

MINUTES OF THE VINEYARD  
WORK SESSION AND TOWN COUNCIL MEETING  
Vineyard Town Hall, 240 East Gammon Road, Vineyard, Utah  
January 13, 2016 at 6:00 PM

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

**Present:**

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

**Absent:**

**Staff Present:** Public Works Director/Engineer Don Overson, Town Planner Aric Jensen, Finance Director Jacob McHargue, Utah County Sheriff's Deputy Collin Gordon, Town Clerk/Recorder Pamela Spencer, Town Attorney David Church, Town Water/Sewer Operator Sullivan Love.

**Others Present:** Residents and Planning Commissioners Chris Judd and Angela Kohl.

Mayor Farnworth opened the meeting at 6:05 PM. He went over the agenda with staff.

Mr. Overson reported that there was a proposal for a new development in Orem on the east side of Vineyard Road across from the Lake Side Sports Park, which would eliminate the extra parking that they were using for the park. He asked that they talk with Orem about the parking issue before the sports season starts. He mentioned that there were two new Public Works processes on the website. Mayor Farnworth asked about the "No Parking" signs for Geneva Road. Don replied that he had left messages with UDOT and had not heard from them. Utah County Sheriff Deputy Collin Gordon said that he could try to contact them as well. Mr. Overson gave an update on the Public Safety Building.

Deputy Gordon reported on the damage that was done to one (1) of the Town's work trucks and that it was an open investigation.

Town Planner Aric Jensen addressed the different types of site designs and security. He went over types of fencing and their usefulness. He recommended that the Council require the developer install a quality fence using materials that would last a long time.

Councilmember Fullmer stated that she did not like it when there was an open fence along the backs of properties and then the homeowners install a privacy fence. She felt that it takes down the property values. Councilmember Riley stated that there needed to be consistent styling. There was further discussion on the types of fences and which ones would be the best use for the area. Mr. Jensen explained where the different types of fences were requested for each type of development in the WatersEdge Zone.

Deputy Gordon explained the safety issues with the different types of fences. Mr. Overson asked if the property that was adjacent to a road, such as the Vineyard Connector, should have a safety fence instead of a split-rail fence. Councilmember Goodman suggested that he ask UDOT.

Deputy Gordon gave his opinion from a public safety point of view on fencing. He felt that it was a good idea but they could not require it.

Finance Director Jacob McHargue explained why there was an RDA meeting scheduled after the Council meeting. He mentioned that he had the Pro Forma for the concrete crushing. Mayor Farnworth mentioned that Mike Dunn was hauling concrete from outside the Geneva property.

Town Clerk/Recorder Pamela Spencer asked Council to let her know by January 19, if they were going to attend the Local Official's Day at the Legislator. She mentioned that the Pavilion Rental Ordinance needed updated.

Councilmember Riley expressed concerns with the "Forge" development competing with the Town Center Zone. Councilmember Flake was concerned with density. Councilmember Goodman said that the concept was good but they had already that in the Town Center Zone. He felt that they did not need any more density.

### **7:00 PM REGULAR SESSION**

**Present:**

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

**Absent:**

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

**Others Present:** Residents and Planning Commissioners Chris Judd and Angela Kohl, Tim Blackburn and Don Cosney, Residents Anthony Jenkins and Cristy Welsh, Pete Evans, Bronson Tatton, and Nate Hutchinson with Flagship Homes, Stewart Park with Anderson Geneva, Jeff Winston with MIG, Jeff Gochnour, John West and Janet West with Cottonwood Partners, Greg Bird with R2R Ventures,

**Regular Session** - The meeting was called to order at 7:00 PM. Councilmember Goodman gave the invocation.

**OATH OF OFFICE CEREMONY** – Tyce Flake and Nathan Riley will be sworn in for a four-year term as Vineyard Town Councilmembers.

Pamela Spencer Town Clerk/Recorder swore in Tyce Flake and Nate Riley as Councilmembers for a four-year term. A short break was taken to congratulate the Councilmembers and for light refreshments.

The Council meeting resumed at 7:11PM.

## **CONSENT ITEMS:**

a) Approval of December 9, 2015 Minutes

**Motion:** COUNCILMEMBER RILEY MOVED TO APPROVE THE CONSENT ITEM. COUNCILMEMBER FULLMER 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 reported that the Planning Commission felt the good about the recommendations for the items on tonight’s agenda.

