

MINUTES OF THE VINEYARD
CITY COUNCIL MEETING
125 South Main Street, Vineyard, Utah
August 22, 2018 at 6:00 PM

Present

Mayor Julie Fullmer
Councilmember John Earnest
Councilmember Tyce Flake
Councilmember Chris Judd
Councilmember Nate Riley

Absent

Staff Present: City Manager/Finance Director Jacob McHargue, Public Works Director/City Engineer Don Overson, Assistant City Engineer Chris Wilson, City Attorney David Church, Sergeant Holden Rockwell with the Utah County Sheriff's Department, Community Development Director Morgan Brim, City Planner Elizabeth Hart, Planning Commission Chair Cristy Welsh, City Recorder Pamela Spencer, Building Official George Reid, Plans Examiner Patricia Abdullah, Water/Parks Manager Sullivan Love, and Finance Intern Karuva Kaseke

Others Speaking: Brandon Watson with Edge Homes, Bronson Tatton and Nate Hutchinson with Flagship Homes, Mike Hutchings and Stewart Park with Anderson Geneva, residents Shawn Herring, Doug Drury, Thora Searle, Spencer Steed, Stan Jenne, Alma Faerber, Joseph Smith, Darren Smith, Cody Smith, Briana Glanzer, Andrew Stephenson, Catherine Bramble, James Noble, Philip Gillman, Bryce Brady, David Dunford, Clint Black, Camille Poppin, and David Lauret

6:01 PM **REGULAR SESSION**

Mayor Fullmer opened the meeting 6:01 PM. The Pledge of Allegiance and invocation were given by Councilmember Judd.

MAYOR'S APPOINTMENTS

2018-2019 Youth Council Executive Members.....7 Vacancies
Following the appointments, City Recorder Pamela Spencer will swear in any Youth Councilmembers in attendance.

Mayor Fullmer with the consent of the council appointed the following individuals to the Vineyard Youth Council Executive Committee:

- Youth Council Mayor – Rachel Golightly
- Youth Council City Manager – Joey Merrill
- Youth Council Recorder – Janelle Dadson
- Youth Council Service Committee Chair – Macy Lee
- Youth Council Activity Committee Chair – Zoey Lee
- Youth Council Beautification Committee Chair – William Welsh
- Youth Council Election Committee Chair – Holly Huntington

Ms. Spencer administered the oath of office to those Youth Councilmembers who were present.

WORK SESSION

3.1 Vineyard Shores Discussion

The mayor and City Council will work with Edge Homes to discuss the upcoming Vineyard Shores Development Plan. The subject property is located within the Town Center Lake Front Residential district. The subject property extends north from 400 North to just south of the Vineyard Connector and extends west from the Waters Edge subdivisions The Preserve and The Villas to the edge of the existing Vineyard Road and Utah Lake. The applicant is proposing fifteen (15) Single-Family lots, forty-one (41) Condo buildings and fifty-five (55) Townhome buildings for a total of 695 residential units.

Mayor Fullmer turned the time over to Community Development Director Morgan Brim.

Mr. Brim explained the city was in the process of updating the General Plan. He said the Town Center was intended to be a place where people would live, recreate, and shop. He stated that it was meant to focus on transit with a FrontRunner station. The Town Center was also intended to have a mix of uses and be a walkable community. He added that there would be a promenade that would connect from the station to the lake shore. He added that there were five main blocks (districts) inside the Town Center area. He explained that the applicant was proposing to develop the Lake Front Residential District. He said that this district was made to be exclusively a residential product with a mix of residential uses. The focus was to connect the neighborhood to the trail system and the lake. He further explained the intent of the district. The original plan for the Town Center consisted of 471 acres. He also explained the process that the city went through to create the Town Center Ordinance. He noted that the ordinance was designed to be a form-based code with a focus on architecture and how the development should come together.

Mr. Brim explained that there was a four-step process that the applicant would need to go through and that the applicant was on the first step which was the preliminary plat and general concept plan. He said the preliminary plat would help staff when they go through the site plan to know the arrangement of buildings, how many units there would be, how the roads would be laid out, parking, etc. He explained that the Planning Commission would be approving the architecture, orientation of the buildings, the materials being used, landscaping, utilities, and parking to ensure the development meets the code. He stated that they would also work with the developer on their traffic impact analysis. He said that the next step would be to look at the final plat and once it was approved there would be building permits and site permits. He commented that the Planning Commission had reviewed the plat and had recommended approval with specific concerns noted. He gave a general summary of the Planning Commission concerns:

- Traffic into the project on Loop Road and if there would be enough parking with the amenities the developer would like to include for lake use.
- Traffic speed – residential neighborhood, stop signs, etc., for speed control.
- Visibility to Utah Lake – the recommendation was to remove a strip of town homes that were adjacent to the club house, which the application had done.
- Concern with private and public parking. This would be worked out on the site plan.
- Pedestrian access through the development. Have connections to the lake at appropriate intervals.
- Connection of 300 West through the lake promenade area (north side)
- Getting documentation from the state regarding the lake side improvements.

Mr. Brim presented the table of uses from the Town Center Ordinance for the Lake Front Residential District. He said that the application was proposing small lot single family, multi-family and townhome uses, which were permitted uses.

Mr. Brim reviewed the preliminary plat. Highlights were:

- 51 acres
- 13.38 acres devoted to open space within the development
- 15 single family residential lots on the south side of the property
- 400 condo units
- 270 townhomes
- Total of 685, which equaled about 13.41 units per acre.
- 130 public parking spaces with additional room for 80 spaces on the lake side not reflected on the plat.
- 300 guest stalls
- Overall there were just over 2 stalls per unit, which would be refined during the site plan approval process.

Mr. Brim showed the preliminary site plan, which was not up for approval at this time. He pointed out the amenities that were on the west side of the project, the trails, etc.

Mr. Overson referenced a city map where the sewer, water, power lines, and roads were or would be located. He stated that there was enough capacity in the sewer system and adequate water lines for this project. There were three (3) discharge points for the storm water to get it to the lake. He explained that according to a transportation study that had been done, the typical maximum capacity for a two-lane road was 20,000 trips per day. He said that the road would be a three-lane road which would follow the power corridor and connect to 400 North, Loop Road (600 North), and 1100 North at the Vineyard Connector. He felt that with the three (3) connections that the capacity of the road would be adequately sized for the project. He also felt that they had met the intent of the Town Center plan and would meet the requirements of the development.

Councilmember Flake commented that the Vineyard Connector was only finished to Main Street and for an unknown period of time would be a dead-end road. Mr. Overson explained that staff was having the applicant finish the existing lake shore road and that the city would improve it once the Vineyard Connector had been extended to 1100 North.

Councilmember Earnest asked if there were concerns about what the development would be putting into the lake. Mr. Overson explained that there were storm water requirements that would clean it up to a certain level before it could be dumped into the lake. He added that the sewage would be going to the Timpanogos Special Service District plant.

Councilmember Earnest asked why they could not bury the powerlines. Mr. Overson replied that the transmission lines were too big to move.

Brandon Watson with Edge Homes gave a brief explanation about how they found this property. He stated that they had spent hundreds of hours and designed multiple site plans trying to put this project together. He said that they had originally proposed over 1,000 units and had scaled it back to come up with what they felt was the most responsible layout. He said that staff had explained how the density should work with single family homes to the south. He noted that they had taken out the building as requested by the Planning Commission to open up the view to the lake.

Mr. Watson explained that the development was surrounded by the Waters Edge development to the east and south and Utah Lake on the west. He explained that they knew that the powerlines

would be a concern because they divided the project in half. He said that staff had recommended that the roadway be under the powerlines. One unique thing about the site was Utah Lake and being able to provide open space that the whole community could use. He explained that they had met with Eric Ellis, the Executive Director of the Utah Lake Commission, and Ben Stireman with Utah Forestry, Fire and State Lands, who gave them recommendations for use and cleanup of the shore line. He said that this was outside of the city's open space requirements.

Mr. Watson explained that they were providing one guest parking spot for every two units. The condominiums would have a single car garage and a driveway and the townhomes would have a two-car garage and a driveway. He added that they would also have two-to-one guest parking. He explained Edge Homes' rental policy. He said that they cap their rental units at 30 percent and that they require written disclosure of owner-occupied and rental units. He noted that the Covenants Conditions and Restrictions (CC&Rs) addressed the issue if a homeowner desired to change the use, that they must go through the Home Owners' Association (HOA). He said that this was to mitigate any over renting in the area. Councilmember Judd asked what enforcement was in place. Mr. Watson replied that the HOA did a periodic audit to verify the use. Councilmember Judd asked what percentage The Preserve subdivision was at in regards to rentals. Mr. Watson replied that 30 percent was the cap on condominiums but did not know about the townhomes.

Councilmember Judd stated that the Lake Front Residential definition for building forms was to include a mixture. He asked if they would define only 2 percent single family as a mixture. Mr. Watson replied that they originally had more units but after meeting with staff to determine what was desired and how to transition from single family and what developments would come from the rest of the Town Center, they felt that this was the location to have some single family and that 2 percent was a good transition with the surrounding uses. Councilmember Judd asked why they were mixing condos and townhomes if they were trying to provide a buffer. Mr. Watson said that they had transitioned from south to north but were trying to be mindful to those developments to the east that were townhomes. He explained that the current environment of Vineyard Road at the lake was a safety concern and that more eyes on the beach front was needed. He said that they had multiple elevations of the condos and townhomes to make them as unique as possible.

Mayor Fullmer opened the work session for public comments.

Resident Shawn Herring living in the Ashley Acres subdivision agreed that this was a unique location if they utilized it the way it should be utilized. He felt it was not unique if they were adding almost 700 units and only two percent were single-family lots. He read the Town Center code. He felt that the proposed development was not the mixed use and density defined in the code for that zone. He said the traffic would be a major concern. He stated that he did not agree with the sewer and water capacity. Mayor Fullmer asked Mr. Herring to clarify what he did not agree with in the ordinance. Mr. Herring replied that the question was what were single family and mansion homes and felt that it did not fit the "Live, Work, Play" in the ordinance.

Resident Doug Drury living in The Lakes at Sleepy Ridge subdivision felt that the mix of homes did not work with the ordinance. He asked if city planning had wanted 1,000 units in the development. He commented that he was against high density and felt that they could come up with alternatives. He expressed concern that the traffic was already unmanageable. He felt that they should keep their campaign promises and also get consensus from everyone that lived in that area.

Resident Thora Searle living in The Garden subdivision expressed her support of the project.

Resident Spencer Steed living in The Meadows subdivision stated that he had relocated from Woods Cross and wanted to know what research had been done on what density the city could handle. He said that Woods Cross had a plan to transition from low to high density and then the residents had to deal with tremendous crime and an increase in low-cost housing, dropping their property values. He expressed concern about the current density in Vineyard and the plan to approve more.

Resident Stan Jenne living in The Shores subdivision thanked Edge Homes and staff for the work they had done. He expressed concerns with the parking for residents, which was less than two stalls per unit. He stated that students tended to be a large portion of the rental group and would need one to two parking stalls per bedroom. He said that this was discussed during the Planning Commission meeting and the word “could” was used frequently. He said that it was mentioned that overnight parking could be regulated. He asked that the word “could” be replaced with “will.” He expressed concern that there was no public transportation, so people would be using cars. He felt that most people were not willing to give up their cars. He reiterated that he was happy with the single-family transition but was concerned that mansions were not included and wondered where they would put them. He stated that they did not know when the Vineyard Connector would be completed and that everyone would be driving through The Preserve subdivision or using 400 North. He felt that it would be a traffic nightmare when the current developments were finished. He felt that Main Street would not be able to handle the load. He expressed concern with the high density and that here would be a time that people did not want to live in the condos or townhomes and then they would degrade and not be good properties. He said that the waterfront property was not owned by the development and was concerned with who would be maintaining it.

Resident Alma Faerber living in the Parkside subdivision asked if just because it met code did we have to do it. He referred to the Herriman project where the Salt Lake County Mayor vetoed the project. He stated that they needed to come up with a solution to the current traffic issues. He felt that if they did go forward with the project then the Vineyard Connector needed to be expanded to three or four lanes on each side.

Resident Joseph Smith living in The Lakes at Sleepy Ridge subdivision expressed his concern with the mix of the project. He felt that it was the council’s duty to do what was best for the community. He explained why he was attracted to the Sleepy Ridge subdivision. He felt the Vineyard Shores development along the lake front looked like row homes. He also expressed concern with the parking. He asked what the Ordinances were that permitted who and how many people could live in that development. He expressed concern that the residents would take up all of the 130 public parking spaces. He asked if they would have the same problem on the lake front as they had on Geneva Road where they had to install No Parking signs to keep residents from parking on the road. He expressed concern about the density and felt that there should be a greater mix of home types with half acre lots and mansion homes.

Resident Darren Smith living in The Shores subdivision asked to see the how the 26 percent open space fit the zoning requirements. He said that in the introductory statement of the ordinance it stated that districts were composed of blocks making it easy for pedestrians, bikers, and automobiles. He felt that with the density proposed and the number of people that would be in the area, it would be difficult to get around and felt it would not be “easy.” He asked how mobility would be easy in that area especially with transportation. He mentioned the traffic issues with the school in that area and that Waters Edge was not built out yet. He noted that most of the roads would be falling under the classification of side streets and asked how they would be able to manage traffic with the increased density.

Resident Cody Smith living in The Elms subdivision commented that he was anxious to see that they have the traffic concern resolved. He felt that they did not have the infrastructure to support this type of development and until the remainder of the infrastructure was in place he was concerned for the safety of the residents. He expressed concern with the parking issues and that the intent of the mixed use had not been met.

Resident Briana Glanzer living in the Ashley Acres subdivision asked what city ordinances regulated how many people there were in the city and what safety/emergency services were required for that number of people. She asked when the city was required to have their own emergency services.

Resident Andrew Stephenson living in the Cascade subdivision asked what the Ordinance stated about the capacity of elementary schools and their influx of students.

Catherine Bramble living in The Shores subdivision commented that it appeared that the reason the ordinance had been created in a flexible way was so that the city did not have to be held hostage by a developer that came in and stated that they had meet certain requirements so you had to approve the project. She felt that the ordinance was open in talking about ease of transportation, flexibility with parking, etc., and that the City Council could require that the developer go through the ordinance and explain how each of the requirements had been met. She felt that until this had been done the citizens would be concerned about the things that the ordinance addressed and she requested that this be done by the developer and produced for citizens and City Council to inspect.

Nate Hutchinson with Flagship Homes stated that the property had been zoned with more density before the revision in 2015. He said that they had larger lots near this property and wanted to see lower density in that area. He stated that he did not like how the code was written, however as a master developer who had a large financial interest in the city, he wanted the city to do well, and was pleased with the product that Edge Homes had submitted. He expressed concern that if the project was not approved then another developer would come in with more density.

Resident James Noble living in The Lakes at Sleepy Ridge subdivision asked how the Ordinance dealt with the traffic and if the city could make it so that the building permits were put in place to collect money to support the infrastructure, which should include the widening of the roads and completion of the Vineyard Collector. He felt that the developer should be held accountable for the traffic.

Mayor Fullmer closed the public session.

Mr. Brim responded to the resident's concerns. He explained that some of the concerns would be addressed during the site plan approval process.

Comment: The project only had residential. Mr. Brim responded that there were 5 districts and this district was residential only. He noted that commercial had been moved to other districts.

Comment: Turning left off of 300 West onto 400 North and additional traffic next to the school. Mr. Brim explained that the city had completed two traffic studies during the Town Center design project and that the applicant would be required to do a specific traffic analysis of the development's impacts and any improvements needed such as signal lights.

Comment: Staff wanted 1,000 units. Mr. Brim responded that the request came from the developer, not staff. He mentioned that the code did allow for substantial density. He said that staff had worked with the applicant to bring down the density, include the road on the power corridor, and adding single-family lots. He said the code called for a mix of uses but did not give specific percentages of each use.

Comment: Not enough access points. Mr. Brim responded that there would be three access points: The lake road (going north) extension across the promenade, Loop Road, and 300 West.

Comment: People not using the Lake. Mr. Brim felt that most people moved to Vineyard because of the lake. He said that there was a lot of work being done to clean up and dredge the lake.

Comment: Researching the city code regarding the density. Mr. Brim responded that it was addressed in the 2004 General Plan. The amount for the land use study that infrastructure could handle was 35,000 to 40,000 residents. He mentioned that in the new General Plan update they would be looking at population. He said that most of the city was already zoned and once it was zoned people had property rights, which makes it difficult to cap the number of units. He said that staff would work with developers to find win-win solutions.

Comment: 1300 Parking spaces not being enough. Mr. Brim responded that there were different parking categories. Private Parking, which is onsite, such as garages and driveways. He explained that there were guest and designated private parking spaces He said that there was a total of about 1,600 to 1,700 spaces on the private side. He added that there were also public parking spaces on the streets. He said that they could be regulated by the council. He suggested that they could limit those public spaces such as no overnight parking so that it would be geared for tourist use.

Comment: No public transportation Mr. Brim responded that the city was currently working with UDOT and UTA on the FrontRunner station, which could be open within 18 to 24 months.

Comments: Density. Mr. Brim responded that he would like to speak individually with the residents.

Comments on traffic issues. Mayor Fullmer felt this issue had been addressed with the two traffic studies.

Comment: Introduction to the code with the “ease of use.” Mr. Brim responded that staff agreed and that they would be discussing the access points with the developer during the site plan approval process. He stated that the code required that every quarter mile there be a pedestrian access point to the lake. The plan also showed improvement of the trail system on the lake. The developer was also required to provide stop signs for pedestrians to cross 300 West.

Comment: Safety in regards to density. Mr. Brim responded that, from what staff had studied, safety in regards to high density was more of a case of the quality of the density. He explained that there were building codes and standard requirements that required a high-end material and architecture.

Comment: How the ordinance regulates the number of people in the city. Mr. Brim responded that it was based off of zoning and the uses allowed in the Town Center. He noted that there was no cap on residential in the Town Center.

Comment: Emergency Services. Mr. McHargue responded that the city was currently contracting with the Utah County Sheriff's department and working closely with them to make sure they were comfortable with the number of officers that the city had per 1,000 residents. He explained that the city was contracting with Orem City for fire services. He said that the agreement with Orem specified that at 5,500 Equivalent Residential Units (ERU) the city would have to come up with a plan in three years to have a city owned fire department or build a fire station in the city that Orem would man.

Comment: Schools. Mr. McHargue responded that the Alpine School District had purchased a property just north of the 18-acre park for another elementary school and they were working with the city on a third elementary school site.

Comment: Being held hostage by the developer. Mr. Brim responded that the developers would have to meet the code line by line. He said that they would do this during the site plan process.

Comment: How the city deals with traffic in the code. Mr. Brim responded that the Town Center was a forward-looking code, which included street types. He said that this was done so that a developer could not under build their roads. He explained that there was 100 to 120 feet of right of way, and included active transportation for bike lanes, sidewalks, trees, etc.

Comment: Salt Lake County large development. City Attorney David Church explained that Salt Lake County had passed an ordinance that would enable the development in the county. He said that this was new legislation and the mayor had the right to veto it. He further explained that the Town Center Ordinance was passed in 2015 and that the Edge application was an application to for an existing ordinance. He added that the mayor did not have a veto right. As to discretion on approval or denial, according to state law, if a subdivision application met the ordinance, the city must approve it. If there was an ambiguity in the land use ordinance they were to be interpreted to be in favor the private property owner. He said that the city had an existing Town Center Ordinance and this was an application to apply that ordinance to a piece of ground and under state laws if the applicant can show that the application complies with the ordinance the city has to approve it. He suggested that the time to get involved was during the ordinance process. He said that from a legal standpoint it was too late to change the code for this development.

Comment: Fees and costs and who pays for the roads. Mr. Church responded that there were two kinds of roads in the developments: Project roads, which the developer created the need for and paid for, and system roads which benefited more than the project and which the developer paid part of. He mentioned that the city was also allowed to charge an impact fee to contribute to the system, which was charged on every house to help pay for the system roads.

Comments: Number of people that can live in a home. Mr. Church replied that the city had an ordinance that defined family to be no more than four unrelated adults. He said that the problem was being able to enforce it. He said that was how the city could regulate the population, in a sense. The city did not regulate how many children people could have, but could have regulations defining what a family was.

Comment: No mansion homes included. Mr. Brim responded that the mansion building type mentioned in the Town Center code was for multi-family use. It was a large single-family home from the outside but was divided into multiple units on the inside.

Councilmember Judd expressed concerns with the mixture of housing types, parking, transportation, traffic corridors, and view corridors. He said that it was up to the City Council and staff to make sure they had given the project sufficient overview to ensure that it met the

requirements. He felt that they could have done a better job of buffering, moving townhomes to the south end, moving the higher density condos to the north end, and adding more single-family homes to meet the definition of a mixture.

Councilmember Flake echoed Councilmember Judd's thoughts. He said that he served, as a citizen, on the committee that designed the Town Center, the intent was to mitigate the explosion of apartments. He said that in the end the ordinance did not reflect it. He expressed concern with the buffering. Currently along the lake the average lot was half an acre and now this development was not even close to it. He expressed concern with what was projected, but was impressed with the flexibility from the developer. He agreed that every box needed to be checked twice.

Councilmember Riley echoed Councilmembers Judd and Flakes' concerns. He expressed concern that they were going to wait until the site plan review to address the issues. He commented that he had been a part of the town when population was in the low hundreds and the council was able to do things very differently. He said that they did not usually wait until the site plan to hammer out the specifics. He felt that they needed, with the developer's cooperation, to find a way to address these concerns before the site plan stage.

Mayor Fullmer agreed with council's comments. She said that they needed to refine those concerns to make sure they were following the code. She suggested that residents reach out to staff.

Councilmember Judd asked what the process would be to make changes to the code if there were things in the zoning districts that were not what they thought they were. Mr. Church replied that they had to follow the process to amend it just like any other zoning ordinance. He said that they would have to make a proposal to the Planning Commission, which would make a recommendation, after a public hearing, to the City Council. A notice was required to both landowners and citizens so they could participate in the process. He reminded the council that they made two types of decisions, legislative (adopt the code) and administrative (apply the code). He said that a request to approve a preliminary plat was an administrative decision. He explained that in large cities a preliminary plat would never go in front of the City Council. He said that they should not confuse the two roles.

Mayor Fullmer mentioned that staff was going through all of the zoning code and the General Plan to make sure that the city got what they wanted out of the zoning codes. She said that if the development did not meet what they thought it should, now was the time make sure they were following the ordinance.

Mayor Fullmer closed the work session.

OPEN SESSION – Citizens' Comments
Postponed to later in the meeting.

MAYOR AND COUNCILMEMBERS' REPORTS/DISCLOSURES/RECUSALS
No reports were given.

STAFF AND COMMISSION REPORTS
No reports were given.

OPEN SESSION

Mayor Fullmer opened the public session.

Resident Philip Gillman living in the Vineyard Park Place subdivision commented on Edge Homes' capping the rental units at 30 percent and the city's definition of family. Mr. Church explained that the city was constrained by the State and Federal Constitution which did not allow the cities to pass an ordinance stating that home owners could not rent their property. Mr. Gillman asked how the city could enforce the 30 percent rentals and the number of people living in a home. He asked what would happen if the development exceeded the 30 percent. Mr. Church replied that the city was attempting to be more aggressive with the code enforcement. He explained that it was difficult to find out how many people lived in the homes. Mr. Gillman asked what the ramifications were. Mr. Church replied that they could force the owners to evict people. Councilmember Judd stated that the city could not enforce the 30 percent, only the definition of a family. Mr. Gillman wanted to ensure that the 30 percent would be enforced. Councilmember Judd and Mr. Church both stated that the city could not enforce the 30 percent, that it was an HOA issue.

Resident Bryce Brady living in The Elms subdivision commented about the density on the Clegg farm. He stated that the residents did not want high density and asked the council to keep that in mind when the time came to rezone the Clegg farm. Mayor Fullmer explained that the Clegg farm was currently zoned for agricultural use and a developer would have to request a zoning change to build more than one home on 20 acres.

Mike Hutchings with Anderson Geneva pointed out, as one of the land owners of the property in question, that in 2015 he was involved with upgrading the Town Center area. He said that in the process of rezoning the property, densities came down substantially. He felt that good compromises were made and that the code that was now in force was much better than the previous code.

Resident Joseph Smith commented that Vineyard's access to the freeway was through another city. He said that Center Street in Orem had a bottle neck at the railroad. He asked if Vineyard had any say in helping to resolve that issue. Mr. Church replied that Vineyard was actively involved with removing the spur off of Geneva road, which would enable the state and Orem to widen Center Street in Orem. He explained that the city was collecting transportation impact fees to help get the overpass built on Center Street in Vineyard. Mr. Smith felt that it was a huge concern with adding population and having adequate access. He expressed concern with UVU owning property in Vineyard and impacting transportation needs.

Mr. Smith commented that he had tried to locate the agenda on the city website and saw that the city council meeting had been cancelled. He felt that the City Councilmembers could do a better job of communicating on social media sites. Ms. Spencer replied that she did post the agenda notice on Facebook with a link to the website. She added that agendas could be found at the bottom of the website. She noted that it was the July 24 meeting that had been cancelled. She recommended that residents sign up through the website to receive a copy of the agenda.

Resident David Dunford living in The Maples subdivision stated that he wanted the council to make sure that everyone was following the law. He felt that there were things the city could do based on sewage, etc. He said that his house backs Main Street and with all of the townhomes and condos he sees people speeding down the road. He mentioned that he saw a crossing guard almost get hit. He asked what could be done to control the traffic. He said that there were a lot of college students living in the Concord apartments when he lived there and he was told there would not be any college students living there. He felt that the Edge Homes developments were

not going to follow the 30 percent. He suggested that the council makes sure that the city was doing everything they could to enforce the law by evicting people.

Sergeant Rockwell stated that staff had been made aware of a car not stopping for a crossing guard and they were looking into it. He said that the Sheriff's department had been granted money by the state to allow overtime for crossing safety. He asked the residents to let the Sheriff's department know about speeding concerns. Mayor Fullmer said that the city was trying to be more proactive with code enforcement. She asked that if residents see things to please report them so they can build a history and take care of it.

Resident Thora Searle mentioned that people were running stop signs. She asked about the survey about parking in the subdivisions. She asked about the Airbnb code. Mayor Fullmer replied that there would be a work session on the Airbnbs soon. She explained that they were reviewing the parking issues and working with the residents in each area to make the best decision and do it right the first time. She said as for the stop signs, the city was putting out a social media campaign to talk to people about distracted driving and also sending officers out there.

Mr. Brim explained that they were researching the Airbnb issue. He said that staff had worked with The Alloy and Concord apartment complexes and they have since added additional parking. He said that staff was working with Tucker Row and The Locks to add an additional 50 spaces. He added that he was meeting with Edge Homes tomorrow to see if there were ways to increase parking.

Resident Clint Black in The Maples subdivision said that traffic was a concern and he could see how it could affect the development and those surrounding it. He mentioned that Provo had parking issues but approved a 1,000-bed complex with only 600 parking spaces, so students were parking in the neighborhoods. He said that he hoped that the amenities in the Edge Homes development did not redirect staff from the main issues. He asked how many parking spaces there would be. Mr. Brim replied that on the private side there would be 1,700 spaces and on the public side there would be over 200 parking spaces.

Resident Camille Poppin living in The Garden subdivision asked if it was okay if there were four unrelated people to living in a unit that was owner occupied. Mr. Brim reviewed the definition of a family. Ms. Poppin asked if someone would be in the 30 percent if they purchased a condo, which they lived in, and then rented out the remaining bedrooms. Mr. Church replied that owner occupied was different from a rental unit. He said that the 30 percent was the Edge Homes requirement not, the state's or city's requirement.

Ms. Poppin expressed concern with walking with her children to the park and having people speeding down Holdaway Road. She felt that the city was already having this problem and adding a lot more people was only going to make it worse. She said that they needed to solve the problem before they started the project.

Resident David Lauret living on Holdaway Road felt that they had learned a lot tonight about what could and could not be done. He said that one thing they could do was to work towards changing ordinances to be more favorable to what the residents would like to have. He asked for information on how citizens could be involved in helping to make those changes. Mayor Fullmer replied that they would posting options for how residents could to be involved. She recommended that everyone get on the Vineyard Facebook site, look on the website, and read the monthly newsletter. She suggested that residents could also email staff and council with any questions they had.

Mayor Fullmer closed the public session.

DISCUSSION ITEM

7.1 Waters Edge Parks – Bronson Tatton with Flagship Homes would like feedback from the council on the 6-acre park restrooms and the design of the 3-acre park.

Mayor Fullmer turned the time over to Bronson Tatton with Flagship Homes.

Mr. Tatton reviewed the amenities for the six-acre park located at The Loop Road and Main Street. He stated that the site plan had been approved before the pond was installed.

Amenities:

- Several trails that entered that park from Main Street and the surrounding subdivisions
- An 80-stall shared parking lot between the park and the club house
- A pond
- A pump house that irrigates all of the public space in the Waters Edge development.
- A play area – changed locations due to utility conflicts. The play area was about 39,00 square feet, which would include play pieces from Berliner.

Mr. Tatton explained how the play equipment would work. He said that they would be powder coating the metal slide to keep it from being too hot. There was a discussion about the coating. Councilmember Riley recommended that they include shade over the slide. Other items in the play area were: a disk swing, a disk spinner, and an Eddie.

- Medium sized pavilion

Mayor Fullmer asked about the restrooms. Mr. Tatton said that they had discussed it when the pump house was built and it was decided that they did not need one. He suggested that they could put a restroom near the Loop Road.

Councilmember Judd asked about the earth domes and the metal edging. Mr. Tatton explained that metal edging was to separate the two different types of grass. Councilmember Judd expressed concern with children getting hurt if the metal edge were to stick out above the grass. Mr. Tatton replied that the metal edging was also used in the Grove Park. Councilmember Flake mentioned that someone had already been hurt. Mr. Tatton recommended ongoing maintenance. Councilmember Judd asked why they used metal edging. Mr. Tatton replied that it was for durability. Councilmember Earnest asked why they were using different grasses. Mr. Tatton replied that there had been a desire to reduce the amount of irrigation water required, so this made it more functional. He added that it was also because of aesthetics. Mr. Brim explained that the parks would be going to Planning Commission for site plan approval and he wanted to get comments from the City Council before then. Councilmember Flake noted that the tree plan was a disaster. Mr. Tatton suggested that they discuss it later.

Councilmember Earnest asked what the pond represented for residents. Mr. Tatton replied that it was canal/irrigation water and no one should get in it.

Mayor Fullmer asked Mr. McHargue for an update on the fencing. Mr. McHargue said that staff look at the discussions from previous meetings. He explained that when they talked about it on a staff level they thought it would not break the budget. He said that they had not anticipated all of the peat moss they found, which broke the budget. He said if council wanted a fence around the

pond they would need additional funds. Councilmember Riley asked if there was a council requirement to install a fence. Mr. McHargue replied that council had asked staff to look into to it and staff came back with a budget of \$30,000 to install a fence. He remarked that there was no decision made to install a fence. Mayor Fullmer suggested that they review the studies and then revisit this issue and make a final decision.

Mr. Tatton stated that with any type of barrier installed around the pond, if a child wanted to get in the pond, they would, and then the parents would have to climb the barrier to get to the child. Councilmember Judd felt that to keep people out of the pond they needed to install a chain link fence with barbed wire around the top. He said it would be for safety and not looks. Mayor Fullmer felt that reviewing the studies would show whether or not a fence would discourage children from entering that area. She said right now it was just speculation.

Mr. Hutchinson commented that they wanted to complete the 6-acre park this year. He asked council to give any changes back to them as soon as possible. Mr. Brim mentioned that Planning Commission would be reviewing the site plan on September 19.

Chair Welsh expressed concerns about the location of the play ground and the bathroom. She felt that it would be highly used and was concerned for the residents that backed the playground. There was a discussion about where to locate the park. Mr. Tatton suggested that this play ground would not be as big of a draw as the Vineyard Grove Park.

Councilmember Judd asked about how the shared parking lot was going to work. Mr. Tatton replied that the 6-acre park was classified as a neighborhood park and was meant for people who would be walking and using the club house. He added that there were not as many activities as the Vineyard Grove Park. Councilmember Judd asked if the HOA could restrict the parking to just the club house use. Mr. Tatton responded that the land would be owned by the city and would need to have a shared use agreement between the city and the HOA. Mr. Church explained that the city would need to have an agreement with the HOA to allow them to use the parking and share the maintenance costs.

Mr. Church suggested that they could grass the detention pond and install play equipment.

Mr. Brim suggested that they name the parks at the same time they approve the site plans. There was a discussion about the park naming.

Mr. Tatton reviewed the amenities for the three-acre park located at the west end of 400 North. He explained where the park would be located. He mentioned that access to the park would be from 300 West and 400 North.

Amenities

- 67 parking stalls
- Beach trail for regional use
- Public use of restrooms and drinking fountains
- Large pavilion
- Sand volleyball court
- Play area
- Open lawn area
- Amphitheater
- Beach access – Mr. Tatton explained that they were working on a permit to build the trail. He mentioned that the city would have to be the applicant for the permit.

Mr. Tatton reviewed the play equipment:

- 8 ½-meter slide tower to capture the history of the flume slide. Mr. Tatton explained that there was taller slide but it would cost a lot more. The 8 ½-meter slide would cost around \$130,000 and the 23-meter slide would cost around \$1.2 million. There was a discussion about the slide and play equipment. Councilmember Earnest asked how they would monitor the slide use. Mr. Tatton replied that it would be self-contained and recommended that the parents watch their children.
- Unique sand and water play element. Mr. Tatton explained that this was good for child development. He said that the water source would be manually pumped and funneled to the play area. He said that sand could be included for build things.
- Stepping path
- Spinning dome
- Possible swings
- Amphitheater – because of the significant elevation change, terracing of the amphitheater would help with storm and land drain water that runs off of the park.

Mr. Tatton suggested that the city could use the amphitheater for entertainment.

Councilmember Judd asked how big the amphitheater would be. Mr. Tatton replied that he did not know at this time. Councilmember Judd asked about occupancy. Mr. Reid asked about the need to have an event permit and the capacity of the restrooms. Mr. Tatton replied that the park would be several feet above the lake level and go down. Mayor Fullmer asked about the sound level. Mr. Tatton replied that the amphitheater would not be big enough for large events.

Mayor Fullmer asked about accessibility for children with special needs. Mr. Tatton replied that everything they had planned would be accessible.

Mr. Tatton mentioned that there was a large Chinese Elm Tree in the park area. Mr. Flake explained that it was a landmark tree and just needed to be cleaned up.

Mr. Tatton explained the sand volleyball courts. Councilmember Earnest asked if they had looked at putting in nicer nets and lines. Mr. Tatton replied that they would be installing the nicer nets and court lines.

Councilmember Riley commented that in an earlier master plan discussion there was the idea of putting a large amphitheater farther north in an area where they would have a lot of different uses. He said that he would still like to consider it. Stewart Park with Anderson Geneva explained that it was to be a medium-sized amphitheater and that they had been working with a consultant. He mentioned that it would allow for as single offload spot. He mentioned that this was only a concept and that they been approached by other people that offered different options. Councilmember Riley liked the terracing but suggested that they not include the plat form and that they build the amphitheater farther north. Mr. Hutchinson suggested that this would be for small gatherings. He stated that they had to terrace it anyway because of the slope. He felt it was an easy way to get use out of the slope. Mr. Brim suggested that the promenade would be a good spot for the amphitheater.

Mr. Brim mentioned that there would be bike repair stations in the parks.

CONSENT ITEMS

- a) Approval of the August 8, 2018 City Council Meeting Minutes
- b) Final Plat – Edgewater Phase 14
- c) UTA License Agreement
- d) Purchases – Building Department vehicle

Mayor Fullmer called for a motion.

Motion: COUNCILMEMBER JUDD MOVED TO APPROVE CONSENT ITEMS A THROUGH D. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

BUSINESS ITEMS

9.1 DISCUSSION AND ACTION – Amending the Municipal Code Chapter 11 Building Standards Ordinance 2018-10

Patricia Abdullah will present an amendment to the Building Standards. The mayor and City Council may act to approve (or deny) this request by ordinance.

