CONFORM TO THE PRELIMINARY PLAT DATE STAMPED MAY 22, 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 MAIN STREET IS COMPLETED.
6. A CONCRETE THEME WALL SHALL BE INSTALLED ON THE REAR LOT LINE OF THE LOTS ABUTTING THE PARK.

Councilmember Riley asked if could there be something in the motion to allow them to revisit the final location of the access point.

COUNCILMEMBER FERNANDEZ AMENDED THE MOTION TO INCLUDE THAT THE COUNCIL REVISIT THE DEDICATION OF THE ACCESS TO THE PARK PRIOR TO THE FINAL APPROVAL. COUNCILMEMBER RILEY SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED UNANIMOUSLY.

## **8.6 DISCUSSION AND ACTION – Sleepy Ridge Subdivision Traffic Calming**

The Mayor and Town Council will discuss the Traffic Calming concerns within the Sleepy Ridge Subdivision. The Mayor and Town Council will take appropriate action.

Mayor Farnworth explained that in a Town Council meeting on May 13, 2015 they approved installing two speed humps in the Sleepy Ridge Subdivision. He further explained that residents came to the Council meeting on May 27, 2015 in opposition of the speed humps and felt that they had not been represented. He said that Council would need to decide if they are going to rescind the vote until they get a process in place or have it stand as is.

Councilmember Riley said that Gerald Anderson with Anderson Development suggested that they contact Ryan Hales who is a traffic engineer who has dealt with other cities' traffic issues. He said that Mr. Hales was able to look at the area and give him some advice. He said that Mr. Hales mentioned that there are vertical mechanisms to slow down the traffic, which included speed humps, and that there are horizontal devices used throughout the country. Councilmember Riley said that Council never really talked about the horizontal measures that are used but talked about painting the curb red that Mr. Hales felt was counterproductive. He said that Mr. Hales suggested they get away from the vertical measures. Councilmember Riley felt that there are people who are experts in this field who could make recommendations and come up with a solution. He mentioned that he had Mr. Overson get in touch with Mr. Hales and give him the warrant study and other things to help him come up with solutions. He said that Mr. Hales gave an example of when you are doing a warrant study and place the tape next to a driveway and four (4) cars make 15 trips a day at one (1) mile an hour, those numbers should be removed to make it more accurate. He stated that Mr. Hales is willing to help the Town come up with a solution.

Councilmember Goodman agreed with the idea of horizontal vs vertical. He said that painting the curb red and limiting parking gives the perception that the road is wider and people will go faster. He mentioned the use of bulb-outs at intersections and crosswalks restricts the width of the road and tends to slow traffic. He said that bulb-outs become a permanent structure. He suggested that a good location to put one is at a crosswalk and he was more in favor of doing that. He said that adding the bulb-out narrows the road, shortens the crosswalk, and pushes those parking on the street farther away.

Councilmember Fernandez stated that he knew there was a lot of emotion behind this topic and that they needed to make a decision on this issue. He felt that there was a safety issue and that they should bring in an expert to give them recommendations.

Councilmember Goodman asked if Mr. Overson is a traffic engineer. Mr. Overson explained that he is a civil engineer, but hired a transportation engineer from JUB, who put the warrant study together and gave them a table of treatments that could be done for traffic calming. He stated that the discussion went to speed humps and that was where it stayed. He said that he has spoken with Ryan Hales and he is willing to come and look at the issues.

Mayor Farnworth asked if there was a cost involved in having Mr. Hales help. Councilmember Riley said that there would be a cost and it would be the most expensive option. He said that if that was the recommendation and it was the right decision then they need to do it. He mentioned that if the speed humps were a part of the speed table he was not aware of it. He said that he has had a speed hump in front of this house and felt it worked and was in favor of it.

Mayor Farnworth said that it sounded like they needed to rescind the vote concerning the speed humps, put a moratorium on installing them, bring in an expert so they can come up with a process, and hold everyone to the same standard. He asked Mr. Overson if the process was completed.

Mr. Overson said that he was almost done with the process, which includes 14 different options for traffic calming. Councilmember Riley asked for clarification on the process. Mr. Overson explained that Council asked him to put together a process for requesting traffic calming measures. He said that when they went with the speed limit change the process was dropped.