## **STAFF REPORTS**

Public Works Director /Engineer– Don Overson – Mr. Overson reported that there were two (2) new processes on the website; one for reporting street light outages and one for concerns with street signs. Mayor Farnworth mentioned that the town had no control for getting “No Parking” signs on Geneva Road.

Attorney – David Church – Mr. Church reported that they had received the draft proposal for the removal of the rail spur and that they were reviewing it. He said that he had contacted Mike Hutchings with Anderson Development to coordinate the purchase of the land for the spur line.

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

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

Finance Director – Jacob McHargue – Mr. McHargue had no new items to report.

Town Clerk/Recorder – Pamela Spencer – Ms. Spencer had no new items to report.

## **COUNCILMEMBERS’ REPORTS**

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

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

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

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

## **MAYOR’S REPORT**

Mayor Farnworth welcomed the new councilmembers. He reported that the Council of Governments (COG) had a meeting where they elected new officers. He said that they discussed issues that the County was dealing with such as clean air, bicycles, transportation and STIP (State Transportation Improvement Plans) items.

## **OPEN SESSION: Citizens' Comments**

Mayor Farnworth opened the public session. He called for public comment, hearing none he closed the public session.

## **BUSINESS ITEMS:**

### **9.1 PUBLIC HEARING – BKB Foods, LLC Conditional Use Permit**

BKB foods is seeking approval of their Conditional Use application for a Fast Food type restaurant with a Drive-thru pickup window. The Mayor and Town Council will take appropriate action. This Item has been postponed until Planning Commission recommends approval.

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

**Motion:** COUNCILMEMBER GOODMAN MOVED TO OPEN THE PUBLIC HEARING AT 7:17 PM. COUNCILMEMBER FULLMER SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Town Planner Aric Jensen explained that this item was a proposed Dairy Queen, on the corner of Mill Road and Geneva. He said that this item had been continued at Planning Commission because the applicant did not have a complete site plan for their parking.

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

**Motion:** COUNCILMEMBER FLAKE MOVED TO CLOSE THE PUBLIC HEARING AT 7:18 PM. COUNCILMEMBER GOODMAN SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED UNANIMOUSLY.

### **9.2 PUBLIC HEARING – Zoning Amendment (Ordinance 2016- )**

Cottonwood Partners and MIG have requested an amendment to the Vineyard Zoning Ordinance and Zoning Map for “The Forge” development. The Mayor and Town Council will take appropriate action.

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

Mr. Jensen gave an overview of the rezone application. He explained that they would be rezoning the area and creating a new zone. He said that the zone being proposed was a high-density urban style mixed use zone. He explained where the property was located and then turned the time over to the applicant.

Jeff Winston with MIG explained the process that brought them to the zoning change request. He stated that what they would be approving tonight would be the zone not a site plan. He described the suggested layout of the development.

Councilmember Flake asked what the revenue would be that the town could expect. John West with Cottonwood Partners replied that they were estimating the value of the real estate to be around \$300,000, 000 plus or minus depending on what the density would be.

Councilmember Riley said that when Cottonwood Partners originally discussed the development on the north side, it was going to be more of a commercial center like the one that they developed around the 1-215 and Cottonwood area. He asked what drove them to leave the corporate space plans and move it to the mixed use space. Mr. West replied that the Cottonwood space was 45-acres with offices, a restaurant, and a credit union across the street from 150,000 sq. ft. of retail. He stated that the area was walkable and designed that way with residential already built around it. He said that it would not have worked to build it the same way. He explained that the elements were the same as the original plan. He said that they had an option to purchase the property on the north side of the Vineyard Connector, but were not able to do so and were then asked to purchase the property on the south side. He mentioned the concerns with the design of Thanksgiving Point. He stated that this type of development was not the standard, but what the potential tenants and “Millennials” were asking for.

Councilmember Riley said that he did not see the big corporate companies wanting to come to this area. Mr. Winston replied that the density could be a 1,250,000 square feet, which was more than in the Cottonwood Corporate Center. He said that this design allowed them to have a denser site with a better feel to it.

Mr. Winston said that they took some very successful building footprints, plugged them into this design and included structured parking. He explained that Google just moved 1,500 people to Boulder Colorado to a space exactly like this one. They had housing and businesses nearby with access to open space.

Councilmember Goodman asked if they already had an established zone why they were asking to change the zone type. He felt they were building in conflict for the same customers by attempting to build this in two locations.

