

MINUTES OF THE VINEYARD TOWN COUNCIL MEETING
VINEYARD TOWN HALL,
240 EAST GAMMON ROAD, VINEYARD, UTAH
MAY 25, 2016 AT 6:00PM

6:00 PM WORK SESSION WITH STAFF

PRESENT

Mayor Randy Farnworth
Councilmember Tyce Flake
Councilmember Julie Fullmer (6:05PM)
Councilmember Dale Goodman
Councilmember Nate Riley

ABSENT

Staff Present: Building Official George Reid, Town Planner Aric Jensen, Finance Director Jacob McHargue, Town Clerk/Recorder Pamela Spencer, Planning Commission Chair Chris Judd, Storm Water Operator Sam Bell, Attorney David Church, Utah County Sheriff's Deputy Collin Gordon, Water/Sewer Operator Sullivan Love.

Others Present: Residents and Planning Commissioners Chris Judd and Anthony Jenkins, Wade Payne with Wade Payne Construction.

Work Session: Mayor Farnworth opened the meeting at 6:00 PM.

PLANNING COMMISSION UPDATE AND RECOMMENDATIONS TO THE

COUNCIL: Planning Commission Chair Chris Judd – Chair Judd reported that the Planning Commission meeting May 18 had been cancelled. He said that they recommended a change to the General Plan on the Clegg property from A1 to R1-20, and inquired as to when it would be approved. Councilmember Flake asked if it would be an overlay. Chair Judd replied that it was. Councilmember Riley asked if there had been any contact with the owner of the land in question. Town Planner Aric Jensen recommended that they inform the owners of the suggested change. Mayor Farnworth wanted to wait until the new planner started on June 1. He also wanted to discuss it with the family first. Chair Judd asked them to set a date to put it on the agenda. Mayor Farnworth asked why it was an item of discussion. Chair Judd replied that there had been input from residents with concerns about lot size.

Councilmember Fullmer joined the meeting and 6:05 PM.

There was a discussion about what size the lots should be. Mr. Jensen suggested that they flex the lot sizes. Mr. Judd said that he understood that they could average the R-1-20. Mr. Jensen replied that an R-1-20 could be a minimum. Mayor Farnworth felt that they needed a starting number but wanted to wait and talk with the new planner.

MONTHLY BUILDING ACTIVITY REPORT – Building Official George Reid

Mr. Reid explained that he would be updating the council monthly. He reviewed his report. He mentioned that projected revenues were not based on the projected budget.

Mr. Judd asked what the turnaround was on a permit. Mr. Reid replied that was currently two (2) weeks. He added that they were still utilizing the third party reviewers. Mr. Judd asked if there

was a way to use a card file. Mr. Reid replied that he was working towards doing a card file. He said that there would be a code change starting July 1 and then he would be able to start a card file system. Mr. Judd felt that the builders were willing to pay upfront for a card file. Councilmember Riley asked what the turnaround time would be with a card file system. Mr. Judd said the card file could be turned around in two (2) to three (3) weeks. Mr. Reid mentioned that they would still have to review the site plans and storm water, etc.

Finance Director Jacob McHargue mentioned that he attended a Home Builders Association meeting and the president said that Vineyard received a 5 out of 7 from a survey that they had conducted. He added that it was one of the highest scores for all of the cities.

COUNCILMEMBERS' REPORTS

Councilmember Julie Fullmer – Councilmember Fullmer reported that the Summer Celebration would be held on June 9. Mr. McHargue mentioned that staff member Neeley Rimal was working with a group at UVU to take town logo designs and come up with a few templates to give to the council and receive feedback.

Councilmember Dale Goodman – Councilmember Goodman reported that the TSSD Board met and talked about the need for asset management software, their budget, and projects they were working on.

Councilmember Tyce Flake – Councilmember Flake reported that in the Dropbox were the suggested updates to the Zoning Map and Zoning Codes.