Councilmember Riley asked if the requirements would be given to residents if they had a concern. Mr. Overson said that the process included forming a committee with residents and staff, who would look at the options and find the ones that work best. He mentioned that the residents would have to collect signatures from 75 percent of the neighborhood affected. Mayor Farnworth mentioned that the only people who showed up were people in support of the speed humps. They made a decision to put two speed humps in Sleepy Ridge, and then there was push back. He said that they needed to get a process in place to resolve future issues. He stated that they would need to understand that it would take so much time to complete this process and that they need to have the neighborhood in agreement; then they can do studies and not go against regulations and then it would go to Council.

Councilmember Fullmer asked Mr. Overson if part of the concern was that if a group of individuals get a petition signed that the information handed out can be biased. She added that people could sign the petition and then complain because they did not have the correct information and asked how they handle that. Mr. Overson said that everything for this issue was put on the internet for anyone to read and anyone that came to the office and staff would give them the information. Councilmember Fullmer said that people can look at the information now, but if the process was done in reverse with random information going out how do they handle that. Mr. Overson explained that there is an application that includes what and where their concerns are. He said that no studies are done at this point, but if there was an issue for 75 percent of the subdivision, then a representative can talk with staff, go through the process, discuss the options, and then take it back to the residents. Councilmember Goodman asked if before they form a committee, someone would do a door to door and get names before they get the information. Mr. Overson said that they could do the warrant study first if they needed to.

Councilmember Fernandez stated that he was hoping that, with modifications to the design guidelines in the future they would not have as many of these problems. Mr. Overson said that they used the Manual on Uniform Traffic Control Devices (MUTCD) Standards in the design of Sleepy Ridge. Councilmember Fernandez suggested that they could have this happen again. Mr. Overson explained that they sat down with WatersEdge and went over the street design standards. He said that Sleepy Ridge is not a normal subdivision and that they started the area as a cul-de-sac and when they opened the road to 400 South it increased the traffic.

Councilmember Goodman asked if there were any other cul-de-sacs in Sleepy Ridge that could be opened into another subdivision. Mr. Overson said that there would be a road open into the Clegg property when it is developed.

Councilmember Riley mentioned that he was concerned about starting over and having to have a 75 percent majority. He said that there would be some circumstances where you are dealing with a minority and need to consider how they are being impacted. He said that if this happens, the majority would outweigh the minority of residents that live there and if there is a hard percentage required every time then it would never be looked at. Mr. Overson gave an example using the MUTCD standards for warrant studies and receiving results that show a 25-mile per hour road with 85 percent of the people going nine (9) miles per hour over the speed limit. He said that is when you would need to do something. He explained that the studies are the guidelines and they show what people were actually driving. He mentioned that Mr. Hales said that a study was done, they

made the changes, and people said that traffic was better. He said they put the counters out again and the traffic had not changed, it was the perception that changed.

Councilmember Fullmer asked if they put together a committee and they decided there was a problem what would happen next. Mr. Overson explained that this process is the Council's process and they will make the final decision. He also mentioned that warrant studies cost about \$5,000 to \$10,000 apiece and to have a couple of people come in and say they want a warrant study done, the Town would need to decide if they are to be willing to pay for it or have the people pay for it. He mentioned that Lindon requires the residents to pay a portion of it. He said that when he worked for Draper, residents were coming in and the city would put the speed bumps in and when the residents wanted them removed then every resident who signed the petition they did not want them would have to pay to remove them.

Mayor Farnworth said that he understands about the minority and the majority but it is important to have a procedure with the same standards for everyone. He said that this issue would come up again in other subdivisions.

Resident Cumorah Holdaway said that they need safe roads and suggested that they start giving tickets. Mayor Farnworth stated that they cannot make people obey the law. Deputy Gordon said that they are actively enforcing that area.

Councilmember Riley said that he is not opposed to creating a process but felt that this is not the time to create a new process with what they have already gone through. He said that by using experts they can come up with solutions and move forward instead of backtracking and starting from scratch.

Mayor Farnworth opened up for public comments.

Resident Doug Drury thanked the council for allowing him to speak about this issue. He said that some of the residents met as an informal coalition and the concern was the safety of the children who live and play in the area. He said the coalition's presence at this meeting was to present their concerns and to try to find a solution to the problem of slowing down everyone who drives on their streets and to bring awareness to all parents of their responsibility to teach their children the dangers that lie in playing on any streets no matter where they are. He said they discussed several means to improve the safety for the children and to bring awareness to those who drive on the streets. He asked the Council to further study this and come up with solutions to the speed humps that are just as effective and would meet with the approval of the entire neighborhood. He suggested solutions such as radar signs, additional speed limit signs, law enforcement citations, restrictive parking, etc. He felt that the issue had been on the table too long and needed to be solved using prudent and reasonable methods. He presented a petition from about 125 residents in Sleepy Ridge and agreed that the majority were not in favor of speed humps as the only solution to the problem. He urged the Council to move in favor of their request.

Resident Dave Kimball complimented the council on their conversation today. He said that he has a background in government and is familiar with speed humps. He said that he was surprised that they came to a solution without the input he thought they should have had. He said that he lives in a neighborhood that has a 20 mile per hour speed limit 24 hours a day, where a school district's speed limit is 25 miles per hour unless children are present. He felt that small children should not be playing in their front yards without adult supervision. He said that older children would use their scooters and other toys on the speed humps. He mentioned that where he worked for transportation at the airport they had speed bumps and raised sidewalks and were always seeing damage to cars

with a 5-mile per hour speed limit. He said that when he lived in Spokane, even rocks damaged the plows and slowed down emergency vehicles. He mentioned that he sees the Sheriff in his neighborhood every day and that it is the most patrolled street in Vineyard. He asked that if the Council is willing to install speed humps are they willing to pay to have them removed in six months if the majority of residents want them removed. He summarized by saying that when traveling around Lake View Drive he has observed that children of all ages are well behaved and that the younger children were supervised by adults. He said that the streets were not meant to be their playground and the combination of the limited activity of the children and the posted 20 mph speed limit for vehicles made the addition of speed humps unnecessary. He felt that speed humps on Lake View Drive are simply a bad idea not supported by the majority of the Lake View Drive residents.

Councilmember Fullmer addressed some of Mr. Kimball's concerns. She explained that one of the reasons they decided to have a 20 mph speed limit was that they were trying to come up with a solution. She said that one of the more recent changes was adding the increased patrols. Mr. Kimball said that he likes the lower speed limit. Councilmember Fullmer said that they researched speed bumps and speed humps and with the damage to cars, they went with installing speed humps. She felt that the community had not been involved and the reason they had not installed the speed humps was that they wanted to do the right thing by consulting with an expert and trying to do the best for the community. Mr. Kimball said that he looked for it on the agenda and that he felt it needed to be more specific.

Resident Kelly Godbold stated that she did not start coming to the council and saying she wanted speed bumps installed. She felt there was a misconception that they have been lobbying for a year and a half for speed humps. She explained that the council has worked with them to come up with a solution and added that they talked about stop signs. It turned out that they could not install stop signs so they talked about other solutions such as radar signs. She explained that she started out on a dead end street and knew that it would eventually be opened up. She said that she has had residents drive by at 20 mph to see what that looks like. She mentioned that she researched this issue and what she found was that when using speed humps, there should be no damage to the vehicles. She said that there has been open commentary for over a year and the only people who held a secret meeting were those who were not in favor.

Resident James Noble addressed what Councilmember Riley said about painting the curb red because he agreed that if they are just trying to slow down traffic it does not help. He said that if they are trying to keep children safe then it would help to paint it red and get rid of parking so you can see farther. He mentioned that he tried to find a study that tells you how close a child is to a parked vehicle when they get hit in the road and found that 20 to 25 percent of accidents happen in a parking lot. He said he would like hear from their traffic expert on this issue.

Resident Tamsin North felt that the red curbs and speed humps were two different issues. She explained that she lives on the curve where 400 South turns into Lake View Drive and added that there are only two homes from this stretch of road that are not represented at this meeting. She stated that they are not inventing the issue that speeding is a problem. She said that they need something because at the best times they are watching their children, and at the worst time a child will chase a ball into the street and someone will be going 45 miles an hour while texting with a child on their lap. She felt that this is a great neighborhood and is hesitant about seeing someone getting hurt or hurting someone.

Resident Tim Blackburn appreciated the comments expressed tonight and that they expressed their joint feelings and it had been powerful. He did not think that there was one solution and maybe they are looking at a combination of solutions, such as the bulb-outs, radar signs, etc. He said that it

was mentioned that the agenda is available to them and as the neighborhood grows, they need to be more transparent as a government and word things in ways that they all understand. He suggested they hold some town hall meetings and listen to people's concerns. He also suggested that they come up with a solution on how the Town could be more transparent and get a group of citizens together. He said that he understands that committees slow the process down but in almost every instance, they come up with a better solution.

Resident Robert Holdaway mentioned that he lives on the corner of 400 South and Holdaway Road and expressed his concern in seeing the children running down the road and some people who are speeding and do not have their eyes on the road. He was concerned that there would be a serious accident. He said that if it takes more speed limit or stop signs he hopes they would do it. Mayor Farnworth commented that they could put all the signs and humps in they want, but it will not make people obey the law.

Resident Beverly Drury said that as they talk about speeding and installing two speed humps that they need to install speed humps around the whole loop.

Resident Chris Judd said that it has been a year and a half and he struggles with not knowing what is going on, but he felt that there is an avenue for them to be heard through Town Council meetings. He said that they kept referencing a warrant study, which was done in June 2014, returned in September, and discussed on October 8, 2014; so any new warrant studies could take four (4) months. He said that he was worried about when something would be done and added that it is frustrating to see that after a year and a half nothing had been done. He mentioned that they lowered the speed limit because it was a narrow road and it was then determined to be a safety issue. He said that they wanted to know what happens if there is still a problem, so they discussed radar signs, stop signs and other issues and they landed on speed humps. He mentioned that they did not want them in the first place but that is where it went because they did not see a lot of action. He said that they did not get a lot of public comment on what else could be done. He mentioned that they reached out to the opposing group and were willing to help resolve this issue. He said that the warrant study was done at 25 miles per hour and now the speed limit is 20 miles per hour. He said that painting the curb red increases the speed so he was not in favor of doing that. He said when Council did vote on it he wanted to know each of their reasons for or against with a roll call why they did or did not support their previous vote. He requested that this not take two (2) to three (3) months. He felt there is no individual solution and did not mean to exclude anyone.

Resident Alison Carlisle said that they we are all here tonight to have the community stay as a community. She mentioned that they wanted to make people aware of issues and that they need to come to the Town Council meetings if they want to be involved. She said that there are issues in each area of the loop that affect so many people and that need to be addressed. She felt it was a good idea to have a process and added that she liked the idea of having a safety fair and teaching the children that the road is not a playground.

Resident Andrea Paxman felt that there was a process that was used up to this point and agreed that there should be a process moving forward but maybe that process needs to change. She said to go back and undo the process that they have used for the past year and a half is frustrating. She mentioned that she did not know about the recycling because she did not check the website or come to the meetings. She felt that there is a process to participate in their government, that they needed to change how things had been done, but they should not undo what had already been done. She liked the idea of having an expert come in but remarked that they need to have a time limit on it.

Mayor Farnworth explained that government is a slow process, and that there was not enough money in the budget to have a solution for everyone. He said they are trying to figure out where

they go with the speed humps; do they put them in and then have a petition to have them taken out. He said that they do not want to waste the people's money. He said that they need to be careful in what they are doing and that is why they are discussing a moratorium until they get a process in place so that everyone would be held to the same standard.

Ms. Godbold asked if the Council felt it was a safety issue and if they did are the speed humps a solution. Mayor Farnworth said that it is a safety issue when you walk out your back door. Mr. Kimball suggested that they have the residents pay for it by raising taxes. Mayor Farnworth explained that this issue was not going away and that they are trying to save future Councils from having the same problems. He felt that they paid experts to do warrant study- experts who were trained to do this just as Mr. Hales was- and that they did this process backwards. He said they should have had the petition and then done the study. He explained that they cannot do something that will please everyone; they needed to come up with a solution.

Mayor Farnworth asked Council if they were ready to make suggestions.

Councilmember Goodman expressed his concern for the safety in every neighborhood. He mentioned that in his neighborhood, there is a long narrow street, and as the neighborhood has been built out, he has seen less of it. He said that he wanted to make sure they are doing the right thing the first time issues come up. He explained that in his profession, he has seen it all and they rely heavily on engineers because they are not emotionally invested. He said that they are hired to find the facts and not rely on reports found on the internet so they can come to a rational decision. He mentioned that in Rialto CA they put bulb-outs on every corner of every intersection and every block and it changed the speed on the roads. He said they did the same type of thing in Oregon and saw it work but he has never seen speed tables or speed humps work and they are usually torn out and you have damaged the road in the process. He said that he would like to do it right, even if it took a week or two to look at other options. He stated that they might need multiple solutions for the neighborhoods. He felt they were setting a bad precedent using a bad process and they need come up with a good process.

Mr. Judd felt that there was still a misconception, when they brought their petition for the speed humps they had already talked about other options such as radar signs that were just as costly as speed humps. He said that there was a little frustration with the timing and that he understands that government moves slowly but they were willing to speed up the timing for the LDS Church to build their building. He said that the core issue was transparency and asked that they not prolong the mess just because they felt it was a bad decision. He said what worries him the most is the Mayor's concern that there is no money, but there is \$100,000 to put into the Orem Lake Side Park that the town is not reimbursed for through the recreation fees. He felt that there was money but the question was how they use it and he felt that it was important to find a solution to help people. Mayor Farnworth said that they have not committed one dime to Orem. Mr. McHargue said that they misunderstand the budget report and that it is a capital projects list, not money budgeted to be spent. Mr. Judd asked how they could get these issues on the list. Mayor Farnworth said that what it comes down to is not whether it is a good use of taxpayers' money but, that they do not have enough money to make sure everyone gets what he or she wants. He mentioned that he has said from the beginning that there was going to be pushback and has never said it was a safety issue.

Gerald Anderson with Anderson Development mentioned that he sits in other council meetings and has seen this happen. He said that they must prove it is a safety issue, and that the Council's obligation is to look out for the citizens in areas of health, safety, and welfare. He said if you have a

warrant study and it shows that it is not a safety issue and they put them in then they could be sued to take them out. He said that it is an ongoing issue everywhere. He believed that it was not the obligation of the Council to listen to public clamor but it was a matter of health, safety and welfare and deciding how they were going to address it. He said it has been his experience that the professionals will give the best solution and added that as a group they need to help the Council.

Mayor Farnworth said that he was concerned with the speed humps going in and then coming out and said that it is a constant battle. He stated that they need to come up with a process that is fair with everyone and told Council that they need to decide what they want to do.

Councilmember Goodman asked Mr. Church what their options were, and if they should vote to rescind the vote. Mr. Church explained that someone who voted in favor of putting them in needed to make a motion to change it.

Councilmember Riley asked if it was an option based on all that they have gone through to put a hold on it, gather information regarding the additional options and see if they could come up with a better solution. Mr. Church said that if the motion was to not put them in yet and then take steps to get more information, report in a certain time-period and then decide if they were going to put in the speed humps, then that would be a viable motion.

Mayor Farnworth said that he wanted to address the resident's concerns about the process taking too long. He said they need to make it cut and dried as to what the process is going to be and make it clear that there will be a cost.

Councilmember Fullmer asked if because of what the warrant study suggested, if people sue the city to take the speed humps out how would that work. Mr. Church explained that if someone brought a claim against the city saying that the speed humps did harm to them, then the argument would be that the person with the complaint did not put them in and that it was not based on a rational basis but in response to public clamor. He said that they would use the Town's own engineer's advice and warrant study to say they were not needed, but added that they could not prove it was the speed hump that caused the damage. He said that if they were put in properly they would not do any harm, but the question would be have they done any good. He mentioned that the number one crime is speeding and added that he is not worried about the liability. He said that someone might argue that they are not justified and want them taken out. Councilmember Fullmer said that the only way that it would become an issue is if someone complains about damage. Mr. Church said that speed humps are an imposition but they may not be effective either.

Resident James Noble asked in talking about the traffic calming with speed humps could people use the same arguments against the bulb-outs, etc., to get those taken out or are they a little safer and could be left in. Mr. Church explained that they do not keep people from speeding, but do keep people alert. He mentioned that they run into the bulb-outs in the winter. He said that he is in favor of the bulb-outs but they are expensive to build and are harder on the snowplow drivers. He suggested that they could in the future put them in the designs of the subdivisions.

Resident Melissa Henkel stated that she was in agreement about the safety of the children. She explained that they had taken extra precautions with their children by adding a six-foot iron fence and escorting their children to school. She mentioned that with all of these precautions her son was almost hit on the way to school by someone backing out of their driveway. She said that they have to make sure they are keeping their children safe and felt that the speed humps and bulbs-outs were going to encourage their children to play on them. She asked that they do what is best for the children.

Mayor Farnworth said that it is a tough decision and did not know what to do. He said that there are people who speed in front of his house and that it is not an uncommon problem.

Mr. Judd mentioned that as a group they had a feeling that some residents wanted them and some did not and asked what they can do in the meantime. He said that it worried him that there are not enough funds available and it has become an issue of who gets the funds. He also mentioned that when they changed the speed limit to 20 mph and asked them to ticket over one mile an hour the Sheriff said that they could not do it. He said that if there is no money then say it. Mayor Farnworth stated that he never said there was no money, but that there is not enough to take care of all of the concerns. Mr. Judd mentioned that they were willing to help paint the blind curves.

Mr. Overson commented that they have asked Mr. Hales to look at this issue and asked if the groups were willing to have a couple of representatives sit down with them. Deputy Gordon asked if he could be involved as well. Mr. Overson said that the ultimate thing is that when the decision is made then they cannot come back and complain. He asked that they have a group to help make the decision and that they then take it back to the residents.

Ms. Henkel asked what they could do in the meantime. Mr. Overson suggested they park in the street.

Resident Christy Noble said she almost hit a child because they had run out in the street, and said that she was not driving fast because she had just pulled out of her driveway. She said that it would destroy the neighborhood if someone were to hit a child. She mentioned that she drove around Vineyard, and Sleepy Ridge is not the only neighborhood with narrow streets and children. She stated that they want to be a community that works together. Mr. Drury volunteered to be on the committee.

Resident Jan Blackburn asked if the previous warrant study showed whether it was a safety issue or not. Mayor Farnworth said that the study showed it was not a safety issue. He said that at that time, he voted yes, but when looking at the pushback he felt they should install the speed humps and establish a process to address the issue.

Councilmember Fullmer commented that they are going to do something about it, and she felt that they had worked hard on it and had caught everyone up that had come to them. She said she stands by her votes and is specific about how she votes and said that she thinks about them for a long time. She mentioned that she spoke with Mr. Overson several times and found that he needs to go through a process as well. She said when they got to the end of the process, and with the warrant study, when they called the vote it was because they cared. She said that a warrant study is the process you need to go through, and you have to follow the study. She added that it does not need to take forever.

**Motion:** COUNCILMEMBER FERNANDEZ MOVED TO CREATE A COMMITTEE WITH TWO PEOPLE FROM EACH PETITION, PUBLIC WORKS DIRECTOR/ENGINEER DON OVERSON, DEPUTY GORDON, AND A COUNCILMEMBER, AND TO LOOK TO HIRE RYAN HALES WITH HALES ENGINEERING FOR A SHORT PERIOD OF TIME TO HELP MAKE A DECISION ON THE SAFETY TRAFFIC ISSUE, AND IN THE INTERIM HAVE THE SHERIFF BRING THE RADAR TRAILER TO HELP KEEP TRAFFIC UNDER CONTROL IN THE AREA, SO THE COUNCIL CAN MAKE A DECISION NO LATER THAN THE AUGUST 26 COUNCIL MEETING. COUNCILMEMBER GOODMAN SECONDED THE MOTION. ALL WERE IN FAVOR. THE MOTION CARRIED UNANIMOUSLY.

The Council agreed that no speed humps would be installed at this time.

**ADJOURNMENT**

**Motion:** COUNCILMEMBER RILEY MOVED TO ADJOURN THE MEETING AT 10:37 PM. COUNCILMEMBER FULLMER SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED UNANIMOUSLY.

**Motion:** COUNCILMEMBER GOODMAN MOVED TO REOPEN THE TOWN COUNCIL MEETING AT 10:52 PM. COUNCILMEMBER FULLMER SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED UNANIMOUSLY.

**Motion:** COUNCILMEMBER RILEY MOVED TO GO INTO A CLOSED SESSION FOR LAND ACQUISITION AT 10:51 PM. COUNCILMEMBER FERNANDEZ SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED UNANIMOUSLY.

**Motion:** COUNCILMEMBER FULLMER MOVED TO CLOSE THE REGULAR MEETING AT 10:58 PM. ALL WERE IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Meeting adjourned at 10:58 PM. The next regularly scheduled meeting is June 24, 2015.

MINUTES APPROVED ON: August 26, 2015

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