Mr. West felt if it was a good thing why limit it and added that they would be setting a standard that would spill over to the town center. He stated that they could have buildings up this summer. He believed that Vineyard would be a real city in 25 years. He mentioned that other cities did not have just one center point and that Vineyard had that opportunity.

Mr. West mentioned that they had one 5-acre parcel under contract with Intermountain Healthcare. He described the different types of tenants that their other projects were attracting and that they were listening to the people that wanted to lease space.

Mayor Farnworth asked Mr. Jensen if the zone change would have the building going higher. Mr. Jensen replied that he was correct.

Councilmember Goodman asked why they did not build in a zone that had already had been established for this type of development. He said that the other problem was that in the RMU zone they had already exceeded the housing cap. He mentioned that they had citizens who were upset with the amount of density already allowed.

Mr. Jensen stated that in Anderson Development they built pure residential which did not go with other uses very well. He said that the apartments did not blend in with the rest of the community. He felt that the Council was right to be concerned because they did not get the commercial uses along with the apartments. He stated that the proposed project would be mostly commercial with residential added to make it more vibrant.

Mr. Winston felt that the market was big enough for the Town Center and more. He said that they were convinced that if they built the original building that was freestanding, like a big box

was. that it only would have a 10 to 15 year lifespan. He said that studies show how this type of mixed use had higher property values.

Mayor Farnworth asked for further comment.

Mr. West stated that there were only a few significant changes, such as height and street designs. He said that they would like the streets to be used for different purposes. Mayor Farnworth called for a motion to open the public hearing.

**Motion:** COUNCILMEMBER FULLMER MOVED TO OPEN THE PUBLIC HEARING AT 7:49 PM. COUNCILMEMBER GOODMAN SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Stewart Park with Anderson Geneva replied to a comment that they were sold a bill of goods by Anderson development. He stated that they understood that they need roof tops before commercial would come. He said that they envisioned a retail center that would be supported by the residential. He mentioned that the developments had been successful with the leasing out the apartments and town homes.

Greg Bird with R2R Ventures agreed with Anderson Development and Cottonwood Partners that without the rooftops they could not get the retail. He felt that the development would be beneficial to the Town, the Megaplex and the retail that would be there. He stated that what they were proposing would drive development and felt that multiple town centers would be successful. He mentioned that they could lease up to three times what they currently have built. He said that this was what the people and businesses were looking for. He felt it was designed well and would be timeless.

Resident Anthony Jenkins commented that his reason for moving to Vineyard was that he wanted something that was different. He felt that they needed something that was unique and had character. He did not care about the density but wanted a place to shop and get groceries and was in favor of the development.

Resident and Planning Commissioner Chris Judd said that when the concept plan was presented to the commission a year ago it was always talked about like this with more residential. He said that there were some change made at Planning Commission to reduce the residential to about 600 units. He said that he was confused as to why they were saying that something else was proposed on the north side. He felt that it could augment what the Town Center would be.

Councilmember Fullmer replied that when they presented their project the town wanted that type of development here and now they have a Town Center Concept Plan. She said that the question was if would they be competing. Mr. Judd replied that they were aware when the project was first presented that there would be residential, and that they should have said no then. He felt they could not allow them to go through a year's worth of work and then tell them no.

Mr. Jensen said that when discussed proximity; Salt Lake to Sugarhouse was only about 13 blocks away and had some of the same elements. He felt that no one would confuse Sugarhouse with Salt Lake. He said that he felt this development would not be confused with the Town Center and could produce tax revenue for the RDA this summer and would not have the Town Center for three (3) to five (5) years.

Resident and alternate Planning Commissioner Don Cosney said that from the aspect of it being a gateway entrance to the town that it would establish the look that the Town Center would have. He added that it would be a draw for filling in the Town Center.

Mr. Park stated that this development was inconsistent with Anderson's master plan and that they were not in favor of the zone change. He said it was always planned that there would be retail on both sides of the Vineyard Connector.

Mr. West replied that this was different from what they were told when purchasing the land from Anderson. He said that they were told that office was to the north and retail to the south. He said when they were not able to purchase the land on the north they purchased land on the south. He commented that there were signs on the north attempting to attract big box retail and an auto mall. He felt that Anderson had already made the switch, so it was natural for them to switch. He stated that they attempted to get retail tenants but had they declined because of the lack of rooftops. He said that he thought Anderson was negotiating with a large retailer.

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

**Motion:** COUNCILMEMBER FULLMER MOVED TO CLOSE THE PUBLIC HEARING AT 8:08 PM. COUNCILMEMBER FLAKE SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Councilmember Riley felt that rather than looking at the downtown Salt Lake and Sugarhouse areas they should compare it to the Gateway and City Creek Center. When the Gateway was built it was thriving with a lot of activity. Since City Creek was fully established, it appeared that the Gateway was on a slow decline. He said that his biggest concerns were capacity, was there enough demand to make them work together, or get one under way and then limit themselves.

Mr. Jensen replied that the difference was that Gateway was an outdoor mall and then added the office and residential afterwards which were not connected. He said that City creek designed it better, which took the retail away from Gateway. He said that it could happen here but felt that it would not. He said that there was a demand from businesses that already were in places that were not designed right, and would want to come here. Mayor Farnworth asked if it was a transportation issue. Mr. Jensen replied that it was and that they would have something unique in Vineyard with the intermodal hub and UVU.

Councilmember Goodman asked where this product was two (2) years ago. He said that he liked the product with the mixed use in the same area. He mentioned the Technical Advisory Committee (TAC) visited these types of zones. He felt they were talking about two separate centers that were as close as the Gateway and City Creek. He stated that American Fork was expanding and trying to compete for the same share of the market. He said he was concerned with adding the density to the zone.

Mayor Farnworth said that the thing Vineyard had going for it was the Train Center, which would be a big generator for development.

Councilmember Flake mentioned that when he ran for the office he spoke with people who live in the town that were fed up with high density. He said his principal agenda was to create a town that would survive 35 years from now. He had doubts that this piece of land would produce the revenue they need. He said that the area being the center entrance to the town was precious for income. He stated that liked the development, but felt that it belonged in the city center.

Councilmember Fullmer said that she liked working with these developers and felt that other their other projects had been done well. She wanted more time to do further research and get answers to questions on the residential.

Mayor Farnworth called for a motion

**Motion:** COUNCILMEMBER FULLMER MOVED TO CONTINUE THIS ITEM UNTIL THE NEXT MEETING. COUNCILMEMBER FLAKE SECONDED THE MOTION. ALL IN WERE FAVOR. MOTION CARRIED UNANIMOUSLY.

Councilmember Riley asked if any of the financial numbers were included in the proposal. He asked the development group to gather that information so they could get an opinion on it to help make a decision.

Mayor Farnworth said that it comes down to two (2) issues, which were density and which product would give the most revenue for the town.

Mr. Winston asked for clarification as what they meant by density. Councilmember Flake replied that it was residential units in that zone. Mr. Church said that it was the number of residential units that would be residents of the town and that they would need to provide services to. Mr. Church said that residents had a different burden on services.

Councilmember Fullmer felt that they needed to continue the research and talk with the residents to see what they felt the need was.

Mayor Farnworth mentioned that there was a line drawn for the number of residents. Mr. Church responded that it was the allocation of water and sewer.

Janet West with Cottonwood Partners asked if they wanted anything built there or just have it be vacant land. She felt that they could not build anything and not have people come.

Mr. Jensen replied that the developers had not painted a very good picture of the project. He said that they had not shown them the taxable income, how it would work together, and that they were high-end apartments. He explained that West Valley did a study of the impact on multi-family units and single family home and services proved and that it showed no difference. He said that because there were more people together in one area you would get more calls. He said if you put in 100 high-end apartments where the people were making \$100 to \$150,000 a year you get a different type of calls vs assisted housing.

Mayor Farnworth asked the council to do their homework so that the developer had some answers.

Mr. West mentioned that with the existing zone they had the right to build most of what they had presented.

### **9.3 PUBLIC HEARING – WatersEdge Zone Amendment (Ordinance 2016-01)**

The Applicant from Flagship Homes is requesting an amendment to the WatersEdge Zone Plan. The objectives of the amendment are as follows:

- Create a Senior Housing Overlay for planning areas A15 and A17
- Amend the existing fencing plan

- Create a sign plan

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 stated that Planning Commission and staff recommended approval.

Councilmember Riley requested that they discuss each item separately.

### **Create a Senior Housing Overlay for planning areas A15 and A17**

Councilmember Fullmer asked if they had a copy of the referendum agreement. She felt that it should talk about how the housing was done and the fencing. She asked if they could move the location of the senior housing to an area that already was approved for attached housing. Nate Hutchinson with Flagship Homes explained that the referendum agreement discussed the exchange of lots from one area to another.

Pete Evans with Flagship Homes explained that because of the lower density in the other areas it did not make sense to put them in those areas.

Councilmember Fullmer asked how it would change the open space. Mr. Evans replied that the open space was still there.

Dave Erickson with Leisure Villas gave an overview of his proposed development. He mentioned that they were still single-family homes with zero lot lines. He explained that security was important to the senior community and that they did not want people going through it.

Councilmember Riley asked about the trail system. Mr. Evans replied that the trail would be on the outside of the development. Mr. Evans said that the green space would be internal and more private and that the remaining property had been redesigned to have the trail that goes along the west side of the cluster product and next to the school.

Mayor Farnworth called for motion to open the public hearing.

**Motion:** COUNCILMEMBER GOODMAN MOVED TO OPEN THE PUBLIC HEARING REGARDING THE SENIOR DEVELOPMENT AT 8:47 PM. COUNCILMEMBER FULLMER SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Mayor Farnworth called for comments.

Resident and alternate Planning Commissioner Tim Blackburn living in the Sleepy Ridge subdivision emphasized that he liked the product when it was presented to the Planning Commission. He mentioned that he spoke with community members and there was excitement for it.

Mr. Evans mentioned that the senior community would have their own rec center and HOA. He explained that they would be annexed out of the overall HOA, but would participate in the entry way landscaping. He said that the development was approved they would go into more detail on how their site would be maintained.

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

**Motion:** COUNCILMEMBER FULLMER MOVED CLOSE THE PUBLIC HEARING AT 8:50 PM. COUNCILMEMBER RILEY SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Councilmember Fullmer asked if the roads would be the same size as a public road. Mr. Erickson replied that they were standard public roads.

Councilmember Fullmer asked if under the referendum agreement, would the green space and trails be open to the public. Mr. Evans replied no, it did not address the green space, but it was the zone plan that had the green space and trails. He said that the remaining property they still had the trail coming from the north between the cluster lots and the senior product and had the pocket park feature. He mentioned that if they looked at the site and the power lines there was not a lot that could be put there to connect to the trails.

Councilmember Goodman said that there would be an attraction to the lake and there would be a reason for the people to go the west. Mr. Evans replied that the backbone trail runs on 400 North towards the lake.

Mr. Evans explained that the senior community wanted their own recreational facilities and added that the charter school would have their own as well.

Councilmember Goodman said that he was not against the development but wanted to understand what it would mean to the entire development. Mr. Evans replied that the remaining property would preserve the trail connections and the open space.

Councilmember Riley mentioned that he visited their project that was currently under development in Pleasant Grove and that he was impressed by it. He felt that the demographic was crucial to bring to Vineyard and that they needed a place for these people to interact in their community. He said that he was disappointed to be losing a trail connection but was willing to sacrifice it to get this demographic in the community.

Mayor Farnworth called for a motion.

**Motion:** COUNCILMEMBER GOODMAN MOVED TO APPROVE THE SENIOR HOUSING OVERLAY FOR THE PLANNING AREAS A15 AND A17 FOR THE WATERSEDGE ZONE TEXT AMENDMENT. COUNCILMEMBER RILEY SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FARNWORTH, COUNCILMEMBERS FLAKE, FULLMER, GOODMAN, AND RILEY VOTED AYE. MOTION CARRIED UNANIMOUSLY.

Councilmember Riley asked if there was a way to make sure this was not violating the referendum agreement. Mr. Evans replied that the agreement was in regards to the open space and the wetlands. Mayor Farnworth asked Mr. Church about the referendum agreement. Mr. Church replied that it would not violate the agreement.

### **Signs –**

Mayor Farnworth asked if there was a need for further discussion on the sign portion of the ordinance.

Mr. Evans explained the different signs they would have in their development. He mentioned that there would be permanent and temporary signs. He said that the zone plan anticipated the signs and wanted to approve the theme and style, and to control the look and feel of the community.

Councilmember Riley asked if there were anything details that further described these signs. Bronson Tatton with Flagship replied that they fit within the zone ordinance. Mr. Evans explained that they were commercial grade signs.

