

AMERICAN FORK CITY COUNCIL  
MAY 11, 2021  
REGULAR SESSION MINUTES

Members Present:

Bradley J. Frost	Mayor
Kevin Barnes	Council Member
Staci Carroll	Council Member
Ryan Hunter	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
Anna Montoya	Finance Officer
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: John Woffinden, Ken Berg, and Spencer Stevens

The American Fork City Council met in a regular session on Tuesday, May 11, 2021, in the American Fork City Hall, 31 North Church Street, commencing at 7:00 p.m.

REGULAR SESSION

1. Pledge of Allegiance; Invocation by Council Member Carroll; roll call.

Mayor Frost welcomed everyone to the meeting. Those present recited the Pledge of Allegiance and an invocation was offered by Council Member Carroll. 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

David Bunker, City Administrator, had nothing to report.

4. Council Reports

Council Member Clark Taylor had nothing to report.

Council Member Carroll said that the Chamber is hosting the Memorial Day Golf Tournament on May 28<sup>th</sup> at Fox Hollow Golf Course. She said that the tournament is to honor veterans and armed services and that the money will be donated to those causes.

Council Member Barnes reminded everyone about the Memorial Day program on the 31<sup>st</sup>. He said it will be pre-recorded and placed on the City's website. He said the everyone should take some time that day to think about the blessings and freedom they enjoy and those who made and continue to make them possible.

Council Member Shelton said he sent an email to the Council Members about cameras that were put up at North Point. He said that he hopes the city could get something about that up on the web page. North Point hopes that there will be a link to that to be able to see how busy the dump is without having to drive there. There is a link to that on North Point's site already, and it works on both mobile and non-mobile devices.

Council Member Hunter thanked the staff for their orientation and giving him advice.

#### 5. Mayor's Report

Mayor Frost reported that on Tuesday last week there was a meeting between all ecclesiastical leaders and Public Safety regarding emergency situations. He said it was a really productive meeting and that a lot of the leaders and anybody they wanted to invite attended. He said it was a refresher on who was prepared as far as communication. The Chief and his staff oriented new people, and both weak and strong points were identified in the ability to communicate with the entire city on public safety issues. He said that the next day there was a mock drill of a flood with the OEC. He said he hopes they never have to use the drill in real life, but that they are one step closer to being able to do so if the need arises.

#### 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 April 13, 2021 City Council minutes
2. Approval of the April 20, 2021 Work Session minutes
3. Approval of the authorization to release the Improvements Durability Retainer of \$ 1190.60 for FURRY TAILS TRANSFORMATIONS, located at 55 East 400 North.
4. Approval of the authorization to release the Improvements Construction Guarantee in the amount of \$ 30,686.00 and issue a Notice of Acceptance for the GROVE CREEK PLAZA construction of public improvements located at 358 North 1100 East
5. Ratification of City payments (April 28, 2021 to May 4, 2021) and approval of purchase requests over \$25,000

Council Member Barnes commented that he didn't have a chance to read the minutes because they were mailed out late last night. He said he would like to get them a little sooner. By the time he found them he didn't have an opportunity to look at them. He would abstain from the approval of the minutes.

**Council Member Taylor moved to approve the common consent agenda. 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>	Barnes*, Carroll, Hunter*, Shelton, Taylor

\*Council Member Barnes abstained from approval of the minutes. Council Member Hunter also abstained from approval of the minutes as he was not at the meetings.

ACTION ITEMS

1. Review and action of a Reimbursement Agreement for 500 East and 1700 South with Phelon Lakeside, LLC

Mayor Frost noted that for the public record that the staff prepares packets that are presented for the Council at the end of the week so that they can digest them, look at them, and ask questions. He said sometimes there aren't any questions because they've already been asked.

**Council Member Taylor moved to approve the reimbursement agreement with Phelon Lakeland, LLC for an amount no greater than \$940,038.00 for system improvements along 500 East and 1700 South. 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>	Barnes, Carroll, Hunter, Shelton, Taylor

2. Review and action of a Development Agreement with Brad Reynolds for Meadows at American Fork Phase 2

**Council Member Carroll moved to approve the agreement with Lakeview Meadows South LLC, Lakeview Meadows LLC, and Brad Reynolds Construction, Inc. enabling development of Meadows at American Fork Phase 2, and the construction of certain infrastructure as defined in the agreement. 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>	Barnes, Carroll, Hunter, Shelton, Taylor

3. Review and action on an ordinance adopting an amendment to Section 17.7.507.F.6 of the American Fork City Municipal Code regarding building primary orientation

Council Member Carroll asked what the motivation was for this and if there were any problems in the past or if this was a request of the developer.