Councilmember Nate Riley – Councilmember Riley reported that he attended the EDCUTAH'S Utah County Economic Development Forum. He mentioned that Natalie Gochnour explained that there was a potential for a recession. She said that they needed to pay attention to the demographics, long-term planning, embrace diversity, embrace transportation, and find ways to invest in their area. Councilmember Riley felt that they needed to find ways to make Vineyard walkable and make transportation work. He added that Ms. Gochnour talked about available land to build on. He said that she showed a map where in Salt Lake County there were about 35,000 acres and in Utah County, there were about 209,000 acres of available ground. He mentioned that there was a conversation about a bridge across Utah Lake, which would become a real topic of conversation. He said this presented an interesting conversation on how they were going to try to connect it to the Vineyard Connector.

Councilmember Riley reported that resident Tim Blackburn was working on the Heritage Commission. He asked that they announce it in the next newsletter with a request for participants.

Councilmember Riley mentioned that Dave Robins' family was not in a hurry to sell their land and were willing to wait. Councilmember Riley felt that they needed to make a decision in the near future. He said that he had reached out to a large resort chain called Lone Wolf Resorts. He explained that they were a family vacation destination company where they put acres under roof, had sandy beaches, etc. He said that he told them what Vineyard had to offer and that they were interested in receiving a portfolio. He mentioned that they were putting together an RDA site package and wanted to know if they had something that they could send the company. Mayor Farnworth explained that Civil Solutions was making the 3D drawings and a pamphlet.

Mr. Judd mentioned that Ms. Gochnour had made the same type of presentation to his bank group. He said that the only available land was on the west side and spoke highly of what she thought could happen in that area.

Mayor Farnworth stated that it would be at least 2040 before they begin discussions on the bridge. He added that the projected growth for Cedar Valley was 4 million. He mentioned that there was a secondary design that would take it to the Provo Airport. Councilmember Riley said that if UVU succeeded and they were at 80,000 students and trying to get them to “point of education,” then taking them to the Airport would not help. Councilmember Goodman asked if they had considered bringing rail across instead of cars.

MAYOR’S REPORT – Mayor Farnworth reported that North Pointe was still looking at purchasing the South Utah Valley Landfill. He mentioned that they had a meeting concerning the Letter of Intent (LOI) for Anderson Development. He said that they still did not have a number to commit to. Attorney David Church explained that he had drafted a letter that stated they were going to follow the adopted plan. He said that he quoted from the plan, what he felt was important and was written in response to the request for the Contamination Area Management Unit (CAMU). He said that they needed more details on the expected cost, the money contributed by from Anderson and US Steel, etc.

He mentioned that he had received an email from Jeff Walker, and attorney with Anderson Development remarked that they assumed they would be reviewing a Memorandum of Understanding (MOU). Mayor Farnworth stated that it was a letter first and then an MOU. Councilmember Fullmer felt that there was confusion at the last meeting. She said that they talked about giving them an MOU and they thought that the letter was an MOU. Mayor Farnworth stated that they needed to come up a letter that stated the RDA’s position. Mr. Church felt that they should go with the process laid out in the RDA plan, which was a project-based plan. He asked how they respond without individual projects. Councilmember Riley asked how accurate their plan was, and do they take it at face value or do they hire an independent firm to give them numbers. Mr. Church said that if they had given the RDA Board a signed contract from a reputable firm stating what they were doing and for how much, then that was different from what Anderson was presenting them. Mayor Farnworth stated that they wanted either a signed contract from a reputable firm or to hire a third party engineering firm. Mr. Church suggested that they respond with what they agreed or did not agree to. Mayor Farnworth felt that they needed to have a good rapport. He also felt that this was a process that they could not complete in two (2) days and that they needed to be comfortable with the outcome. Mr. Church said that they did not want to incentivize the retail over the cleanup.

There was further discussion on the requested letter for Anderson Development and council agreed that they needed more information.