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

**Motion:** COUNCILMEMBER FULLMER MOVED TO OPEN THE PUBLIC HEARING AT 9:13 PM. COUNCILMEMBER FLAKE SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Resident and alternate Planning Commissioner Don Cosney living on Holdaway Road asked if there were setback requirements for the signs. Mayor Farnworth mentioned that they had a Sign Ordinance they needed to follow. Mr. Evans replied that they were all out of the site triangle.

Resident Cristy Welsh living in the Garden subdivision asked about the walls and the signs would be separating the neighborhoods. Mr. Evans replied that they were.

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

**Motion:** COUNCILMEMBER FLAKE MOVED CLOSE THE PUBLIC HEARING AT 9:15PM. COUNCILMEMBER RILEY SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Mayor Farnworth called for further discussion or a motion.

**Motion:** COUNCILMEMBER GOODMAN MOVED TO APPROVE THE SIGN PLAN AS PRESENTED. COUNCILMEMBER RILEY SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FARNWORTH, COUNCILMEMBERS FLAKE, FULLMER, GOODMAN, AND RILEY VOTED AYE. MOTION CARRIED UNANIMOUSLY.

#### **Fence –**

Mr. Jensen mentioned that this was a proposal to modify the existing fence plan for the WatersEdge development. He went over the different types of fencing listed. He explained that in the work session why they were changing from a sold type of fence to a more open style. He said that is was to allow for more viability of open space of trails along the railroad track, the multifamily development, and the school site.

Councilmember Fullmer expressed her concern with the fence in the multifamily area, depending on what types of fencing they put in, the property values could go down. She said that they were along the railroad track and was looking for a sound barrier, which was harder to do with landscaping. She also expressed her concern with the fencing long the busy roads to the north where kids could hop over it.

Mr. Evans asked for clarification, that the property values could go down if they were looking at the railroad tracks or if people were looking at the community based on what they are doing with their homes. Councilmember Fullmer felt that people did not like to purchase homes along the

railroad track. Mr. Evans replied that there was enough distance between the trail and the homes. He felt that it was too long of a stretch for a concrete wall with no exit / entrances. He explained the differences in the yards and the open space to help provide visibility.

Councilmember Goodman asked if they could use Clearview instead of split-rail on the east side. Mr. Evans replied that they were not trying to create a defined barrier but better separation of public and private property.

Mayor Farnworth asked how tall the split-rail was in the open space and if it was something that people could climb over to use the open space. Mr. Evans replied that it was not intended to keep people out, it was for aesthetics.

Councilmember Fullmer expressed her concern of seeing a Clearview fence and then a vinyl fence behind it. Mr. Evans replied that the fencing would be governed by the CC&Rs. He mentioned that vinyl would come with the attached project.

Councilmember Riley asked who would be maintaining which fences. Mr. Evans replied that the town would maintain the trail corridors along the tracks and the open space by the well house would be owned by the HOA.

There was discussion about the different types of fencing in the development.

Councilmember Riley asked where in the plan they could articulate new materials that look like wood or brick, etc., rather than the vinyl to use on the fences. Mr. Evans said that what they wanted to do was to work out what the fence plan would look like and then come up with what the fence materials types would be.

Councilmember Fullmer asked how hard the fences would be to maintain, how long they would last, and what the cost would be to repair, that the town would be responsible for. Mr. Overson replied that the concrete walls are durable and it is inexpensive to repaint. He explained that he did not have experience with split rail fences, the powder coated aluminum wrought iron material was more durable but if a car hit it you replace a couple of panels. He mentioned that the new vinyl fences are more durable but kids like to run cars through them.

Mayor Farnworth felt they could make it look better by getting different styles of plastic fence.

Councilmember Riley said that what was originally approved were concrete and basic vinyl styles. He said that there was nothing listed about wrought iron and other types of vinyl that could be included. He felt that there were all of types of fencing that could be used. Mr. Evans replied that there were basic types approved and then explained where different types of fences could be located.

Mayor Farnworth stated that the people living in the multifamily dwellings were not as concerned with their fencing as the single-family homes were. Mr. Evans replied that the fencing was to define the boundaries between the public and private space.

Councilmember Flake asked if the road from the intersection at Main Street changed elevations. Mr. Overson explained that on the west side along the Vineyard Connector the road was at grade. Councilmember Flake said that he was in favor of a concrete wall along that road. Mr. Evans replied that there was a 50-foot easement, a setback for the building, and a trail from the town homes and the Vineyard Connector.

Councilmember Fullmer was concerned with the fence type in the yellow zone on the map and asked why they could not use cement. Mr. Tatton explained that it was approved as Clearview and was now a privacy fence. Councilmember Fullmer asked why could not make it cement in place of vinyl. Mr. Evans replied that it was the trail corridor between the two communities and that it would feel walled in to have a 6-foot concrete wall. Mr. Hutchinson mentioned that the Leisure Villas would install a rhino rock wall around it.

There was further discussion about the different types of fencing.

Councilmember Goodman expressed his concern about a split-rail along the Vineyard Connector and that children could go through it and get to the highway. He felt that they should include a sound barrier where the road was at grade along the Vineyard Connector.

**Motion:** COUNCILMEMBER GOODMAN MOVED TO OPEN THE PUBLIC HEARING AT 9:41 PM. COUNCILMEMBER RILEY SECONDED THE MOTION ALL WERE IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Mayor Farnworth called for public comment.

Mr. Judd proposed that if they had questions about vinyl fencing they could get recommendations from Planning Commissioner Daniel Pace.

**Motion:** COUNCILMEMBER FLAKE MOVED TO CLOSE THE PUBLIC HEARING AT 9:41 PM. MAYOR FARNWORTH SECONDED THE MOTION. ALL PRESENT WERE IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Councilmember Riley mentioned that in the works session there was discussion about the section along the track in regards to sound. He asked what the town would be responsible for with future issues there. Mr. Overson suggested that they ask the residents that live along the track if the noise bothers them. Councilmember Riley asked if the town was responsible for noise and vibration concerns from the trains next to developments. Mr. Church replied that the town was not responsible. Mr. Hutchinson mentioned that they disclose the train issues when people purchase homes.

Councilmember Goodman said that it appeared that other developers were required to install concrete walls long the collector roads. He asked if they were creating a problem allowing this development to do something different. Mr. Church replied that they were separate development agreements and these developers were asking to change theirs. He explained that when designing the area it was controversial if the walls would make the area look better or worse. He said that the people driving along the road did not want to see the walls, but the homeowners would not like the wrought iron, they would like the concrete for privacy.

Councilmember Riley said that they agreed not have vinyl fencing along the corridors. Councilmember Goodman said that they were asking to allow the vinyl around the housing.

Mr. Evans replied that around the multifamily housing with the open landscape buffer they were asking to change they type of fencing. He said that where there would be a concrete wall it would have a landscape buffer to allow for a more open feel.

Mr. Church said that where cities were failing was that they were trying to get open fences in people's backyards and that the homeowners would build second fences for privacy.

Mr. Jensen reminded Council that they did not have to approve vinyl split-rail fences. He said that there were other types of split-rail materials. Councilmember Riley suggested that it could be a shorter concrete fence.

Mr. Church said that the fences along the corridor roads would be considered by the land owners as public fences and expect the town to be responsible for the repair at a huge cost.

Mayor Farnworth called for a motion.

**Motion:** COUNCILMEMBER FULLMER MOVED TO CONTINUE THE FENCE PLAN TO ANOTHER MEETING. COUNCILMEMBER FLAKE SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Mr. Evans asked if they could get feedback on what they Council would like to see for the next meeting. Councilmember Flake asked them to bring samples of their best choices.

Councilmember Riley asked if they could reach out to UDOT to see what they were anticipating for the area. Mr. Overson said that he would check with them.

#### **9.4 DISCUSSION – Open and Public Meetings Training**

Vineyard Attorney, David Church, will present annual training on Open and Public Meeting procedures and requirements. The Town Council as well as members of the Planning Commission will attend this training. This training is provided annually pursuant to Section 52-4-104 of the Utah State Code.

It was agreed to postpone this item to another meeting. Mr. Church gave the Planning Commission a handout to read and present at their next meeting.

#### **ADJOURNMENT**

**Motion:** COUNCILMEMBER RILEY MOVED TO CLOSE THE TOWN COUNCIL MEETING AT 9:55 PM AND MOVE IN TO AN RDA MEETING. COUNCILMEMBER GOODMAN SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED UNANIMOUSLY.

The meeting adjourned at 9:55 PM. The next regularly scheduled meeting is January 27, 2016

MINUTES APPROVED ON: February 10, 2016

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