Mayor Fullmer turned the time over to Plans Examiner Patricia Abdullah.

Ms. Abdullah explained that this item was an amendment to Title 11 Building Standards in the Municipal Code. She stated that most of the changes were administrative in nature. She said that staff was proposing a new section for construction mitigation. She explained that this would allow staff to use the code enforcement for sites that would need additional mitigation measures.

Councilmember Judd asked if staff felt that they could enforce these changes. Ms. Abdullah replied that this new code would give them the ability to enforce the standards using the Administrative Code Enforcement (ACE) code and charge fines.

Motion: COUNCILMEMBER FLAKE MOVED TO ADOPT THE TITLE 11 BUILDING STANDARDS ORDINANCE 2018-10. COUNCILMEMBER EARNEST SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

9.2 PUBLIC HEARING – City Boundary Adjustment; Annexation Plat (Ordinance 2018-

11) The city of Vineyard requests approval of Ordinance 2018-11 amending the common boundary with Lindon City through approval of an Annexation Plat titled Boat Harbor Addition. The boundary area to be adjusted from Lindon to Vineyard includes a nine-acre parcel at approximately 2100 W. 600 S. and a portion of Lindon’s 600 South roadway (Vineyard’s 1600 N) between the UTA commuter rail line and the Lindon Marina. The properties that are within the boundary adjustment area will automatically be annexed by the City of Vineyard and by any local service districts providing public services within the City of Vineyard including utility services, fire protection, paramedic and law enforcement services. The mayor and City Council may act to approve (or deny) this request by ordinance.

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

Motion: COUNCILMEMBER RILEY MOVED TO OPEN THE PUBLIC HEARING AT 9:01 PM. COUNCILMEMBER FLAKE SECONDED THE MOTION. MAYOR FULLMER,

COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

Mayor Fullmer called for public comments. Hearing none, she called for a motion to close the public hearing.

Motion: COUNCILMEMBER FLAKE MOVED TO CLOSE THE PUBLIC HEARING AT 9:01 PM. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

Mayor Fullmer asked Mr. McHargue to give a brief overview of the boundary adjustment.

Mr. McHargue explained that the city had been looking to purchase land for a Public Works facility. He stated that Lindon had land for sale and the city made an offer on it. He said that as a contingency on the land Vineyard requested that the land be annexed into Vineyard. He added that it would keep the same zoning that Lindon had. He mentioned that the annexation, boundary adjustment, and agreement were approved at the Lindon City Council meeting yesterday.

Mayor Fullmer called for questions from the council. Hearing none, she called for a motion.

Motion: COUNCILMEMBER JUDD MOVED TO APPROVE ORDINANCE 2018-11. COUNCILMEMBER EARNEST SECONDED THE MOTION.

Mr. McHargue stated that they also needed to authorize the plat and the agreement. Mr. Church agreed that they should approve them together. It was suggested that they add a condition to the motion.

Amended motion: COUNCILMEMBER JUDD MOVED TO APPROVE ORDINANCE 2018-11 AND AUTHORIZE THE MAYOR TO SIGN THE PLAT WITH THE CONDITION THAT THE INTERLOCAL AGREEMENT RESOLUTION 2018-12 BE APPROVED. COUNCILMEMBER EARNEST SECONDED THE MOTION. ROLL CALL WENT AS FOLLOWS: MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

9.3 DISCUSSION AND ACTION — Interlocal Agreement – (Resolution 2018-12)

The city of Vineyard requests approval of Resolution 2018-12 and the accompanying Interlocal Agreement associated with the boundary change with Lindon City requiring that the area be transferred back into Lindon should Vineyard sell the property in the future. The mayor and City Council may act to approve (or deny) this request by resolution.

Mayor Fullmer turned the time over to City Manager/Finance Director Jacob McHargue.

Mr. McHargue explained that the agreement stipulated that if Vineyard were to sell the land they would give it back to Lindon City. Mr. Church clarified that it was if they sold the land to a taxable entity. Mayor Fullmer explained that Vineyard chose to annex the land so that they did not have to go to Lindon for permitting of uses. She felt that this was a fair agreement.

Councilmember Judd asked if they sold the land, if the city would keep the proceeds from the sale. He remarked that the agreement ran for 50 years and he hoped that the city was still intact

so after that time it would not mater. Mr. Church explained that the purpose of the agreement was that if Vineyard did not use the land for a public use then Lindon had the opportunity to have the land back.

Mayor Fullmer called further questions. Hearing none, she called for a motion.

Motion: COUNCILMEMBER FLAKE MOVED TO APPROVE THE INTERLOCAL AGREEMENT AND ALLOW THE MAYOR TO SIGN IT. COUNCILMEMBER JUDD SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

CLOSED SESSION

No closed session was held.

ADJOURNMENT

Mayor Fullmer called for a motion to adjourn the meeting.

Motion: COUNCILMEMBER RILEY MOVED TO ADJOURN THE MEETING AT 9:05 PM. COUNCILMEMBER EARNEST SECONDED THE MOTION. MAYOR FULLMER, COUNCILMEMBERS EARNEST, FLAKE, JUDD, AND RILEY VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

The next regularly scheduled meeting is September 12, 2018.

MINUTES APPROVED ON: September 12, 2018

CERTIFIED CORRECT BY: /s/ Pamela Spencer
PAMELA SPENCER, CITY RECORDER