

AMERICAN FORK CITY COUNCIL
AUGUST 10, 2021
PUBLIC HEARING AND REGULAR SESSION MINUTES

ATTACHMENT

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
Wendelin Knobloch	Associate Planner
Terilyn Lurker	City Recorder
Camden Bird	Community Services Director
Anna Montoya	Finance Officer
Aaron Brems	Fire Chief
George Schade	IT Director
Cherylyn Egner	Legal Counsel
Adam Olsen	City Planner
Scott Sensanbaugher	Public Works Director

Also present: John Woffinden, Ginger Romreil, David Bell, Ben Wheat, and 10 additional people.

The American Fork City Council held a public hearing in conjunction with the regular session on Tuesday, August 10, 2021, in the American Fork City Hall, 31 North Church Street, commencing at 7:00 p.m.

PUBLIC HEARING

- Receiving public comments regarding the declaration of equipment to be surplused and disposed of.

There were no comments.

REGULAR SESSION

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

Mayor Frost welcomed everyone to the meeting. Those present recited the Pledge of Allegiance and an invocation was offered by Council Member Taylor. 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, announced that this Friday and Saturday there would be a second softball tournament of the year. The first tournament of the year was a huge success. Additionally, Mr. Bunker reported that the City would be participating in the 9/11 service day;

each year, staff did a service project and this year the City would participate on 9/11. He invited all to attend.

4. Council Reports

Council Member Hunter reported that the first official library meeting was scheduled for the following week.

Council Member Shelton had nothing to report.

Council Member Barnes reported on the Night Out Against Crime. The Chief had a concept of community policing and community involvement; the event was a success. He remarked that American Fork was a great community.

Council Member Carroll reported that she attended the Tri-Chamber Learning Luncheon. The founder of Built Bar was there, and she was happy to see so many of the City's Chamber Members there. Secondly, she reported that the Lone Peak Business Alliance had been growing and the three municipalities represented in the alliance had since joined.

Council Member Taylor stated it was fun to go to the Night Out Against Crime. He said he appreciated the effort that went in on that event. He also announced that on August 19th at 6:00 p.m. there would be a presentation for the three cities at Fox Hollow Golf Course by its Board of Directors.

5. Mayor's Report

Mayor Frost reported that he attended the ribbon cutting of The Hub, which used to be the Towne Cinemas. He hoped the new ownership could find its niche. Mayor Frost also remarked on the Night Out Against Crime, stating that it was fun to participate and see the citizens.

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 July 20, 2021, Work Session minutes~~
2. Approval of the authorization to release the Improvements Construction Guarantee in the amount of \$ 11,900.00 and issue a Notice of Acceptance for the BIOLIFE PLASMA construction of public improvements located at 632 North 900 West.
3. Approval of the authorization to release the Improvements Durability Retainer of \$ 2,975.00 for BIOLIFE PLASMA, located at 632 North 900 West.
4. Ratification of city payments July 21 to August 3, 2021 and approval of purchase requests over \$25,000.

Mayor Frost noted there were no minutes to approve.

Council Member Taylor moved approval of items #2, #3 and #4 of the common consent agenda. Council Shelton seconded the motion. Voting was as follows:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Clark Taylor, Council Member
SECONDER:	Rob Shelton, Council Member
AYES:	Barnes, Carroll, Hunter, Shelton, Taylor

ACTION ITEMS

1. Review and action on an ordinance amending Section 17.4.401.D.5 of the American Fork City Development Code regarding special provisions in the CC-1 Central Commercial zone.

Adam Olsen, Senior Planner, presented the staff report as well as an aerial map of the subject property. He explained that this item went to the Planning Commission for a hearing. The proposal attempted to define historic precedent for the downtown area. Staff looked for architectural styles and identified common elements. The hope was to give developers ideas. The Planning Commission recommended approval; however, there was not a lot of discussion at the Planning Commission meeting. Mr. Olsen noted that one member liked that the proposed special provisions gave people focal points to look for in the City.

Council Member Shelton said he appreciated the work but he would have loved to see some of the minutes to see the discourse. The Planning Commission had discussed four different facades and he asked if windows would count towards those facades. Mr. Olsen said if a developer could show the City four different materials, that this would meet the ordinance. Council Member Shelton didn't see some of the items the City Council brought up and he wondered if that was discussed at the Planning Commission level. Mr. Olsen stated that the main takeaway was the City had developed a palette of historical-based styles to the present to developers; developers then had the ability to use their creativity to design projects based on that palette.

Council Member Carroll expressed concerns that the requirement for four materials would be too many and therefore make it look mish-mashed. Mr. Olsen stated that Ogden only allowed two materials because they wanted buildings to look more cohesive. Council Member Shelton said there were some high density developments that were all stucco, and this was what he wanted to stay away from. Council Member Carroll agreed and suggested the City limit stucco. Council Member Taylor agreed with Council Members Carroll and Shelton, and he said he was in favor of reducing the minimum. Council Member Taylor said two materials would be fine, and that he was hoping to have a homogenous feel. Mr. Olsen suggested some language that could be added to account for the Council's discussion on the matter.