Adam Olsen, Senior Planner, said that this was a staff recommended change. He said that this broadens the ability for developments to cite buildings and that it is more in line with the TOD code. He said that it was quite restrictive because it could only front a street. He explained that when you have multi-structure, multi-family units, it's not feasible for all of them to front a street when you have multiple acres and multiple buildings. He said that this opens it up for drive aisles, open spaces, common areas, and private drives. These changes are more in line with the TOD and broadens what developing can be done.

**Council Member Taylor moved to adopt Ordinance no. 2021-05-22 approving an amendment to Section 17.7.507.F.6 of the American Fork City Municipal Code regarding building primary orientation. Council member Carroll seconded the motion.**

Council Member Barnes said he was appreciative that the Council was proactive and working ahead on this project and that he thinks it is a great idea. He said that the code is workable and flexible for new developments and that it doesn't distort the old stuff.

**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>	Staci Carroll, Council Member
<b>AYES:</b>	Barnes, Carroll, Hunter, Shelton, Taylor

4. 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 Autumn Crest Phase 1 Plat E Subdivision, located in the vicinity of 930 East 1040 North in the R-1-9,000 Residential zone

**Council Member Taylor moved to approve the final plat of Autumn Crest Phase 1 Plat E Subdivision, located in the vicinity of 930 East 1040 North in the R-1-9,000 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 recording of the plat subject to all conditions identified in the public record associated with the April 21, 2021 Planning Commission meeting. Council Member Shelton seconded the motion.**

Council Member Shelton said that it is interesting to see things go full circle. He said that he went to several meetings regarding this property and that it is nice to see it being fully developed.

**Mayor Frost called for a vote on 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>	Barnes, Carroll, Hunter, Shelton, Taylor

5. Review and action on approval of the City's fiscal year ending June 30, 2022, tentative budget

Mayor Frost noted that in the future there will be additional work sessions on this topic. He asked Anna Montoya to give an overview of the next steps.

Anna Montoya, Finance Officer, said that that the State requires the Council to adopt a tentative budget during the first meeting in May. She said that the budget was balanced at \$27.3 million and that revenues equal the expenditures. This was a result of five months of meetings, including several work sessions, meetings with departments, a budget retreat in February, and workshops in March and April. She said the budget book will be brought back for review during the June 1<sup>st</sup> work session. They are proposing a final budget to be adopted for the June 22<sup>nd</sup> Council meeting.

Council Member Shelton said that there are six areas he wants to have a discussion on. He said that it would be good to get feedback before the tentative budget is passed. The first area was that on a graph that was shown, there was a 10-year track record of expenses exceeding revenues. He said he wants to think about how they can increase revenue, and that the PARC Tax Funds could be used to free up General Fund money. He said that this was the first time that they had more money than applications. He said that money in the General Fund could be freed up for other expenditures such as playground equipment and courts at the Junior High. He said he thinks it is important to think about if they are going to free up some General Fund money as they are doing the budget. No thoughts were offered by the Council regarding this first point.

Second, he noted recreation talked about monetizing Art Dye. He said he would like to see this put into the budget as a revenue stream that would be used by renting out facilities. He says that two fields are not being used because Art Dye is being used for the ball fields. He wanted to know if there are ways to lease those fields out or bring tournaments in. He wants to know what the plan is now that Art Dye is going to be complete. He says that one way to drive revenue would be to use PARC Tax. He says that yesterday he went to two different restaurants for games he attended and that the City is missing out on revenue potential. He said that the School District is doing that and that it would be an opportunity for monetization. He said that they are going decreasing personnel in the Recreation department. He wanted to know if additional revenue from tournaments and super leagues would be worth going after. He said that a fitness center study suggested that somebody should be a part-time marketer could work in the Recreation department to increase revenue. He said that he thinks that would help offset maintenance and operation.

Mayor Frost said he didn't know the baseball fields weren't being used.

Council Member Taylor agreed with Council Member Shelton. He said that American Fork has always had a dearth of baseball and soccer fields but that the Rotary park is always full. He said that if people know about the fields that they will be used. There have been efforts to bring things in to those fields, and that it may be a good idea to publicize the idea at the Rotary field because of its popularity. He said that there is money to be made in concessions, and that the Recreation department wasn't overlooking that, but there was still opportunity there.