Councilmember Riley asked what Anderson’s contribution would be. He said that they needed to break it up and define what Anderson’s contributions would be for each project. Councilmember Fullmer asked how they could do this if Anderson threatened to put a fence up. Mr. Church stated that the CAMU needed to be built. Mayor Farnworth felt that it could be a bottomless threat or they actually did not have any money. He added that all that US Steel had on their spreadsheet was a note that stated that they might have an obligation of \$63,000,000 towards cleanup projects in Vineyard; there was no actual money. Councilmember Riley stated that Anderson and US Steel had a legal obligation to clean up the site to a certain standard, which had not been clearly defined.

Councilmember Fullmer stated that in the contract it showed the money that they contributed and the money that US Steel contributed. She added that the money they contributed was the amount they were asking the RDA to give. She asked if they were making their legal contribution work out by using the RDA. Mr. Church felt that Anderson believed that the RDA had been created to facilitate them being able to finance their obligation, which was not consistent with the adopted plan. He felt that the CAMU was minimal stuff that had to be done with a fence around it.

Councilmember Riley said that when they get to the point where they would fence it off, then the RDA could say that they were willing to spend some money and turn it into ball fields, etc. Mayor Farnworth said that they were trying to get the base amount. He agreed that if Anderson and US Steel brought the land to a certain point then the RDA would come up with an amount to bring it up to another level. Mr. McHargue said that he was working on a report that would include what had been constructed, what might be constructed, and give them a starting point. He said that there were many assumptions based on when the triggering could occur.

Mr. Church gave an update on the railroad. He explained that he emailed Sue Hronek with Union Pacific because she did have the contract to him when promised. He read her response in which she could not give him a time that the contract would be ready. He mentioned that once the contract was signed it would take about 18 months to complete the project. Mr. McHargue asked if they could move the money to start earning interest on the loan. He said that they might have to keep it in a Public Treasurers Investment Fund (PTIF). Mr. Church explained that there were rules about making money on borrowed money. He understood that the State limited the types of investments. He added that as soon as the contract was signed, they would start spending the money.

There was a discussion on moving the bond money to an account that would give them a higher interest rate and that Lewis Young was looking into it.

ITEMS REQUESTED FOR FUTURE AGENDAS

A Proclamation in support of Local First Utah's Independents Week

Mayor Farnworth asked the council for their input. Council agreed to place it on the next agenda. Mr. Church stated that it did not have to be on an agenda for the Mayor to sign it. Council agreed to allow the mayor to sign the proclamation.

AGENDA REVIEW

Public Safety building

Mayor Farnworth mentioned that the hole had been dug for the Public Safety building and that they were already asking to make changes to it. He asked the council if they wanted to come up with a dollar amount for overruns or have them bring it to the council each time there was a change order. He turned the time over to the contractor Wade Payne with Wade Payne Construction.

Mr. Payne explained that if they had to come to the council before they could make the changes it would stop the progress. He said that the biggest portion of the change order was site improvements to allow the town to build additional buildings on the property. He felt that it was poorly designed by the original engineering company. Mayor Farnworth mentioned that when they first started the project they requested a bid for a bare-bones plan. Mr. Reid said that they

knew that the change order would come. He explained that they proceeded with Epic Engineering's plan and Town Engineer Don Overson wanted some changes. He stated that the original hope was to save on quantities and materials to keep the change order costs lower. He mentioned that it was a timing issue so they gave it to JUB Engineers to redesign it. He said that they needed to know how they wanted them to handle the change orders in the future. Mr. Payne stated that with each change order they would be requesting more build time. He added that if they had to wait for approval he could lose his subcontractors to other projects. Councilmember Riley asked how they minimize the overrun. He felt that they should know enough to minimize the change orders. Mr. Reid stated that they did not anticipate too many more change orders. He explained the change orders and how they were trying to cut costs where they could. Mr. McHargue mentioned that they were going to ask for another change order to finish the basement with a large conference room, break room, and bathroom at a cost of \$50 a square foot with a total of 700 square feet.

Mr. Judd asked if there was a contingency plan when they bid the project. Mr. Payne replied that there was a \$5,000 contingency for special inspections.

Councilmember Goodman suggested that they have a certain contingency amount for unforeseen issues. Mr. Judd felt that they should have a least 10 percent minimum of the total project for contingencies. Mr. McHargue explained that between the two years it was budgeted for \$1.6 million pending tonight's approval. He suggested that they ask for more money if they go outside that amount.

Councilmember Goodman felt that they should not tie up the contractor with having to come to the council every time, and suggested that they allow the mayor to make that decision. Mayor Farnworth mentioned that most government buildings run over budget.

Councilmember Riley said he was looking at it from the public's perspective. He did not want to create a blanket excuse to continue to go and felt that the buck had to stop with the council and that they could manage it the best they could. Mr. McHargue said that the question was how they wanted to handle change orders or follow just the purchasing policy. Mr. Payne suggested that the project manager could approve change orders up to \$10,000. He said that they did not want to be held up in the process.

Councilmember Riley asked if they could include the basement finish tonight. Mr. Reid suggested that if they included the amount not to exceed \$50,000 then they could eliminate the need to come back to council for approval.

Councilmember Goodman asked when they would be ready to frame. Mr. Payne replied that he told his framers by the 23 of June. Councilmember Goodman felt they should add the basement finish. Mr. Payne suggested that they also include an architectural allowance, which would allow for quick decisions about unforeseen conditions and if the allowance was still there at the end of the project the money would go away. Mr. Reid gave an example of giving Mr. Payne permission to proceed with the installation of an additional helical pier to save them time and money. He said that was where an architectural allowance would come into play.

Mayor Farnworth asked if they wanted to include in the motion to allow an architectural amount and the \$50,000 for the basement finish. Mr. Payne suggested that if they added a 15 percent allowance for the Mayor to approve it would help expedite the change orders. Everything presented now would save money in the future. Mayor Farnworth explained the problems that arose with the Lindon City offices and the installation of an elevator.

Councilmember Flake asked if they were looking to approve the current change order and or add the basement finish. Mr. Reid added that they needed to decide how to approve additional change orders. Mr. Payne explained that if they stipulate 15 percent it would cover everything they had discussed. Mr. Church asked if the 15 percent was already in the budget. Mr. McHargue replied that it was close but a little over. Mr. Church said that they were approving the one change order and affirming that the mayor could approve change orders up to 10 percent of the budget. He said that change orders of \$10,000 could be immediately approved and if it was over the budget then they would have to back to council for approval.

Budget

Mr. McHargue stated that there was a change on the sales tax number. He said that the state had not updated their numbers from the census bureau. He mentioned that Vineyard was quoted in the Deseret Newspaper as the fastest growing city, not only in Utah, but the United States, and the third largest population growth in the state. He felt that the numbers should be reflected in June and anticipated some significant growth in the sales tax numbers. He said that the new money had been put into the administrative fund.

Council took a break at 7:27 PM.

7:32 PM REGULAR SESSION

PRESENT

Mayor Randy Farnworth
Councilmember Tyce Flake
Councilmember Julie Fullmer (6:05PM)
Councilmember Dale Goodman
Councilmember Nate Riley

ABSENT

Staff Present: Building Official George Reid, Town Planner Aric Jensen, Finance Director Jacob McHargue, Town Clerk/Recorder Pamela Spencer, Planning Commission Chair Chris Judd, Storm Water Operator Sam Bell, Attorney David Church, Utah County Sheriff's Deputy Collin Gordon, Water/Sewer Operator Sullivan Love.

Others Present: Residents and Planning Commissioners Chris Judd and Anthony Jenkins; Wade Payne with Wade Payne Construction; Gerald Anderson with Anderson Development;

Regular Session: Mayor Farnworth opened the regular session at 7:32PM. Councilmember Flake gave the invocation.

CONSENT ITEMS:

- a) Approval of the April 27, 2016 meeting minutes
- b) Approval of the Final Plat for The Preserve at Waters Edge Townhomes Plat B
- c) Approval of the Final Plat for The Preserve at Waters Edge Condominiums Plat B

Mayor Farnworth called for a motion.

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

STAFF REPORTS

Public Works Director /Engineer– Don Overson – Mr. Overson was excused.

Attorney – David Church – Mr. Church asked for direction from the council on the remediation letter for Anderson Development. Council agreed to have him wait for their input on the letter.

Utah County Sheriff’s Department – Deputy Collin Gordon - Deputy Gordon reported that the radar trailer would be set up around the town and asked council where they would like to see it placed. Mayor Farnworth and Councilmember Riley felt that 400 South was becoming a high-speed area. Councilmember Fullmer asked if he was working on painting the curbs red. Mayor Farnworth mentioned that Orem painted his curb. Deputy Gordon stated that the red curb ended just past the Mayor’s home. He reported that he had the inmate work crews scheduled for mid-June.

Mayor Farnworth mentioned that an additional sheriff would be starting in July. Deputy Gordon explained that they were working on a Community Oriented Policing Services (COPS) grant, which had to be submitted by mid-June. He said that it would provide 75 percent of wages and benefits for three (3) years if awarded.

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

Finance Director – Jacob McHargue – Mr. McHargue mentioned that the budget report was in the Dropbox. He reported that he would need to adjust the Capital Projects fund.

Town Clerk/Recorder – Pamela Spencer – Ms. Spencer reported that there would be a plaque and bench dedicated in memory of Kelly Boren (who worked for the town) and her children on Friday, May 27, 2016, at 2:00PM in the Gammon Park. Mr. McHargue explained that they had two (2) metal benches and a plaque they would be dedicating in her memory. He said that Kelly’s family and some of her in-laws would be in attendance. He added that her father had given them pictures of Kelly and her children for the dedication ceremony.

Building Official – George Reid – Mr. Reid had no new items to report.

OPEN SESSION: *Citizens’ Comments*

Mayor Farnworth called for public comment.

Resident Anthony Jenkins living in the LeCheminant subdivision expressed concern about a public relations issue that Vineyard was being built on contaminated soil. Mayor Farnworth replied that anything on the west side of the tracks was considered the old Geneva site and they would not have been allowed to build anything on it if it had not met State and Federal Government standards. Councilmember Riley suggested that Flagship Homes and Woodside Homes could address the issue through social media. Gerald Anderson with Anderson Geneva explained that the Department of Environmental Quality (DEQ) oversees the cleanup. He stated that there had been hundreds of thousands of tests done and Anderson was required to clean up the land. He said that they tested different levels for residential, industrial, and commercial. He

added that before they could sell the land they had to receive a “no further action” from DEQ, meaning that there was no further action required for the intended use. He mentioned that the reports were available for public access through the DEQ. Councilmember Riley suggested that they ask Flagship Homes to put out an information sheet on social media.

Resident Chris Judd living in the Sleepy Ridge subdivision asked about the sewer connection fees. Mr. McHargue replied that Public Works Director Don Overson had been researching it and would have that information.

Mayor Farnworth called for further comments. Hearing none, he closed the public session

BUSINESS ITEMS:

5.1 PUBLIC HEARING – Tentative 2016-2017 Fiscal Year Budget

The Mayor and Town Council will hear public comment regarding the tentative 2016-2017 Fiscal Year Budget. The Mayor and Town Council will act to approve or deny the tentative budget and if approved set a Public Hearing for final budget approval on June 8, 2016. The preliminary budget was discussed during the May 11, 2016 Town Council meeting.

Mr. McHargue mentioned that they were waiting to get the new sales tax numbers from the state based on the population numbers from the census bureau. He explained where the money would be spent such as branding, a new website, and other council projects. He said that the numbers from PEHP were higher than what the stipend was for health insurance and as the staff increased, the costs would go down. He said that staff was okay with staying with the stipend for another year. Councilmember Riley asked if Mr. McHargue had sent out a document that identified the separate staff benefits. Mr. McHargue replied that he could send out a detailed document or they could discuss it in further detail during to the final budget presentation.

Mr. McHargue mentioned that he was working on a “Budget Document” to be used as a tool for staff to make sure the ledger was clean, so council could make sure that they were budgeting for priorities discussed, and for the sake of transparency.

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

Motion: COUNCILMEMBER FLAKE MOVED TO OPEN THE PUBLIC HEARING AT 7:52PM. COUNCILMEMBER FULLMER SECONDED THE MOTION.

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

Motion: COUNCILMEMBER FLAKE MOVED TO CLOSE THE PUBLIC HEARING AT 7:53PM. COUNCILMEMBER FULLMER SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED UNANIMOUSLY.

Mayor Farnworth called for further discussion. Councilmember Riley asked for clarification on the motion. Mr. McHargue replied that they needed to approve the tentative budget and set a public hearing date to approve the final budget.

Motion: COUNCILMEMBER RILEY MOVED TO APPROVE THE TENTATIVE BUDGET FOR 2016-2017 AS PRESENTED AND SET A PUBLIC HEARING FOR JUNE 8, 2016.

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

5.2 DISCUSSION AND ACTION – Public Safety Building Change Orders

Staff is requesting approval of the current change orders for the Public Safety Building. They are also requesting guidance on the process for future change orders. The Mayor and Town Council will take appropriate action.

Mayor Farnworth mentioned that they had discussed this item in the work session. He called for further comments. Hearing none, he called for a motion.

Motion: COUNCILMEMBER FLAKE MOVED TO ACCEPT THE CURRENT CHANGE ORDER AND FOLD IT WITHIN A 15 PERCENT CONTINGENCY FUND THAT IS WITHIN THE TOTAL BUDGET AS RECOMMENDED, GIVING THE MAYOR AUTHORITY TO APPROVE ITEMS THAT ARE BELOW \$10,000.00. COUNCILMEMBER RILEY SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FARNWORTH, COUNCILMEMBERS FLAKE, FULLMER, GOODMAN, AND RILEY VOTED AYE. ALL WERE IN FAVOR. MOTION CARRIED UNANIMOUSLY.

5.3 PUBLIC HEARING - Amendments to the Town Zoning Ordinance, Town Zoning Map, Town Land Use Map

The Mayor and Town Council will review the Town Zoning Ordinances, Town Zoning Map, and Town Land Use Map and hear public comment regarding these items. The Mayor and Town Council will possibly act to adopt amendments by ordinance after receiving recommendations from the Town Planning Commission. This public hearing shall remain open until August 2016.

Mayor Farnworth asked for updates on the code.

Mr. Jensen reviewed the proposed changes to the Zoning Ordinance Chapter 32 Table of Uses. He explained that Planning Commission recommended changes to the commercial and a few residential uses. He said that some of the changes had to do with parking standards. He mentioned that there was a distinction of uses from what the “Municipality” was doing and what the “Public” was doing. He explained that outside agencies would be conditional uses and municipal sponsored uses would be permitted uses.

Recommended changes were:

Residential

- Minimum side yard – interior lots – inconsistencies of a 30 foot side yard with an 80 foot lot width – recommended change from 30 foot setback to a 15 foot setback for A-1 and A-5; 10 foot setback for RE-40, RE-30, and RE-20; an 8 foot setback for R-1-15, R-1-10, R-1-8, and R-2-15 . Mr. Jensen mentioned that a minimum side yard on a corner lot was a 30 foot setback, which was the old standard and a 25 foot setback was now acceptable.
- Rear yard – recommended to change it from a 30 foot setback to a 20 foot setback.

Commercial

- Recommended to change from nine (9) zones to five (5) zones

Zones recommended were Regional Mixed Use (RMU), Community Commercial (CC), Regional Commercial (RC), Business Park (BP), and Manufacturing (M).

Recommended changes to certain uses

- Agricultural – RMU – conditional use permit
- Bank, Credit Union – RMU, CC, RC & BP – permitted use
- Check cashing – RC – conditional use permit
- Temporary liquor license – BP & M – temporary use permit
- Commercial Recreation/outdoor – M – conditional use permit
- Retail construction sales – RMU – conditional use permit
- Convenience store – M – conditional use permit
- Flammable liquids – M – conditional use permit

Councilmember Riley asked about Geneva Nitrogen requiring a 500-foot buffer and if they allowed the flammable liquids how would that impact the buffer zone. He asked if they would be required to acquire more space. Mr. Jensen replied that it would be the responsibility of the property owner to meet those setbacks. Councilmember Riley asked if they foresaw anywhere in the town where they would want to allow it. Mr. Jensen read the definition of flammable liquids and gasses and explained why he suggested a conditional use permit. He said that they could change the definition or the use. Councilmember Goodman asked if oil recycling facilities would be allowed. Mr. Jensen replied that it was a policy issue if they wanted to allow them and if so to what extent. He suggested that they change the definition if they wanted to allow them. Mr. Anderson stated that they wanted to exclude manufacturing. He said that they had tried to make the industrial area office/warehouse. Mayor Farnworth mentioned that a welding shop would need large amounts of flammable liquids. Councilmember Goodman stated that they would be consuming it but not manufacturing. Mr. Jensen recommended that they change it to “excluded” and then they could change it later if necessary. Councilmember Goodman suggested that they eliminate the manufacturing component and allow storage and distribution. Mr. Jensen said they could address the changes if someone came in and asked for it. Mr. Judd asked about the town allowing Geneva Nitrogen in the area. Councilmember Riley replied that they were grandfathered in. He added that council did not want more of that type of use.

- Funeral home or mortuary – M – prohibited
- Gymnasium/health club – RMU, CC, & RC – permitted use
- Hospital – RC – permitted use
- Laundry self-serve/dry-cleaning – M – prohibited
- Manufacturing heavy – M – conditional use permit

Mr. Jensen suggested that they could change it to an excluded use. Councilmember Riley mentioned that a toilet paper manufacturer had been interested and council felt they needed to protect the town from too much of that type of use. Mr. Anderson said that as the landowner their preference was to exclude manufacturing. Mr. Judd asked if that would exclude companies such as “Champion Safe.” Mr. Anderson replied that it would. Town Water/Sewer Operator Sullivan Love asked if it included the 4Life business. Mr. Anderson replied that technically they would not be allowed. He said that would give the town the right to enforce it. Mr. Jensen stated that currently light manufacturing was a permitted use. He read the definition. He explained that “incubator space” was popular for startup companies, which would fall into the “light manufacturing” zone. Jeff Walker, attorney with Anderson Development, mentioned that he owned a company which qualified in the “light manufacturing zoning.” He said that they crept to the edge of the zone allowance and beyond and if they were to go there today, they would not be allowed in that zone. Councilmember Goodman stated that in American Fork they required companies to purchase water. He explained that they had a company that came in with only a restroom and break room and they were actually using 35 to 40-acre feet of water a year. He said

they had to talk to them about their water use. He added that this was a type of creep they were talking about. Mayor Farnworth felt that it would be hard to police. Mr. Anderson stated that a few years ago they were looking at having “incubator space”, but because of the 4Life and Zija companies, they were out of that type of space so they were now going after the larger uses. He felt there was enough demand and that they wanted to make it harder for startup companies because they did not stay long enough. Mr. Love stated that in the newest buildings they had condominiums and were allowing manufacturing uses. He said that he also heard rumors of some of the usages coming in. Mr. Jensen suggested that they take out manufacturing in the RMU and in the Business Park and make it a conditional use. Councilmember Flake wanted to tighten the description and make it conditional and then revisit it as needed.

- Medical and Dental – CC – permitted use; M – conditional use
- Medical and Dental Labs – RC – permitted use
- Office – CC – permitted use
- Personal care service – CC – permitted use
- Public uses: municipality – RMU, CC, RC & BP – permitted use
- Public facility – “include Town of Vineyard” added to definition
- Sexually Oriented Businesses – M – conditional use
- Self-storage: outside – M conditional use
- Self-storage: Inside – RMU, BP & M – conditional use; CC & RC – prohibited

Mr. Anderson felt that the problem was that they would not get any sales tax in the RMU. He suggested that they look for things that would give property tax and sales tax. Mr. Jensen recommended it be removed from the RMU zone. He explained that indoor storage looks like an office building and with the same footprint and less parking needed. He added that they would get the same property tax and that it would complement multi-family dwellings. Mr. Anderson felt that the industrial zone was close enough for self-storage. Council wanted it listed in the industrial.

- Trailer and RV camping park – M – conditional use
Deputy Gordon mentioned that they were considered transient housing. Mr. Anderson felt there was no place they would want one. Mr. Jensen would change it to a prohibited use.
- Transit hub – RMU – conditional use
- Major vehicle repair – RMU – prohibited
- Minor vehicle – RMU – conditional use permit
- Warehouse – RMU – prohibited
- Warehouse club – RMU – conditional use; RC – permitted use
- Wholesale – RMU – prohibited; RC – conditional use permit
- Cell towers – RC – conditional use permit

Zoning Map –

Mr. Jensen reviewed the areas that had already been rezoned and the recommended new zones. He asked where they wanted Regional Commercial. He explained that on Holdaway Road there were two (2) parcels that were in two (2) different zones. He recommended that they make the parcels R-2-15. Mr. Judd asked if part of the land was A-1 because they wanted a connection to the park. Mayor Farnworth thought that it had never been addressed. He thought that Jack Holdaway would not want it rezoned because he had goats on the property. Mr. Jensen stated that it would become a non-conforming use and the rezoning would not affect that use.

Mr. Jensen said that he was waiting for input from Anderson Development as to where they wanted the Regional Commercial and Manufacturing on their property. Mayor Farnworth suggested that they leave the zoning and they could petition for a change if they wanted to.

Mayor Farnworth called for further comments. Mr. Jensen mentioned that he had made the corrections to Table 32 as they discussed them.

Mayor Farnworth asked Mr. Judd if his question on the Clegg property had been addressed. Mr. Judd wanted confirmation on who would be contacting the property owner. He said that when Planning Commission started the process they wanted an overlay on the General Plan Map, not a rezone. He said that they would then start a process where the owner could request to rezone. Mayor Farnworth felt that they needed to involve the landowners. Mr. Judd stated that it was just the General Plan. Mayor Farnworth felt that they needed to wait for the new planner to start before they get into further discussions on it. Councilmember Riley said that he was willing to talk with the property owners and invite them to Planning Commission. Mr. Judd asked if the council wanted it to go back to Planning Commission and have them talk with the property owners. He said that they determined that it would not be a rezone until they received input from the landowner, so they were looking at just the General Plan. Mr. Judd suggested that they meet with the landowners before the end of June. Mr. Jensen suggested that he have the Planning Coordinator send out an official letter.

Mr. Anderson mentioned that there were two (2) areas with contaminated materials that they might want to rezone into an open space zone or a cemetery, etc. Councilmember Flake agreed that they needed a definition of the space. Mr. Anderson replied that they were close to having a definition.

Mayor Farnworth called for a motion.

Mr. Jensen said that the motion would include Planning Commission's recommendation to approve the two (2) items along with the council's changes.

Councilmember Riley appreciated the work that the Planning Commission did, but wanted to wait and consider it further. Mayor Farnworth asked what council wanted to do. Mr. Jensen stated that they could close the public hearing on this item.

Councilmember Riley had a question on the motion. He felt that they could not close the public hearing. Mr. Jensen said that they were segmenting the discussion and could close the hearing on Chapter 32. He said that they did not have to approve it all at once. Mr. Church said that they could vote to close the public hearing on the whole thing or vote to keep it open. He asked if they had an ordinance ready to pass. Mr. Jensen replied that it was not complete. Council agreed to continue the public hearing.

CLOSED SESSION – no closed session held.

ADJOURNMENT

Mayor Farnworth called for a motion to adjourn the meeting.

Motion: COUNCILMEMBER GOODMAN MOVED TO ADJOURN THE MEETING AT 8:57PM. COUNCILMEMBER FULLMER SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED UNANIMOUSLY.

The next regularly scheduled meeting is June 8, 2016.

MINUTES APPROVED ON: June 22, 2016

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