Council Member Shelton said this all came down to what the City was trying to create. He agreed with Council Member Taylor and stated that he would like to see more of these discussions happen at the Planning Commission level.

Mr. Olsen said that in identifying the buildings, the intent was to show there were different types of architecture that were already in the downtown area.

Council Member Barnes said he appreciated the four examples shown in the staff report. He stated that if at least 50% had to be windows and they had four different materials in the other requirements, this would mean that only 12.5% of the other materials would be needed. He suggested sending this back to the Planning Commission and having them work out the wording.

He liked the setback going from 15 feet to 10 feet. Lastly, Council Member Barnes expressed concerns with the glass requirement.

Council Member Taylor asked about the materials that were at the historic City Hall. Mr. Olsen explained there was limestone foundation, brick, and wood. Council Member Taylor asked if this building met the 50% requirement in windows. He also echoed Council Member Barnes's comments and stated that he like a maximum of three materials and clarification regarding the 50% display areas. He said he would like to see the language of this ordinance refined more.

Staff and elected officials discussed the need to hold a work session on this item. After subsequent discussion, the Council decided that the best course of action was to deny the motion and have it come back with the changes as outlined.

Council Member Taylor moved to deny amending Section 17.4.401.D.5 of the American Fork City Development Code regarding special provisions in the CC-1 Central Commercial zone. Council Member Shelton seconded the motion. Voting was as follows:

RESULT:	DENIED [UNANIMOUS]
MOVER:	Clark Taylor, Council Member
SECONDER:	Rob Shelton, Council Member
AYES:	Barnes, Carroll, Hunter, Shelton, Taylor

2. Review and action on the master plan amendment and development agreement for the Lake City Row project.

This item was pulled from the agenda.

3. Review and action on an ordinance approving a zone map amendment located at 860 East 930 South, from the PI-1 Planned Industrial to the PC Planned Community zone.

This item was pulled from the agenda.

4. Review and action on an ordinance approving the North Bench Annexation consisting of 26.02 acres at 800 West 500 South, including the ordinance of annexation, annexation agreement, and placement of the property in the Transit Oriented Development zone.

Council Member Shelton stated that he received an email today in regard to the block assignment this would be going in. He did not see anywhere in the annexation agreement where blocks were assigned, and he needed clarification on the matter. Mr. Olsen explained that this would come later, and if there was any request to change the block type that would come to the City Council; the Planning Commission recommended the block type. Council Member Shelton asked about the zoning. Mr. Olsen explained that the block type was assigned but changes could be requested; by default, however, they there were as.

Council Member Carroll mentioned there was a range of density within the Garden District. The Code specified that lower densities should be at the edge of the district. She wanted the City to keep an eye on development taking place in that area with regard to density.

Council Member Taylor moved to adopt Ordinance No. 2021-08-37 approving the North Bench Annexation consisting of 26.02 acres at 800 West 500 South including the Ordinance of Annexation, annexation agreement, and placement of the property in the TOD zone. Council Member Carroll seconded the motion. Voting was as follows:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Clark Taylor, Council Member
SECONDER:	Staci Carroll, Council Member
AYES:	Barnes, Carroll, Hunter, Shelton, Taylor

5. 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 and ordinance adopting the Stonecreek Plat G Conservation PUD, located at approximately 350 West 900 South in the PR-3.0 Residential zone.

Council Member Carroll moved to approve the final plat and Ordinance No. 2021-08-38 adopting the Stonecreek Plat G Conservation PUD, located at approximately 350 West 900 South in the PR-3.0 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 and publication of the ordinance subject to all conditions identified in the public record associated with the July 21, 2021 Planning Commission meeting. Council Member Taylor seconded the motion. Voting was as follows:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Staci Carroll, Council Member
SECONDER:	Clark Taylor, Council Member
AYES:	Barnes, Carroll, Hunter, Shelton, Taylor

b. Review and action on the final plat and ordinance adopting the site plan for the Walton Townhome Planned Community Development Project located at 781 East Quality Drive in the PC Planned Community zone.

Council Member Shelton moved to approve the final plat and Ordinance No. 2021-08-39 adopting the site plan for the Walton Townhome Planned Community Development Project located at 781 East Quality Drive in the PC Planned Community 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 and publication of the ordinance subject to all conditions identified in the public record associated with the July 21, 2021 Planning Commission meeting. Council Member Taylor seconded the motion.

Council Member Carroll mentioned a street on the north end with a sidewalk, and she wanted to know if it would always be a dead end or if it would eventually go through. Mr. Olsen stated that the street in question would not go through as that was a private road.

