

**MINUTES OF THE VINEYARD TOWN
WORK SESSION AND COUNCIL MEETING
Vineyard Town Hall, 240 East Gammon Road, Vineyard, Utah
October 14, 2015 at 6:00 pm**

6:00 PM WORK SESSION WITH STAFF

Present

Mayor Randy Farnworth
Councilmember Julie Fullmer (6:14 PM)
Councilmember Dale Goodman

Absent

Councilmember Sean Fernandez
Councilmember Nathan Riley

Staff Present: Public Works Director/Engineer Don Overson, Finance Director Jacob McHargue, Town Planner Aric Jensen, Utah County Sheriff Deputy Collin Gordon, Town Attorney David Church, Town Clerk/Recorder Pamela Spencer, Building Official George Reid, Public Works Inspector Sam Bell.

Others Present: Residents Tyce Flake

Public Works Director/Engineer Don Overson introduced his new staff and had them give a brief background on their qualifications. George Reid was the new Building Official and Sam Bell was the new Public Works Inspector. Mr. Overson mentioned that he had hired a part-time Public Works Technician as well that would be able to help the Town Water Operator.

Mr. Overson reported that there are at least three (3) homeowners that are renting their homes as a Bed and Breakfast. He said that Town Planner Aric Jensen is looking into our Ordinances for code enforcement. Councilmember Fullmer mentioned that there were several homeowners renting out their homes as a Bed and Breakfast or vacation rental.

Sheriff's Deputy Collin Gordon reported that there were concerns with speeding on Geneva Road by the Alloy Apartments. He explained that because of the cars parked on Geneva Road by the Alloy Apartments blocking the line of sight, there had been a severe accident. He said that he was working with Mr. Overson and UDOT to restrict parking on Geneva Road from Center Street to just south of the entrance into the apartments. He also mentioned that he would be out of town for a couple of weeks.

Mayor Farnworth reviewed the agenda with Council and Staff.

Councilmember Fullmer mentioned that the Event Committee had a Halloween party scheduled for October 30 at the Sleepy Ridge Golf Course's Clubhouse.

Finance Director Jacob McHargue introduced Christian Peterson as the new Treasurer and had him give a brief background on his qualifications.

7:00 PM REGULAR SESSION

Present

Mayor Randy Farnworth
Councilmember Sean Fernandez (7:30 PM)
Councilmember Julie Fullmer
Councilmember Dale Goodman

Absent

Councilmember Nathan Riley

Staff Present: Public Works Director/Engineer Don Overson, Attorney David Church, Sheriff Deputy Collin Gordon, Treasurer Jacob McHargue, Town Planner Aric Jensen, Town Clerk/Recorder Pamela Spencer, Town Water Operator/Technician Sullivan Love, Planning Commission Chair Wayne Holdaway.

Others Present: Residents Tyce Flake, James Noble, Chris Judd, and Doug Drury, Jennifer Price - Chair Franklin Discovery Academy, Brent Pace with The Boyer Company, Kathy Hoffman - Regional Business Manager with Rocky Mountain Power, Todd Stoddard with Beehive Broadband, Steve Pruitt with Equiwest Inc., Gerald Anderson with Anderson Development, property owner Jeff Hawks, Laura Lewis with Lewis Young Robertson and Burningham.

Regular Session - The meeting was called to order at 7:00 PM. The invocation was offered by Councilmember Fullmer.

CONSENT ITEMS:

- a) Approval of the September 9, 2015 Minutes
- b) Approval of the September 23, 2015 Minutes

Mayor Farnworth called for a motion.

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

PLANNING COMMISSION UPDATE AND RECOMMENDATIONS TO THE COUNCIL:

Planning Commission Chair Wayne Holdaway – Chair Holdaway mentioned that the Planning Commission approved three of the items that were on the agenda tonight. He said that there were concerns with the open space on the 400 North and Mill Road subdivision.

STAFF REPORT

Public Works Director /Engineer– Don Overson – Mr. Overson mentioned that they had hired two (2) full-time employees and one part time employee. Mayor Farnworth mentioned that staff was going to work on amending the farm animal ordinance and short-term rentals.

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

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

Town Planner – Aric Jensen – Mr. Jensen had no new items to report

Finance Director – Jacob McHargue – Mr. McHargue reported that the Council and Staff Christmas party would be held on Wednesday December 2. Mayor Farnworth mentioned that in November there would be a special Town Council meeting to canvass and approve the Election results.

Town Clerk/Recorder – Pamela Spencer – Ms. Spencer reported that the ballots had been mailed to registered voters. She mentioned that the ballots could either be mailed back or returned to her at the Town Offices.

COUNCILMEMBERS’ REPORTS

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

Councilmember Sean Fernandez – Councilmember Fernandez was not present at this time.

Councilmember Nate Riley – Councilmember Riley was not present at this meeting.

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

MAYOR’S REPORT - Mayor Farnworth had no new items to report.

OPEN SESSION: *Citizens’ Comments*

Resident Tyce Flake living in the Shores subdivision inquired about signs on the trailhead at the end of Center Street by the lake and added that there have been a couple of incidents where they had to ask people to leave at 2 AM. He said that there are still no signs and that there were tents in the area two weeks ago. Mr. Overson replied that he was having signs made and could put up the one sign he had available.

Jennifer Price, Chair of the Board for Franklin Discovery Academy, introduced herself. She mentioned that they are a Kindergarten through Grade 6 elementary school. She said that they expected to have about 500 students the first year and anticipated growing to a maximum of about 750 students. Brent Pace with The Boyer Company mentioned that the bulk of the permitting for charter schools could be done through the State Office of Education. He said that they wanted to leave the town a few site plan options, which were updated from what they had submitted previously. Mayor Farnworth said that they needed to go through staff and then Planning Commission. Mr. Pace mentioned that there was only a right-in/right-out option on Gammon Road. Ms. Price said that they did not see that the south access would be done in time for the school to open. Mayor Farnworth said that they needed to work with the professional staff. Councilmember Goodman asked if they had completed the purchase of the land and what was the build time. Ms. Price replied that it was still in escrow. Mr. Pace replied that it would take about seven (7) to eight (8) months to complete. Ms. Price explained that the timeframe was compact from when the State gives approval to the required opening date.

Resident James Noble inquired if they could see the staff reports on the website. Ms. Spencer mentioned that she could put them on the State Public Notices website and then link them to the Town’s website.

BUSINESS ITEMS:

8.1 DISCUSSION AND ACTION – Rocky Mountain Power Franchise Agreement.-Ordinance 2015-14

Kathy Hoffman will present a new Franchise Agreement between the Town of Vineyard and Rocky Mountain Power. The Mayor and Town Council will act to approve (or deny) this agreement by Ordinance.

Mayor Farnworth reviewed the agreement and called for comments.

Mr. Overson asked if they could get a design done during the platting of the subdivision to make room for power. Ms. Hoffman said that they would be willing to work with the Town.

Mayor Farnworth called for a motion.

Motion: COUNCILMEMBER GOODMAN MOVED TO APPROVE THE NEW FRANCHISE AGREEMENT BETWEEN THE TOWN OF VINEYARD AND ROCKY MOUNTAIN POWER AS

PRESENTED. COUNCILMEMBER FULLMER SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FARNWORTH, COUNCILMEMBER FULLMER, AND COUNCILMEMBER GOODMAN VOTED AYE. COUNCILMEMBER FERNANDEZ AND COUNCILMEMBER RILEY WERE ABSENT. MOTION CARRIED WITH TWO ABSENT.

8.2 DISCUSSION AND ACTION – Wireless Beehive LLC dba Beehive Broadband Franchise Agreement - Ordinance 2015-15

Town Attorney David Church will present a Franchise Agreement between the Town of Vineyard and Beehive Broadband. The Mayor and Town Council will act to approve (or deny) this agreement by Ordinance.

Mayor Farnworth turned the time over to Town Attorney David Church.

Mr. Church explained that this was a standard franchise agreement.

Todd Stoddard with Beehive Broadband explained how they would install everything. He said that they are working with UDOT for conduit to allow them to install fiber on the north end of Vineyard.

Mr. Church asked if they had a way to put in conduit on the south end of town. Mr. Stoddard replied that they would like to work closely with the developers and the town to install conduit when they are working on the roads. He mentioned that they are also working with UVU to use some of their conduit.

Mayor Farnworth asked how they would get conduit in the ground. Mr. Overson replied that they could use the conduit that was already in the ground as long as they did not take up the whole conduit.

Mr. Stoddard suggested that they make it a requirement for providers to install micro duct in the conduit to allow for future growth with other providers. He said that most State agencies and other municipalities are requiring it.

Mr. Church said that the franchise agreement is nonexclusive and that the current rules were for the micro duct.

Mayor Farnworth called for a motion.

Motion: COUNCILMEMBER GOODMAN MOVED TO APPROVE THE FRANCHISE AGREEMENT BETWEEN THE TOWN OF VINEYARD AND BEEHIVE BROADBAND AS PRESENTED. COUNCILMEMBER FULLMER SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FARNWORTH, COUNCILMEMBER FULLMER, AND COUNCILMEMBER GOODMAN VOTED AYE. COUNCILMEMBER FERNANDEZ AND COUNCILMEMBER RILEY WERE ABSENT. MOTION CARRIED WITH TWO ABSENT.

8.3 DISCUSSION AND ACTION – Beer License

Maverik, Inc. #517 is requesting the approval of Class A Beer License to sell beer in original containers for off-premise consumption. The Mayor and Town Council will take appropriate action.

Mr. Church explained that the Maverik had complied with the requirements to obtain a Beer License for the retail sale of beer in original containers. Mr. Church recommended approval.

Mayor Farnworth called for a motion.

Motion: COUNCILMEMBER FULLMER MOVED TO APPROVE THE CLASS A BEER LICENSE FOR THE MAVERIK. COUNCILMEMBER GOODMAN SECONDED THE MOTION. ALL PRESENT WERE IN FAVOR. MOTION CARRIED WITH TWO ABSENT.

8.4 DISCUSSION AND ACTION – Vineyard Gateway Subdivision 2

The applicant is requesting approval of a minor plat amendment to subdivide the current lot into a 5-lot subdivision to be located at 33 N. Geneva Road in Vineyard. The subject property is zoned RMU – Regional Mixed Use. The Mayor and Town Council will take appropriate action.

Mayor Farnworth turned the time over to Town Planner Aric Jensen.

Mr. Jensen reviewed the application. He explained that this was an approved commercial development and the applicant was requesting that each owner have its own tax number. He said that there would be an agreement with CC&Rs between the landowners, that all of the parking and driveways would have common access. He mentioned that the Zoning Ordinance requires that each lot have frontage on the road. He said that as the subdivision was currently proposed, Lot 3 did not have frontage and needed to be changed. He recommended the approval with the conditions outlined in the staff report.

Councilmember Fernandez joined the meeting at 7:30 PM.

Steve Pruitt with Equiwest reported that the recommended changes had been made and that the Mylar was ready for signatures. He added that the CC&Rs for that area were ready to be recorded as soon as the plat was recorded.

Mayor Farnworth called for a motion.

Motion: COUNCILMEMBER GOODMAN MOVED TO APPROVE THE VINEYARD GATEWAY 2 SUBDIVISION WITH THE FOLLOWING CONDITIONS AND FINDINGS:

CONDITIONS

1. IF NECESSARY, THE APPLICANT PROVIDES AN UPDATED PRELIMINARY TITLE REPORT (PR) AND MAKES ANY OUTSTANDING REDLINE CORRECTIONS, INCLUDING A BOUNDARY ADJUSTMENT TO LOT 3 SUCH THAT IT HAS FRONTAGE ONTO THE ADJACENT PUBLIC STREET AS REQUIRED BY TOWN ORDINANCE;
2. THE APPLICANT PROVIDES A CONSTRUCTION PHASING PLAN THAT CONFORMS TO CITY ORDINANCES AND THE APPROVED SITE PLAN;
3. IF APPLICABLE, THE APPLICANT OBTAINS THE NECESSARY SITE AND USE APPROVALS FOR ANY DEVIATIONS FROM THE EXISTING, APPROVED SITE PLAN;
4. THE APPLICANT RECORDS A CROSS-ACCESS, CROSS-PARKING, AND COMMON AREA MAINTENANCE AGREEMENT THAT BINDS ALL LOT OWNERS IN PERPETUITY;
5. ANY AND ALL FEES AND BONDS ARE PAID.

FINDINGS

1. THE APPLICANT HAS PREVIOUSLY RECEIVED SITE PLAN APPROVAL FOR A COMMERCIAL DEVELOPMENT ON THE PROPERTY;
2. CONSTRUCTION PHASING AND LOT SUBDIVIDING ARE A LEGITIMATE FUNCTION OF DEVELOPMENT;
3. WITH THE ABOVE CONDITIONS, THE PROPOSAL IS COMPLIANT WITH TOWN ORDINANCES.

COUNCILMEMBER FULLMER SECONDED THE MOTION. ALL PRESENT WERE IN FAVOR.

MOTION CARRIED WITH ONE ABSENT.

8.5 DISCUSSION AND ACTION Geneva Gateway Plat “D”

The Applicant is requesting approval of a minor amendment to their subdivision plat located at 747 E. Mill Road, Vineyard. The subject property is zoned RMU. The Mayor and Town Council will take appropriate action.

Mayor Farnworth turned the time over to Town Planner Aric Jensen.

Mr. Jensen reviewed the plat and added that the site plan had not been approved. He mentioned that the proposed site would be a Wendy’s fast food restaurant and that they would need to get conditional use permits. He said that the applicant would like to subdivide the property into two (2) parcels, one (1) being one (1) acre and the other being 1.5 acres. He explained that this request meets the minimum requirements and that Planning Commission recommended approval with the stipulations outlined in the staff report.

Councilmember Fernandez was concerned that the subdivision of the land was making the lots smaller and limiting it as to what could be built on those lots. He asked at what point should they move forward with it. Mr. Jensen replied that the current Zoning Ordinance did not have a minimum lot size and added that it needed to be addressed in the future.

Gerald Anderson with Anderson Development was concerned about separate access points on to Mill Road. He explained that the sale of the property required them having Anderson’s approval. He asked if these parcels would have cross easements. Mr. Pruitt replied that they are proposing no access onto Mill Road. He explained that they would be using existing access.

Mr. Jensen said that the applicant could bind himself under the Anderson agreement but the way the Zoning Ordinance was currently written the town could not put a condition on it.

Mr. Church mentioned that this would be a site plan issue and not a subdivision issue. He said that they would discourage a site plan that showed access on to Mill Road.

Mr. Jensen explained that the corporate people from Wendy’s were aware of the shared drive access with the Maverik and Alloy apartments. He stated that all parties were aware of the issues.

Councilmember Fernandez suggested that they put a note on the plat with stipulations as to where the access points could be located. Mr. Pruitt said that this was not part of the site plan.

Councilmember Fernandez said he was not sure if this was the time to make those types of decisions.

Mr. Jensen said that they would need to amend the Zoning Ordinance to allow Council to have that type of power.

Mr. Anderson said that if they make another parcel on this plat they would need to give them access on Lot 2. He mentioned that Lot 1 had access but Lot 2 would need access along Mill Road. Mr. Jensen explained that the approved Maverik site plan already gives access for this property.

Resident Chris Judd noted that there was no left turn allowed off Mill Road. Mr. Overson explained that they let everyone that comes in with an application know that.

Mayor Farnworth called for a motion.

Motion: COUNCILMEMBER GOODMAN MOVED TO APPROVE THE GENEVA GATEWAY PLAT D SUBDIVISION WITH THE FOLLOWING CONDITIONS AND FINDINGS:

CONDITIONS

1. IF NECESSARY, THE APPLICANT PROVIDES AN UPDATED PRELIMINARY TITLE REPORT (PR) AND MAKES ANY OUTSTANDING REDLINE CORRECTIONS;
2. THE APPLICANT RECEIVES SITE PLAN APPROVAL FOR ANY FUTURE DEVELOPMENT OF THE PROPERTY;
3. ANY AND ALL FEES AND BONDS ARE PAID.

FINDINGS

1. THE PROPOSED PLAT CONFORMS TO THE TOWN ZONING AND SUBDIVISION REGULATIONS;
2. THE ABOVE CONDITIONS ARE NECESSARY TO MAKE THE PROPOSAL COMPLIANT WITH TOWN ORDINANCES.

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

8.6 DISCUSSION AND ACTION Lincoln Square Subdivision

The Applicant is requesting approval of a minor plat amendment to create one (1) lot at 400 N. Mill Road, Vineyard. The subject property is zoned RMU. The Mayor and Town Council will take appropriate action.

Mayor Farnworth turned the time over to Town Planner Aric Jensen.

Mr. Jensen reviewed the proposal, which was to subdivide a larger parcel to allow phasing for construction and financing. He mentioned that there were concerns with phasing, cross access, and cross parking. He said that the applicant had not submitted a phase plan and added that he wanted to be sure that Phase 1 could stand on its own with parking, landscaping, etc. He stated that part of the recommended motion was that the applicant provide a phasing plan that staff could use to modify and bring it into compliance, so that there would be no issues if Phase 2 was never built.

Jeff Hawks representing the Lincoln Square Subdivision explained that this was a direct reflection of the site plan approval's condition number 10, stipulating that they record the minor plat amendment.

Mayor Farnworth called for a motion.

Motion: COUNCILMEMBER FERNANDEZ MOVED TO APPROVE THE MINOR PLAT AMENDMENT FOR THE LINCOLN SQUARE SUBDIVISION WITH THE FOLLOWING CONDITIONS AND FINDINGS:

CONDITIONS

1. IF NECESSARY, THE APPLICANT PROVIDES AN UPDATED PRELIMINARY TITLE REPORT (PR) AND MAKES ANY OUTSTANDING REDLINE CORRECTIONS;
2. THE APPLICANT PROVIDES A CONSTRUCTION PHASING PLAN THAT CONFORMS TO CITY ORDINANCES AND THE APPROVED SITE PLAN;
3. THE APPLICANT RECORDS A CROSS-ACCESS, CROSS-PARKING, AND COMMON AREA MAINTENANCE AGREEMENT CONSISTENT WITH THE APPROVED SITE PLAN THAT BINDS ALL LOT OWNERS WITHIN THE BOUNDARIES OF THE APPROVED SUBDIVISION IN PERPETUITY;
4. ANY AND ALL FEES AND BONDS ARE PAID.

FINDINGS

1. THE LINCOLN SQUARE APARTMENTS IS AN APPROVED MULTI-FAMILY DEVELOPMENT; CONSTRUCTION PHASING IS A LEGITIMATE FUNCTION OF DEVELOPMENT;
2. WITH THE CONDITIONS ABOVE, THE PROPOSED PLAT CONFORMS TO THE TOWN ZONING AND SUBDIVISION REGULATIONS.

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

8.7 DISCUSSION AND ACTION – Food Truck (Ordinance 2015-16)

Town Attorney David Church will present an Ordinance to allow food trucks the right to obtain a Business License and conduct business in Vineyard. The Mayor and Town Council will take appropriate action.

Mayor Farnworth mentioned that they had a brief discussion in the work session and felt that they could move forward with this item and make minor changes later. He turned the time over to Town Attorney David Church.

Mr. Church explained that there had been some inquiries about food trucks in town. He said that our current ordinances would allow transient businesses but there was nothing specific about food trucks. He said that he researched other cities' ordinances and decided to use Provo's as a model. He said that the ordinance would allow food trucks in any zone where retail sales were allowed in the commercial zones. He went over the rules and regulations associated with the new ordinance. He said that if they adopted it as currently written it would allow food trucks only in commercial zones and not in most of the town. He suggested that they make a determination if they wanted to allow food trucks in the residential zones. He stated that it allows use of food trucks for special events. He said that this allows for use in commercial zones and lists the requirements. He explained that there were blanks that the council needed to fill in and recommended an annual per truck fee of \$50.00.

Mayor Farnworth called for a motion.

Motion: COUNCILMEMBER FULLMER MOVED TO APPROVE AN ORDINANCE ADOPTING A NEW PART OF THE VINEYARD TOWN CODE PROVIDING FOR AND REGULATING MOBILE FOOD VENDING BUSINESSES, INCLUDING A \$50 PER TRUCK CHARGE, AND ALLOWING THEM TO DO BUSINESS IN ALL COMMERCIAL ZONES WHERE FOOD SALES ARE PERMITTED. COUNCILMEMBER FERNANDEZ SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FARNWORTH, COUNCILMEMBER FERNANDEZ, COUNCILMEMBER FULLMER, AND COUNCILMEMBER GOODMAN VOTED AYE. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

8.8 DISCUSSION AND ACTION - Traffic Calming Process

Town Engineer Don Overson will present a proposal for a traffic calming process. The Mayor and Town Council will take appropriate action.

Mayor Farnworth explained that this was for putting a process in place that residents and staff could follow. He turned the time over to the Public Works Director/Engineer Don Overson.

Mr. Overson gave a brief overview of the process. He said that the main concern from previous discussions was the percentage of signatures that were required. He said that it was currently listed as 75 percent and that Council felt that it should be a majority. He left that up to Council to determine the percentage.

Mayor Farnworth asked if this process would shorten the process and timing. Mr. Overson replied that it would shorten the process by working with the residents to come up with a solution and then present it to Council for approval.

Councilmember Fernandez mentioned that the principal from the elementary school came to the last council meeting and discussed safe school routes. He asked if this would be the process to use when requesting those routes. Mr. Overson replied that the school district and the cities were the ones to create the safe routes to schools and added that this was not a traffic calming issue. He said they needed to work with the school district when new subdivisions are built. He mentioned that there are subdivision likes LeCheminant that do not have a clear safe walking route to school.

Mayor Farnworth asked if there were any further questions.

Resident Chris Judd from Sleepy Ridge subdivision asked where the 75 percent came from. Mr. Overson replied that he researched several traffic calming processes and some said a majority, others two thirds, but most said 75 percent. He said that 75 percent was not necessarily a golden number.

Councilmember Goodman felt that it was a good idea to involve more people that would be affected in the area and have them aware of the issue.

Councilmember Fullmer said that 75 percent seemed like a big issue when it came to safety.

Mr. Judd asked if they get the 75 percent did the city need to do a warrant study. Mr. Overson replied that as the engineer he would want a warrant study before moving forward with adding signals, stop signs, etc., to back up the decision. He stated that there was a space in the process to show that they needed a warrant study.

Mr. Judd asked if it was one signature per household. Mr. Overson replied yes.

Mr. Anderson mentioned that when defining the affected area you need to know if it was the people who were living in the area or the people who were using the road. He said that you could get different votes when it affects the entire city.

Mr. Overson explained that in the new process the applicant would define what they felt was the affected area and then go over the request with a committee and help them understand from an engineering standpoint what that affected area was. He felt that only people who lived in the affected area should have a vote not the thru traffic.

Councilmember Fullmer asked how the committee would be formed. Mr. Overson replied that someone fills out an application, and he then assigns two (2) to three (3) people who want to be on the committee, along with staff, to discuss the affected area.

Councilmember Fullmer liked that for the last committee, Mr. Overson mentioned that the affected area might be for the residents, but if they put in speed bumps then the entire city might want them installed in their area. Councilmember Fullmer felt that Mr. Overson had a good idea of how the process should work.

Mr. Judd asked who would choose the two (2) or three (3) people for the committee Mr. Overson replied that it would be the people who submitted the applications. He said that he would work on defining how they decide who sits on the committee.

Resident James Noble asked how this process would limit the amount of time spent. He mentioned that when they were discussing Sleepy Ridge's affected area it was only those who lived from 400 South to 475 South and everyone else was considered thru traffic. Mr. Overson replied that his definition was the whole subdivision. Mr. Noble asked if people who lived in the rest of the Sleepy Ridge area were not through traffic. Mr. Judd asked if the Orem residents should have been considered as part of the area. Mr. Overson replied that Orem residents were not directly connected to this area.

Councilmember Goodman said that they needed to have people on the committee to represent everyone on the issue. Mr. Overson suggested they define the affected area and then put a public notice out to the area for committee members and then pick from that group.

Councilmember Fernandez asked if they would add this to the process summary. Mr. Overson replied that he would change the process to read that they have a group of people discuss the issue and how to resolve it. He said they would decide if they needed a warrant study and send out a petition to attempt to get 75 percent of the residents affected to agree to their solution.

Councilmember Goodman asked if the council wanted to put that in a motion or have Mr. Overson make the changes and bring it back to the council. He said that it should include opposing views and what the percentage needed to be. Councilmember Fullmeier said that she looked at other studies and 75 percent was average.

Mr. Church recommended that Mr. Overson make the changes and then bring the process back to the council.

Mr. Noble asked if they would have the committee come up with a solution and then get 75 percent to approve the solution or have 75 percent of the people agree that something needed to happen.

Mr. Overson suggested that he could change the process so that they would fully identify the applicants' concerns, have a committee come up with more than one solution, send it out to the residents and get 75 percent approval. He said the original process was to obtain 75 percent of the residents signatures agreeing that there was an issue.

Council agreed to postpone a decision, have Mr. Overson make the changes and present the process at the next Town Council meeting.

8.9 DISCUSSION AND ACTION – Town Branding

Councilmember Fullmer will present an update on new branding for the Town.
The Mayor and Town Council will take appropriate action.

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

Mr. McHargue presented the PowerPoint that Councilmember Fullmer created. He said that the goals were to get a slogan approved, market the slogan, approve a designer for the logo, and receive feedback from the council. He stated they would like approval for a budget for a website upgrade and design and a residential communications tool. He mentioned that the council approved Councilmember Fullmer to work on social media and added that they hired a new staff member Neeley Rimal, who was currently attending school for internet marketing and website design. He went over the accomplishments to date and mentioned that they now had a party planning community that is planning an event for October.

Councilmember Fullmer mentioned that Council had heard presentations from companies that would clean up the website, work on the branding, etc., for around \$100,000. She said that they choose to use the town's resources on the back end of the website and facebook, made a filing system, used better graphics, cleaned up the website, and used the interface to reach out to everyone. She said that social media use was up, they were updating Facebook, and created a new look for the newsletter. She mentioned that the Youth Council created a website, were doing newscasts, and trying to get more youth involved. She said that they were at a place where they could move forward and were ready to spend money to get new branding.

Councilmember Fullmer explained that the cost to have a big firm create the new logo was too high so they decided to have a logo contest. She said that they did not get a lot of feedback so they invited school and local designers, etc., who were happy to work with the town. She explained that they took the information from the retreat, residents, and Anderson Geneva and looked at what the town had planned and came up with the slogan of "Stay Connected."

She mentioned that CivicReady and Cloud Speaker were the next step in the communication process.

Councilmember Goodman explained that they used Cloud Speaker in American Fork for years and that there were things they did not like, such as the flexibility and how it was managed. He said they looked at other options and decided to use CivicReady and they felt it would be more user friendly, more cost effective and under the city's control. Mr. McHargue mentioned that CivicReady also did website design. Councilmember Goodman explained some of the uses of CivicReady. Mr. McHargue said that the benefit was the connectivity between the website and the app.

Councilmember Fullmer asked if it was easy for the residents to talk with the town using CivicReady. Councilmember Goodman was unable to answer the question, as he had never used it with the residents.

Mr. Noble asked if CivicReady and Cloud Speaker could interface with the billing software to allow staff to type things in one place. Councilmember Fullmer replied that both programs seemed to have an easy integration but they would go over that with them.

Mr. McHargue explained what they were looking for in a new logo. He showed logos from other cities, our current logo, and then showed the potential logos from designers. Councilmember

Fullmer said that she wanted to focus on the new logos before revealing who the designers were and before deciding which designer to contract with.

Councilmember Fullmer asked the Council if they liked the slogan “Stay Connected” and if they felt that they could market with it.

Resident Wayne Holdaway stated that the name of the Town was Vineyard and felt they should have them design the logo around it. Councilmember Fullmer replied that she gave the designers the name and a history of the town and what they were trying to accomplish.

Council discussed the logos and what they liked and did not like about them. Mr. Jensen suggested that they needed a logo that could be done in black & white or color. Mr. Noble liked the first logo presented and said that it looked like a recycling style and would be easy to put on a lot of different things. He said that he did not like the logo with the trees and paths because he felt it would not look good in black & white or on any printed material.

Mr. Church mentioned that they would be reclassified as a city but that did not mean they had to change the name.

Mayor Farnworth mentioned that Provo’s logo changed with each department.

Resident Doug Drury felt that they should promote Vineyard by showing that they have a golf course, etc.

Mr. Noble said that the logo needed to be simple and not promote the golf course when you have beachfront access. He suggested that the logo needed to stand alone. He said he liked the “recycling” logo because they could put different items around it.

Councilmember Fullmer asked them to think about the “stay connected” slogan and why they are connected.

Mr. Anderson mentioned that they went with the colored logos and were tired of buying stationary, so they went with a cleaner logo that could be printed off themselves. Councilmember Fullmer said that they wanted the logo to be versatile.

Mr. McHargue explained that the designers came up with the logos quickly, and then could expand it if they were chosen to design the logo.

Mr. Noble suggested that they put the logos out for more public comment.

Councilmember Fullmer asked for approval to upgrade the website so that staff could upload more documents, recordings, etc. She asked the council to look at the slides and give her feedback. Mr. McHargue stated that the cost would range from \$5,000 to \$30,000. Councilmember Fullmer said that she was looking for \$4,000 to \$5,000 for what they would currently need for the website upgrade.

Council agreed to postpone a decision to give Mr. McHargue time to get budget numbers.

8.10 DISCUSSION AND ACTION – Rail Road Spur Removal Agreement (Resolution 2015- 13)

Attorney David Church will present an interlocal agreement between the Town of Vineyard and Union Pacific Railroad. The Mayor and Town Council will take appropriate action.

Mayor Farnworth turned the time over to Town Attorney David Church.

Mr. Church explained that they have been negotiating with the Union Pacific Rail Road (UP) on how to remove the spur along Geneva Road and move it to where it would work for UP. He said that there were benefits to the town to have the spur moved. He mentioned that UDOT had agreed to loan them up to \$16 million. He said that UP gave them a removal amount over the \$16 million and the town suggested they come back with lower number. He said that UP was willing to lower the cost of their land \$6,760,000. He said that the town insisted that the property they purchase for the new spur from Anderson development be credited to the town for the purchase price of the property at their appraised value. He mentioned that Anderson would sell the town the property for \$1.5 million and UP

would credit the town \$1.3 million. He said that the new total was \$14,657,000 and he added that this did not include the purchase of the Martin Snow property, UDOT's easement of \$40,000, nor any engineering costs. He said that there would be additional costs for dirt work estimated at \$1 million, the bids for Mountain States track construction of \$4,399,000 and the UP track signal construction of \$2.3 million. He stated that these bids are subject to contingencies and cost overruns and the town takes the risk. He explained that with these costs added they were at \$15.4 million, which included an estimate of 10 percent for engineering costs. He said that they were committing to sign the agreement for at least \$15.4 million, which only gives them \$600,000 of headroom under the loan. He said there was a Letter of Commitment that UP would like them to sign.

Mr. Church recommended that council vote to authorize the mayor to sign the letter. He said the next item on the RDA agenda was to complete the borrowing of the \$16 million from UDOT and sign the actual contracts with Anderson, Snow, UP, etc. He said that UP told him it would take at least 90 days to complete the transaction.

Mr. Drury asked if they get to keep the scrap steel. Mr. Church replied that they did not get to keep the tracks. He explained that the tracks being moved were on Geneva Road.

Mr. Anderson said that his understanding was that some of the money would be offset with UTA money. Mr. Church said that UTA would not be coming up with any money. Mr. Church suggested they not do the agreement and allow Anderson Development to negotiate with UP and UTA. He said that they met with UTA and UDOT and there was no other money. Mr. Anderson asked where the amount was coming from. Mr. Church replied that the loan amount was what Mr. Anderson negotiated with the legislature. Mr. Anderson asked if they could reduce the amount so that the \$16 million was not the total number that needed to be borrowed. Mr. Church said that if they sign the contract with UP it would cost the \$16 million and added that they would be committed to repay UDOT. Mr. Anderson asked what the timeframe was to pay the loan back. He mentioned that there were other stakeholders in the spur removal. He asked if they could get \$500,000 then at what time do they determine the amount for the bond.

Mayor Farnworth said that the bond was set for \$16 million. He mentioned that they were meeting with UTA and UDOT to see what their interest was. Mr. Church said that when he met with UTA they said that they had no money now. He added that UP said they had no deal with UTA to allow them to use the spur.

Mayor Farnworth mentioned that they were trying to come up with a coalition for the TIGER grant. He stated that they want to turn the train station into one of the most spectacular stations in Utah. He said that it would be one of only three stations that would have FrontRunner, Light Rail and the bus system. He explained that they needed to have a coalition, which would involve UDOT, UVU, UTA, and MAG to help go after the grant. He said that there would be only one economic driver, which would be the transit station. He mentioned that UDOT might be able to find some money. Mr. Church said that they cannot commit to this deal planning on someone else coming up with some of the money. He said that UTA was an option, not a commitment, and that this deal only gets the spur off Geneva Road. He suggested that they could buy the right-of-way from Anderson Geneva and not move the spur and UTA would be thrilled. Mr. Anderson mentioned that UTA owns the spur from Salt Lake to 1600 North.

Councilmember Fernandez asked if there was a time limit on when they needed to sign the contract. He wanted to know if they had time to negotiate some of these deals. Mr. Church said that UDOT was loaning the \$16 million and that in the future they might want the right-of-way and would pay the appraised price at the time. He said that UTA would buy the right-of way from UP. He explained that the people who would benefit and be hurt from this were the same people. He said that this would take all of the room in the RDA for cleanup, economic development, etc., for the next five (5) or six (6) years. He said the entity that would be helped from the removal of the spur was Anderson Geneva. He mentioned that UP does not care if the spur was removed.

Councilmember Fernandez asked if it would make a difference if they were able to get some of the participants to put money in and drop the loan amount down a little bit.

Laura Lewis with Lewis Young Robertson & Burningham, Inc. said that by using most of the tax increments to repay the debt, any dollar freed up would be a dollar they could use elsewhere. Mr. Church said that they could prepay the loan early. Ms. Lewis said that once the contract was done the others would be less inclined to help.

Mayor Farnworth asked how economically important it was to the town. He said that if it drives economic development then the sales tax could make up the difference. He asked if they wanted to take the chance of the letting the light rail bypass Vineyard.

Councilmember Fernandez felt that it was important to get this done sooner rather than later and added that the time to negotiate was short and it should be done now.

Mr. Church agreed that there was not a lot of motivation for partnering with someone if they knew the town was going to do the project anyway.

Mr. Anderson said that a large retailer could bring in around \$800,000 a year in sales tax.

Mr. Church said that UP felt that the ground the spur was on was worth something to get access on to Geneva Road for development and that was why they were not willing to change their price. Mr. Anderson said that 50 percent of the land that the spur was on could be sold and the rest reverted to the US government if it was not used for transportation.

Councilmember Fernandez mentioned that he had been in support of the project from the beginning. He said he was hoping that more organizations would have been willing to help support it financially and they were not, so they needed to move forward with the project.

Councilmember Goodman said he was disappointed that there was not more support and that others were willing to allow the town to spend their money and not help. He said that he was in support and that they needed to move forward.

Councilmember Fullmer said that she had been in the discussions to get the funding and had thought about both sides. She said that they had made promises to move this project and that they needed to move forward.

Mayor Farnworth mentioned that he did not want to put the town into a spiral but that he could not see how they could drive economics into the town, take care of UVU students and not have a transit center. He said that he wanted to move forward with it.

Mr. McHargue mentioned that they just spent \$100,000 on the Town Center design.

Mayor Farnworth said that they had designed the Town Center and now were they willing to only have FrontRunner go through. He said that they have information that everyone on the UTA board wanted the light rail to go through Vineyard.

Mr. Church said that this was to move the rail spur off Geneva and if all they wanted to do was to go the UTA route then they would buy the right-of-way for \$2 million and give it to UTA.

Councilmember Goodman said that they were going to go that route but they could not get UTA to move on it.

Mr. Anderson reminded them that 1600 North was a private road because UP would not give the town a permit to cross their spur. He said that it took a legislative initiative to get them to give them the right-of-way.

Mr. Church reminded them that this was not a UTA deal; it was a deal with UP to remove the rail spur.

Mayor Farnworth said that if they leave the spur then Orem could use it for light rail and run it up 400 North.

Mr. Noble asked if there were a major retailer interested that would bring in around \$800,000 in sales tax, how much would it cost the town to bring in the infrastructure, etc., and to collect the revenue. Mr. Anderson replied that the \$800,000 was what the town would receive.

Mr. Church said that because of the how the RDA works with the tax increment financing, the new buildings in that area would increase the property tax that is being committed to bonds etc., but does not finance the general revenue for police and fire, etc. They would need the sales tax to subsidize it. Councilmember Goodman said if it did not work then cities would not do it.

Mr. Noble asked how much the tax increment would bring in to put towards cleanup. Mr. Church replied that it would depend on the level of service that residents were willing to pay. He said

that if they bring in a big retailer they would need to add another deputy. Deputy Gordon explained that base line cost for another deputy was \$113,000 a year. Mr. Church mentioned that the fire contract would go up as well, so it was not all profit. He said that the sales tax money needed to be used for the bulk for the town.

Councilmember Goodman said that a large retailer would attract more businesses. Mr. Anderson said that the Megaplex was represented by the same realtor as the big box store.

Mr. Church explained that the tax increment would be sufficient to pay the bond.

Mayor Farnworth called for a motion.

Motion: COUNCILMEMBER GOODMAN MOVED TO AUTHORIZE THE MAYOR TO SIGN THE LETTER OF INTENT FOR THE RAIL SPUR AGREEMENT. COUNCILMEMBER FERNANDEZ SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FARNWORTH, COUNCILMEMBER FERNANDEZ, COUNCILMEMBER FULLMER, AND COUNCILMEMBER GOODMAN VOTED AYE. COUNCILMEMBER RILEY WAS ABSENT. MOTION CARRIED WITH ONE ABSENT.

ADJOURNMENT

Motion: COUNCILMEMBER FERNANDEZ MOVED TO ADJOURN THE MEETING AT 9:19 PM. COUNCILMEMBER FULLMER SECONDED THE MOTION. ALL PRESENT WERE IN FAVOR. MOTION CARRIED WITH ONE ABSENT.

The meeting adjourned at 9:19 PM. The next regularly scheduled meeting is October 28, 2015

MINUTES APPROVED ON: November 17, 2015

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