Council Member Shelton said that they do machine pitch at Central Park but not at North Field. He said that he spoke with another coach about those fields who also mentioned that the other fields could be used instead of forcing everything to Art Dye. He said that there are super league teams that practice there but are not paying anything. If there were contracts with those teams, then they would be compensated for it. He said that Mountain Ridge is overwhelmed with soccer and that the fields aren't in good condition compared to Art Dye. When he looked at it from a competitive standpoint he felt that they were a little overworked and he wondered if they could monetize the other parks by having contracts with teams that practice there and moving other games there. He said that they could use revenue to pay for a part time position for someone to focus on getting those fields rented. This would also pay for maintenance. He said that David from North Utah County Soccer said he would like to rent the fields. He said that games could be played at Art Dye but practices could take place at other fields. He said that he would like to see a plan be created and for this to be built into the budget.

Council Member Shelton brought up a promotion line item regarding changing logos. He wanted to know what that budget would be used for. David Bunker, City Administrator, said that a lot of

that will be used for re-branding vehicles and other branding changes. He said that the \$38,000 originally in the budget wasn't enough for what they wanted to do. He said that the City needs to continue branding vehicles and buildings.

Council Member Shelton said that branding has been an issue of discussion for five years and that he thought the original idea was to re-brand when new items were purchased. He asked if that was still the idea or if the plan was to place new logos as much as they can. Mr. Bunker said that the plan is to re-logo as much as possible but not all at once. He said that vehicles are the City's biggest billboard and that it is important for them to be branded appropriately.

Council Member Shelton asked about if uniforms were still going to be implemented and part of the budget. Mr. Bunker said they would be.

Council Member Shelton inquired about the fitness center feasibility study. He said that he didn't think that they fully implemented everything they could out of that study based off of Derric Rykert's report and from his own experience. He said that improvements that could be made include having name tags, having everyone in a uniform or a shirt, and making sure people at the front of the fitness center are talking to people. He said he wants to get that plan fully implemented before spending more money on it. He said he felt sometimes studies are done without being fully implemented and that he would approve the budget with the condition that this one item would be implemented.

Mr. Bunker said that he was surprised that these plans have not implemented because he had been told they are. He said that everyone at the fitness center has a logoed shirt and that Mr. Rykert has been working on that. He said that they also have name tags and that they do try and make sure people don't walk past the front desk. Council Member Shelton said that he has been there every week for four weeks and that no one is in a shirt, that half the staff has nametags, and that when he asks questions half the time they're not sure of the answer. He said as a customer he would like to see the level of service improve in order to increase revenue and public perception.

Mr. Bunker said that the proposed study is geared towards the long-term needs of physical space. He said that this would be a facility study to address what is needed for the next five, 10, or 20 years. He said that this would build on the CSACO report. This would address the plan for the future, including whether or not to expand into the park area, if different facilities are needed, and what the options for the current building are. He said that several aspects of the facility are maxed out and that more space is needed. The building wasn't built for the growth that is being experienced, and that population projections are rising. Because of this, facilities need to be prepared for this.

Council Member Shelton said that he understands that and that he thinks that it is important, but that he would like to have studies be implemented before moving to that stage. He said that if six months were taken to implement the studies that were already done, then it wouldn't hurt or delay the future plans.

Council Member Shelton brought up the full-time Economic Development Director. He said he thought he remembered the Council talking about this study at a retreat as being a crucial need, but he didn't see it in this year's budget.

Council Member Taylor said that he doesn't recall that being discussed at the retreat. He said that he thought there was a while to go before that needed to be done for downtown. He said that it would make sense for the Council to support the Chamber of Commerce for all areas, but that for downtown that wasn't necessary.

Council Member Carroll said that she remembered having a conversation with the Mayor about having an economic development director position created, but that she doesn't feel as though she has a good grasp about what that position would entail and that she would like to know more about what they would do day-to-day.

Mayor Frost said that he thinks the downtown area's development has been carefully looked at. For example, companies like Amazon come in and have already done their homework. He said that he has met with two developers that know that downtown is on the radar, and are aware of the opportunities. He said that this does not mean he doesn't believe the City doesn't have to be better salesmen, but he knows that developers are looking to invest. He agreed that maybe a role could be created for someone to guide the developers.

Council Member Shelton agreed with Mayor Frost, and said that if he remembered correctly the position would be for someone who was knowledgeable about development and could reach out to property owners. He said that he thought Adam Olsen would be the first person to receive calls. He said that he thought a work session down the road about economic development might be needed.

Council Member Shelton brought up the issue of property tax increase. He said that he didn't think a discussion about that had been done this year. He said that increasing property tax would allow them to keep up with inflation and that a discussion about increasing property tax would be useful. In October, he sent an email suggesting the Council talk about it. He asked if this would be something the Council felt needed to be discussed this year.

Council Member Hunter said that when he was appointed, Heidi Rodeback mentioned peg rate as a possible option. He said that this was news to him, but that it sounded like this was something she had been lobbying for. He said that it was important for the Council not to push this discussion back, so he was willing to have the conversation.

Mayor Frost asked if this discussion should be had now or held during a Council work session.

Cherylyn Egner, Legal Counsel, said that if they were to dive into the details, it would be best for the public to be made aware. She said that it would be better to be noticed up.

Council Member Shelton said that revenue and property tax could be discussed at tonight's meeting. He said that in the past the Council has brought up topics, but has been too late by putting the discussion off.

Council Member Taylor said he remembers talking about tax increase at the retreat. He said that he would be in favor of having that discussion in order to figure out the time frame, what needed to be done, and how quickly it had to be implemented.

Mr. Bunker said that property tax was one of the issues that was brought up at the retreat and that it was a 2022 goal, and as such is one of their strategic goals. He said that a tax increase was not included in this year's budget, but if they wanted to discuss that in a work session it could be done.

Council Member Barnes said that this discussion would take an hour, and that he didn't want to rush the decision because of its importance. He said that he doesn't mean he's not for it; rather, he felt like the topic needs to be seriously looked at.

Council Member Shelton summarized his six items that he would like to discuss further: recreation part time position for renting fields, the fitness center study, swag and promotion, the downtown development position, property tax increase and the road plan, and PARC tax and general fund use.

Mayor Frost asked if there were any more questions regarding the tentative budget.

Council Member Barnes said that on page four of the proposed budget showed an estimated \$28.758 million with next year being \$27.282 million. He said that this is roughly \$1.5 million decrease in revenue and he was curious why this was projected.

Ms. Montoya said that they took a conservative approach. She said that they are very detailed in breaking down revenues by going line-by-line and then reduce that by a certain percentage. She said that CARES Act funds have been included for this year and that market recovery plan dollars haven't been included in the budget.

Council Member Barnes said that this budget was still lower than what was budgeted for the 2019-2020 budget, which was not affected by COVID-19 as much. He said he doesn't understand how less money is being spent when the cost of everything has gone up. Ms. Montoya pointed out that money for the CARES Act accounts for the majority of the difference in the new budget.

Council Member Shelton asked if the CARES Act freed up general fund money. Ms. Montoya said that the CARES Act did free up general fund money. She said that anything not spent will carry over to the next year.

Council Member Shelton said that he would like to see a 10-year line graph of the general fund balance and a guess where it would end on June 30<sup>th</sup>.

Ms. Montoya said that they are limited by the State to have only 25% of reserves in the general fund and that everything else has to be for capital improvements. Mr. Bunker said that the fact that the Council is at 25% general fund balance is a great achievement and that great progress has been made. He said that they have been very careful, budgeted very conservatively, and that Ms. Montoya and Kyle Maurer (previous Finance Director) have done a great job. This conservative budget gives them flexibility in the future, and the goal is to have less expenditures than revenue.

Mayor Frost said that the sales tax revenue was a real surprise that was very unpredictable.

Council Member Shelton said that that when property taxes and 25% general fund balance are discussed, it is good to keep in mind that the stimulus package played a large role. This will not happen every year, and extra costs will have to be covered without government assistance. He said that long-term operations can't be planned with one-time money.



**Council Member Barnes moved approve the tentative budget for fiscal year ending June 30, 2022, and to set a public hearing for the final budget for the fiscal year ending June 30, 2022. The hearing shall be set for Tuesday, June 22, 2021 at 7:00 p.m. Council Member Shelton seconded the motion. Voting was as follows:**

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

7. Review and action on a settlement agreement and lease agreement with ROA General, Inc  
This item was withdrawn.

8. Adjournment

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

The meeting ended at 7:56 p.m.



Terilyn Lurker, City Recorder