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rob Shelton, Council Member
SECONDER:	Clark Taylor, Council Member
AYES:	Barnes, Carroll, Hunter, Shelton, Taylor

- c. Review and action on an ordinance approving a commercial site plan for Roderick Enterprises, located in the area of 1500 South 400 East in the PI-1 Planned Industrial zone.

Mr. Olsen presented the staff report and explained that this was the third phase in the Roderick project. There were some issues that had to be worked out so it was tabled the first time. Last week, it went back before the Planning Commission and was unanimously approved.

Mayor Frost explained that the applicant wanted to move this along as quickly as possible. As it was unanimous, he made the decision to move this forward without the minutes. He felt this was vetted out with staff and the Planning Commission.

Council Member Barnes said he was pleased with the project already completed.

Council Member Barnes moved to adopt Ordinance No. 2021-08-40 approving a commercial site plan for Roderick Enterprises, located in the area of 1500 South 400 East in the PI-1 Planned Industrial 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 August 4, 2021, Planning Commission meeting. Council Member Hunter seconded the motion.

Voting was as follows:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kevin Barnes, Council Member
SECONDER:	Ryan Hunter, Council Member
AYES:	Barnes, Carroll, Hunter, Shelton, Taylor

6. Review and action on an ordinance adopting the Personnel Policies and Procedures Manual dated August 2021.

Camden Bird, Community Services Director, stated that he was there to answer any questions. These were minor changes and staff felt this did not need to be discussed at a work session.

Council Member Shelton moved to approve Ordinance No. 2021-08-41 approving the amended personnel policies and procedures manual. Council Member Hunter seconded the motion. All were in favor.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rob Shelton, Council Member
SECONDER:	Ryan Hunter, Council Member
AYES:	Barnes, Carroll, Hunter, Shelton, Taylor

7. Review and action on a resolution adopting revisions to the American Fork City Procurement Policy.

Anna Montoya, Finance Director, explained that the revised policy was discussed on August 3rd. There were minor changes made due to the discussion that ensued that night. In Section 10.6, there was some clarification regarding the procedure for obtaining emergency approval. She noted the Council had discussed a threshold for professional services, and after looking at other cities and entities the amount listed was standard. More often than not, services were bid out through the RFP process.

Council Member Carroll stated she was in support of the professional services being kept in. She looked into this issue further and felt that this would allow some flexibility for the City.

There was some discussion on the RFP process and which services would be bid out this way. Council Member Hunter stated that he did not like the idea of managing rather than governing through this policy. In response to questions from Council Member Shelton, Mr. Bunker explained that the Council would be made aware of contracts awarded through the RFP process.

Council Member Carroll moved to approve Resolution No. 2021-08-30R adopting the amended American Fork City Procurement Policy. Council Member Barnes seconded the motion. Voting was as follows:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Staci Carroll, Council Member
SECONDER:	Kevin Barnes, Council Member
AYES:	Barnes, Carroll, Hunter, Shelton, Taylor

8. Review and action on a Lease Agreement for continued access into our Network Operations Center with Syringa Networks, LLC.

Council Member Shelton moved to approve the lease agreement with Syringa Networks, LLC. Council Member Taylor seconded the motion. Voting was as follows:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rob Shelton, Council Member
SECONDER:	Clark Taylor, Council Member
AYES:	Barnes, Carroll, Hunter, Shelton, Taylor

9. Review and action on a resolution approving the declaration of items to be surplus and disposed of.

Council Member Taylor moved to approve Resolution No. 2021-08-31R declaring a mower to be surplus and disposed of. Council Member Shelton seconded the motion. Voting was as follows:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Clark Taylor, Council Member
SECONDER:	Rob Shelton, Council Member
AYES:	Barnes, Carroll, Hunter, Shelton, Taylor

10. Consideration and action to enter into a closed session to discuss items described in Utah State Code 52-4-204 and 52-4-205.

Council Member Taylor moved to enter into a closed session at 7:56 p.m. Council Member Shelton seconded the motion. Voting was as follows:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Clark Taylor, Council Member
SECONDER:	Rob Shelton, Council Member
AYES:	Barnes, Carroll, Hunter, Shelton, Taylor

The City Council entered into a closed session to discuss the professional character and competence of individuals and pending litigation at 8:03 p.m. Those present included Mayor Frost, Council Member Barnes, Council Member Carroll, Council Member Hunter, Council Member Shelton, and Council Member Taylor. Also present were City Administrator David Bunker, City Attorney Cherylyn Egner, and City Recorder Terilyn Lurker.

The professional character and competence of individuals was discussed (See attachment) until

8:34 p.m. Pending litigation was then discussed, and audio recorded as per state law.

Council Member Shelton moved to return to the regular session at 8:57 p.m. Council Member Taylor seconded the motion. Voting was as follows:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rob Shelton, Council Member
SECONDER:	Clark Taylor, Council Member
AYES:	Barnes, Carroll, Hunter, