

AMERICAN FORK CITY COUNCIL  
APRIL 27, 2021  
PUBLIC HEARING, REGULAR SESSION MINUTES

Members Present:

Bradley J. Frost	Mayor
Kevin Barnes	Council Member
Staci Carroll	Council Member
Rob Shelton	Council Member
Clark Taylor	Council Member

Staff Present:

David Bunker	City Administrator
Camden Bird	Community Services Director
Wendelin Knobloch	Associate Planner
Terilyn Lurker	City Recorder
Aaron Brems	Fire Chief
George Schade	IT Director
Cherylyn Egner	Legal Counsel
Adam Olsen	Senior Planner
Darren Falslev	Police Chief
Scott Sensanbaugher	Public Works Director

Also present: Bill and Mary Street, Lee Searle, Jake Larsen, Scott Larsen, Pete Simmons, Steve Tate, Ken Berg, and one additional person

Mayor Frost welcomed everyone to the meeting.

The American Fork City Council held a public hearing in conjunction with the regular session on Tuesday, April 27, 2021, in the American Fork City Hall, 31 North Church Street, commencing at 7:00 p.m.

PUBLIC HEARING

Receiving public comment on the Searle Annexation #3 consisting of 19.369 acres and located at approximately 950 North and 650 West.

There were no protests nor comments.

REGULAR SESSION

1. Pledge of Allegiance; Invocation by Rob Shelton; roll call.

Those present recited the Pledge of Allegiance. An invocation was given by Council Member Shelton and roll call was taken.

2. Twenty-minute public comment period - limited to two minutes per person.

There were no public comments.

3. City Administrator's Report

Mr. Bunker thanked the public for their efforts in conserving water; they had asked residents not to water until May 1<sup>st</sup> and he had seen a lot of residents taking water conservation very seriously. It was going to be a long, hot summer and water resources were going to be limited because of the low snowpack. There would be an Arbor Day activity on April 29<sup>th</sup> at 10:00 at Forbes. On May 4<sup>th</sup>, there would be a budget open house at City Hall at 6:00 pm.

#### 4. Council Reports

Council Member Shelton said they were excited to have the Arbor Day activity with the Beautification Committee. They were getting ready for the Yard of the Month and the Garden Tour during Steel Days. He noted a separation agreement between TAF and the Timpanogos Chorale was in the works.

Council Member Barnes stated that the Memorial Day program would be recorded and would be on the City's website for residents to view throughout the day. They were hoping to have a Veteran's Day event in person.

Council Member Carroll stated that the 75<sup>th</sup> Anniversary Celebration for the Chamber of Commerce was this Saturday. There will be music, food trucks, and some activities from noon to 6 p.m. that day.

Council Member Taylor said he had seen people doing a great job conserving water. There are simple things they can do to help; he did not think people were purposefully watering their lawn during a rainstorm. He thanked his mom; it is her 90<sup>th</sup> Birthday and he wanted to pay tribute to her and his father.

#### 5. Mayor's Report

Mayor Frost wanted to highlight that after a year of feeding the seniors curbside, they have been able to go back into the building for lunch. The senior board has been working well with the Recreation Department to make it a safe place. They will be able to socialize and will slowly add in activities. They have served the seniors well during the pandemic; the City recognized the immediate need. Serving lunch started at 30 people a day and ended up over 200. Staff were able to get to know many of the seniors and were able to develop friendships.

#### COMMON CONSENT AGENDA

(*Common Consent* is that class of Council action that requires no further discussion or which is routine in nature. All items on the Common Consent Agenda are adopted by a single motion unless removed from the Common Consent Agenda.)

1. Approval of the March 30, 2021 work session minutes.
2. Approval of the authorization to issue a Notice of Acceptance for the 1100 WEST 350 SOUTH ROADWAY IMPROVEMENTS PHASE 2 construction of public improvements.
3. ~~Approval of the authorization to release the Improvements Construction Guarantee in the amount of \$ 123,860.50 and issue a Notice of Acceptance for the ROCKWELL RANCH BLOCK 1 PHASE 1 construction of public improvements located at 1060 West 420 South.~~
4. Ratification of City payments (April 7, 2021 to April 20, 2021) and approval of purchase requests over \$25,000.

Mayor Frost noted they were striking #3 on the agenda.

**Council Member Taylor moved to approve common consent agenda items #1, #2, and #4. Council Member Shelton seconded the motion. Voting was as follows:**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Clark Taylor, Council Member
<b>SECONDER:</b>	Rob Shelton, Council Member
<b>AYES:</b>	Kevin Barnes, Staci Carroll, Rob Shelton, Clark Taylor

Mayor Frost noted the Council Members received their packets from staff on the Thursday before the meeting to look things over.

#### ACTION ITEMS

1. Review and action on approval of the 2021 Arbor Day Proclamation

Mayor Frost read the proclamation.

**Council Member Taylor moved to approve the 2021 Arbor Day Proclamation. Council Member Shelton seconded the motion. Voting was as follows:**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Clark Taylor, Council Member
<b>SECONDER:</b>	Rob Shelton, Council Member
<b>AYES:</b>	Kevin Barnes, Staci Carroll, Rob Shelton, Clark Taylor

2. Review and action on the appointment of Kathy Street to the Senior Center Board  
**Council Member Shelton moved to approve the appointment of Kathy Street to the Senior Center Board. Council Member Taylor seconded the motion. Voting was as follows:**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Rob Shelton, Council Member
<b>SECONDER:</b>	Clark Taylor, Council Member
<b>AYES:</b>	Kevin Barnes, Staci Carroll, Rob Shelton, Clark Taylor

3. Review and action on an ordinance approving the disbursement of fiscal year 2010-2021 PARC Tax funds

Council Member Carroll asked about the Library room. Community Services Director Camden Bird stated that this was the last portion needed for construction. They were finishing the area; he described the location and what was being done.

Council Member Shelton asked what the overage was this year. Mr. Bird explained that the remaining balance not allocated was around \$165,000.

It was noted there had been discussion on what they should do at the PARC Tax Board but not at the Council level. Council Member Shelton wanted to know if there was a timeline for the next wave of applications. Part of the question went back to the choir and some of the issues that they had with that organization.; both entities wanted funding sooner than later. Council Member Shelton said he wanted to see if they were willing to open things back up immediately. He didn't know if they could allocate \$20,000 to \$25,000 to each choir that would allow them to continue operations.

Council Member Taylor said in regard to the next round of applications, he didn't think the wait would be extensive and he felt the matter needed to go back to the PARC committee. There was a lot of great work that went on and the board was vested and watching what was happening.

Council Member Shelton said that what he loved about the document was that it was specific on what the funds could be spent on.

Council Member Barnes agreed with Council Member Taylor that the matter should go back to the Committee. However, if the application were reopened, it could be opened back up for others to apply as well. Council Member Taylor stated the application could be readvertised and anyone who had submitted materials could reapply.

Mayor Frost said the Council would continue this discussion in an upcoming meeting.

**Council Member Barnes moved to adopt Ordinance No. 2021-04-18 approving the disbursement of the fiscal year 2020/2021 PARC Tax funds as presented and allow the City Administrator to enter into disbursement contracts, with terms substantially similar to those presented, under the direction of the Mayor. Council Member Taylor seconded the motion.**

**Voting was as follows:**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kevin Barnes, Council Member
<b>SECONDER:</b>	Clark Taylor, Council Member
<b>AYES:</b>	Kevin Barnes, Staci Carroll, Rob Shelton, Clark Taylor

4. Review and action on a resolution adopting the American Fork City Municipal Wastewater Planning Program for 2020

**Council Member Taylor moved to approve Resolution No. 2021-04-14R adopting the American Fork City Municipal Wastewater Planning Program for 2020. Council Member Shelton seconded the motion. Voting was as follows:**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Clark Taylor, Council Member
<b>SECONDER:</b>	Rob Shelton, Council Member
<b>AYES:</b>	Kevin Barnes, Staci Carroll, Rob Shelton, Clark Taylor

5. Review and action on the Water Banking Agreement for Water Rights with Blue Peak Holdings, LLC for 86.078 acre-feet of water

**Council Member Carroll moved to approve the water banking agreement for water rights with Blue Peak Holdings, LLC. for 86.078 acre-feet of water. Council Member Barnes seconded the motion. Voting was as follows:**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Staci Carroll, Council Member
<b>SECONDER:</b>	Kevin Barnes, Council Member
<b>AYES:</b>	Kevin Barnes, Staci Carroll, Rob Shelton, Clark Taylor

6. Review and action on the Water Banking Agreement for Water Shares with Christian Lundahl for 10.00 acre-feet of water

**Council Member Taylor moved to approve the water banking agreement for water shares with Christian Lundahl for 10.00 acre-feet of water. Council Member Carroll seconded the motion. Voting was as follows:**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Clark Taylor, Council Member
<b>SECONDER:</b>	Staci Carroll, Council Member
<b>AYES:</b>	Kevin Barnes, Staci Carroll, Rob Shelton, Clark Taylor

7. Review and action on a representation agreement with Mountain West Commercial, LLC, for the acquisition of open space and park land

Mayor Frost said that he placed this item back on the agenda and that it this document had been previously reviewed. He felt this was nothing of ill-will towards Mountain West Commercial. He explained that at the time the agreement was established, Mountain West was in a unique position to help the City. At the time the council agreed to make the agreement non-exclusive; the applicant was not happy with that and felt like this was an unfair position for the City to take.

Mary Street, Associate Broker with Mountain West Commercial Real Estate, said that they were honored to be considered for the ability to represent the City in the acquisition of park lands.

Council Member Shelton said that looking at the issue from the City’s side, he felt non-exclusive was better but understood why they wanted an exclusive agreement. He stated there had been some conversations for park land down on the south side of the City and that there were already contracts. His worry about exclusivity was that the contract indicated Mountain West would be entitled to compensation on some of those properties.

Ms. Street said it was very seldom they ended up in a limited agency arrangement in commercial real estate; it happened when they represented a buyer or seller and approached someone that they already represented. In this case, they both had to sign an informed consent document. At the time, there was no property listed. There were a couple of families they had worked for in the past which established an agency relationship. Limited agency meant that if she was representing both sides then she owed fiduciary responsibility to both sides. She couldn’t do or say anything to either party that would hurt their ability to negotiate or transact with the other party. When she was not a limited agent, she could be aggressive. As a neutral agent she wouldn’t be able to do any arm twisting. They didn’t have any active listings in the area and if they were to approach families they had worked with in the past, she would have to be neutral. There was an obligation to be completely honest about anything that would impact the value of the property. When limited agency happened, they had to work harder to make sure that everything that needed to be disclosed was disclosed while at the same time protecting the confidentiality of both parties.

Ms. Street said that she was unaware the City was currently negotiating a contract, and if that was the case they could do excluded parties. Every landowner in Utah County got multiple calls and letters from homebuilders and developers about selling property. Therefore, there was no shortage of buyers, and landowners were overwhelmed. She encouraged the City to have a unified voice and single point of contact for landowners. Once they started making phone calls and talking to people the information spread like wildfire. They had worked in that area since 2008 and had a lot of relationships and once anyone starts making phone calls, word got out. In order for them to leverage the connections they had and work on behalf of the City, they needed assurance that as they moved forward they would be the City’s representative. For this reason, Mountain West asked for exclusivity.

Council Member Shelton asked if she knew how much the land value has appreciated over the last 18 months. Ms. Street replied that it depended as the land in the TOD zone was a hot commodity. The more peripheral land has appreciated because of what was happening in the housing market, but she was not sure if she could give it a percentage. If they want to preserve open space and park land, this was the time to do it. Council Member Shelton agreed.

Council Member Shelton said they needed property for parks, fire station, and well property. He said that the City had bond proceeds and they were sitting on that cash. Meanwhile, land values were going up so they were losing purchasing power. He recommended a task force to secure all of the property on the south side. He understood where they were coming from with the exclusivity argument but wondered why it couldn't be more of a coordinated effort. He was much more in favor of the non-exclusivity because they were already functioning this way. He saw this as a bigger discussion of a coordinated effort on all real estate down on that side of town.

Ms. Street said that if they were to approach a landowner that did not have their property listed for sale or they had not worked with them before, they would be acting as the agent of the City. She discussed brokerages and agents' roles in the buying and selling process. She stated that it was a good idea for anyone selling property to have representation because water rights, in particular, were a complicated issue.

Council Member Shelton said the issue he had with the contract was that they were immediately agreeing to limited agency. He wanted to make it so there was an option because that would be in the best interest of the City. Ms. Street replied that she thought that that was a reasonable request because not knowing what they were getting into could be a concern. Council Member Shelton felt they needed a more comprehensive plan. There was a sense of urgency because the property values down there were going up.

Mayor Frost thought there were some unknowns; for example, he noted the City had met with UDOT and learned about a corridor. He noted that they needed to wait on UDOT in order to determine the location of a fire station. They thought UDOT was farther along in the process but had realized that they were not. Council Member Shelton said that the longer they waited, the more property values would go up. If the City acquired land now, it would accrue value and they could sell if they needed to. Mayor Frost was comfortable with broadening the scope with Mountain West and allowing them to negotiate.

Council Member Shelton liked a more overall collaborative approach. He clarified that the parks money was coming from impact fees. He asked if they had allocated money in the City for realtor costs. Mr. Bunker replied that impact fees could include realtor costs.

Ms. Street said they had experience representing other cities. As an effort to work collaboratively, they used a shared Google doc where they would put all the information they had on negotiations. This allowed staff to see information on who had been contacted in case they were approached.

Bill Street explained that they wanted to approach landowners about having property named after them if they wanted to make a donation. The procurement of land for the City would be approached in an economically viable way. Mayor Frost said that in discussions with staff, they felt that Mr. and Mrs. Street's options were the best.

Council Member Shelton said he was okay to go forward as long as they were willing to pull the limited agency.

**Council Member Taylor moved to approve the representation agreement with Mountain West Commercial LLC with the following changes: changing limited agency and exclusion of existing property under question.**

Ms. Street suggested adding public facilities.

Ms. Egner clarified in the motion with relation to the limited agency that it was an amendment to section 3 that required notice to the City and approval by the City prior to a limited agency relationship.

**Council Member Taylor noted Ms. Egner’s clarification. Council Member Carroll seconded. Voting was as follows:**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Clark Taylor, Council Member
<b>SECONDER:</b>	Staci Carroll, Council Member
<b>AYES:</b>	Kevin Barnes, Staci Carroll, Rob Shelton, Clark Taylor

8. Review and action on an ordinance approving a zone map amendment located at 1155 East 300 North from the RA-1 Residential Agricultural to the R1-9,000 Residential zone

**Council Member Taylor moved to adopt Ordinance No. 2021-04-19 approving a zone map amendment located at 1155 East 300 North from the RA-1 Residential Agricultural to the R1-9000 Residential zone. Council Member Barnes seconded the motion. Voting was as follows:**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Clark Taylor, Council Member
<b>SECONDER:</b>	Kevin Barnes, Council Member
<b>AYES:</b>	Kevin Barnes, Staci Carroll, Rob Shelton, Clark Taylor

9. Review and action on a resolution approving a land use map amendment located at 717 West Main Street from the Major Transportation Facilities to the Design Commercial designation

Council Member Carroll asked if there was access from the subject parcel. Steve Tate replied that there was no access from Main Street into the parcel. Their intent with this project was to put a Key Bank on a portion of the property, but the major intent was to redirect In and Out’s drive-thru. The only way to financially make it work was to put another user on the property; a bank made sense because the traffic was minimal. The main access would be on the right. There would be preliminary site plans for the Key Bank after the applicant received a technical review.

Council Member Shelton said his biggest issue was the traffic, but he didn’t see it being a big issue. This went along with working with UDOT on the corridor.

Mr. Tate appreciated their consideration on this and felt like this would open up the whole parking area and solve the stacking problem.

**Council Member Shelton moved to adopt Resolution No. 2021-04-15R approving a land use map amendment located at 717 West Main Street from the Major Transportation Facilities to the Design Commercial designation. Council Member Taylor seconded the motion. Voting was as follows:**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rob Shelton, Council Member
<b>SECONDER:</b>	Clark Taylor, Council Member
<b>AYES:</b>	Kevin Barnes, Staci Carroll, Rob Shelton, Clark Taylor

10. Review and action on an ordinance approving a zone map amendment located at 717 West Main Street from the PF Public Facilities to the SC-1 Planned Shopping Center zone  
**Council Member Taylor moved to approve Ordinance No. 2021-04-20 approving a zone map amendment located at 717 West Main Street from the PF Public Facilities to the SC-1 Planned Shopping Center zone. Council Member Barnes seconded the motion. Voting was as follows:**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Clark Taylor, Council Member
<b>SECONDER:</b>	Kevin Barnes, Council Member
<b>AYES:</b>	Kevin Barnes, Staci Carroll, Rob Shelton, Clark Taylor

11. Review and action on subdivisions, commercial projects, condominiums, and PUD's including 1) plat approval; 2) method of satisfaction of water rights requirements; 3) posting of an improvement bond or setting of a time frame for improvement installation; and 4) authorization to sign the final plat and acceptance of all dedications to the public and to have the plat recorded  
a. Review and action on the final plat of King & McCleary Subdivision Plat A, located at 230 West Main Street in the CC-2 Central Commercial zone

**Council Member Shelton moved to approve the final plat of King & McCleary Subdivision Plat A, located at 230 West Main Street in the CC-2 Central Commercial zone and to authorize the mayor and City council to sign the plat and accept the dedications with instructions to the City recorder to withhold recording of the plat subject to all conditions associated in the public record associated with the April 7, 2021 planning commission meeting. Council Member Taylor seconded the motion. Voting was as follows:**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Rob Shelton, Council Member
<b>SECONDER:</b>	Clark Taylor, Council Member
<b>AYES:</b>	Kevin Barnes, Staci Carroll, Rob Shelton, Clark Taylor

b. Review and action on an ordinance approving a commercial site plan for KT Dental, located at 332 South 500 East in the GC-2 Planned Commercial zone

**Council Member Taylor moved to adopt Ordinance No. 2021-04-21 approving a commercial site plan for KT Dental, located at 332 South 500 East in the GC-2 Planned Commercial zone with instructions to the City recorder to withhold publication of the ordinance subject to all conditions identified in the public record associated with the April 7, 2021, planning commission meeting. Council Member Shelton seconded the motion.**



Council Member Shelton said he was contacted by the applicant about impact fees and utilities that were supposed to be stubbed into the property. He thought there were things that needed to be resolved.

Jake Larson, applicant, said that they acquired the land which was subdivided in 2017 and had tried to work with the Planning Commission to address issues that weren't up to code when it was subdivided. Mr. Larson voiced his willingness to collaborate with the City. He noted there was a sewer line that now needed to be stubbed into the property which would require boring under 500 East and power lines that were not moved. They wanted to understand who or how they could work best with the City to find solutions, and why those requirements were not completed in 2017 at time of subdivision but required of him now.

Mayor Frost asked if he had received answers in the TRC. Mr. Larson said he received no answers. Mayor Frost asked if they were ready to move the application forward without any answers. Mr. Larson replied that they would love to move forward and receive guidance from the City as to who or how they could continue discussions on those items, and if there was opportunity to work together or if they were going to have to pay for it.

Ken Berg, applicant's engineer, said he has worked on projects in the city for twenty years and have always followed the rules. With this project, they had worked with staff to meet the current requirements. The fire flow was inadequate but they were going to bring in a fire hydrant. The concern his clients had was that as of that day, the parcel ground that they bought in a commercial zone was subdivided under the assumption that there were rules to follow that weren't. Therefore, the burden was placed on them to bring it up to what was required to build on the lot. At this point they were willing to talk about if there were things they could do to work together to move this project forward, whether it was the water service or moving the power lines. At this point, they were told they had to meet code and get in front of the policy makers to have the discussion. He noted staff has worked with them to let them know what the issue were, it was now time to have the discussion.

Council Member Shelton stated there were two issues: (1) the approval to move forward and (2) if they cared about not holding someone to a standard and placed the burden on the next developer. He assumed any decisions would have to go back to the council. He was unsure on if it would be the City Administrator or Public Works Director or the Mayor to come up with the proposal or plan or compromise on what should take place here.

Council Member Carroll stated she would give a general statement that she would encourage staff that if the city has been in error to not place the burden on the new property owners; however, she did not have the specific information in this case as to who was in error.

Council Member Shelton said they needed a process to resolve issues with the TRC. Mr. Bunker said they would look into details and give the Council a detailed report.

Mr. Larson asked if it was possible to obtain approval on utilities that could be done at the same time as preparing the plat with a contingency. Mayor Frost said that the Council didn't know the process as well as the staff, but they would ask staff to work as quickly as possible to get a resolution.

It was questioned if they could move forward with approval based upon the conversation. Cherylyn Egner, legal counsel, understood the applicant was ready to move forward whether they were able to come to some agreement on the issues. She did not think the disputes impacted the site plan tonight.

**Mayor Frost called for a vote on the motion. Voting was as follows:**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Clark Taylor, Council Member
<b>SECONDER:</b>	Rob Shelton, Council Member
<b>AYES:</b>	Kevin Barnes, Staci Carroll, Rob Shelton, Clark Taylor

- c. Review and action on the final plat of Mitchell Farms Plat D, located in the vicinity of 730 North 860 West in the R1-12,000 Residential zone

**Council Member Shelton moved to approve the final plat of Mitchell Farms Plat D located in the vicinity of 730 North 860 West in the R1-12,000 residential zone and to authorize the mayor and City council to sign the plat and accept the dedications with instructions to the City recorder to withhold publication of the plat subject to all conditions identified in the public record associated with the April 7, 2021 planning commission meeting. Council Member Barnes seconded the motion.**

Council Member Carroll stated she did not have a problem with this item, but expressed concern the houses were backing onto another road with residential houses.

**Mayor Frost called for a vote on the motion. Voting was as follows:**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Rob Shelton, Council Member
<b>SECONDER:</b>	Kevin Barnes, Council Member
<b>AYES:</b>	Kevin Barnes, Staci Carroll, Rob Shelton, Clark Taylor

- d. Review and action on the final plat of Rockwell Ranch Block 5 Phase 2 located in the area of 620 South 1100 West in the TOD zone

Council Member Carroll said that per the TOD code, the City had qualifications for open space. However, it had to fall under certain types of open space and this was just labeled as open space. Senior Planner Adam Olsen responded that it had been taken care of, however, this had just been left out of this plat and was identified in a previous block plan. This would have been included in a previous plat, but it had been inadvertently left out.

Ms. Egner said that her understanding was that as long as it was usable space that was landscaped, that that was still acceptable as open space. Council Member Carroll said she knew there were certain terms but had not re-read up on the code and wanted to make sure they had something viable.

Council Member Shelton said that driving into Eagle Mountain they had something similar to a detention pond where they had grass with a pavilion and pickleball courts alongside the detention area. He liked how they made it look like a little park.

**Council Member Taylor moved to approve the final plat of Rockwell Ranch Block 5 Phase 2 located in the area of 620 South 1100 West in the TOD zone and to authorize the mayor and City council to sign the plat and accept the dedications with instructions to the City recorder**

to withhold recording of the plat subject to all conditions identified in the public record associated with the April 7, 2021 planning commission meeting. Council Member Carroll seconded the motion. Voting was as follows:

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Clark Taylor, Council Member
<b>SECONDER:</b>	Staci Carroll, Council Member
<b>AYES:</b>	Kevin Barnes, Staci Carroll, Rob Shelton, Clark Taylor

12. Review and Action on a Third Amendment to the AT&T Utah Option and Lease Agreement dated October 27, 2005

IT Director George Schade said that they would like to install a new monopole. This would move the pole about four feet, which would give them what they need to pass all inspections and meet their needs. There were protections in place and language was added to require landscape beautification.

**Council Member Taylor moved to approve the third amendment to the Utah Option and Lease Agreement dated October 27, 2005. Council Member Carroll seconded the motion. Voting was as follows:**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Clark Taylor, Council Member
<b>SECONDER:</b>	Staci Carroll, Council Member
<b>AYES:</b>	Kevin Barnes, Staci Carroll, Rob Shelton, Clark Taylor

13. Review and Action on a First Amendment to the Verizon Land Lease Agreement dated January 24th, 2017

Mr. Schade said that the roundabout was getting built at the Art Dye Park and they had to move some facilities. Verizon was one of these facilities and staff had worked with them to get the work done as soon as possible. It was a minor change to the easement, and they didn't have to change any construction of the roundabout.

Council Member Shelton asked for the estimated date of completion of the roundabout. Public Works Director Scott Sensenbaugher replied that the project should be done soon.

**Council Member Shelton moved to approve the first amendment to the Verizon Land Lease Agreement dated January 24, 2017. Council Member Barnes seconded the motion. Voting was as follows:**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Rob Shelton, Council Member
<b>SECONDER:</b>	Kevin Barnes, Council Member
<b>AYES:</b>	Kevin Barnes, Staci Carroll, Rob Shelton, Clark Taylor

14. Adjournment.

**Council Member Taylor moved to adjourn the meeting. Council Member Shelton seconded the motion. All were in favor.**

The meeting adjourned at 8:40 p.m.



Terilyn Lurker, City Recorder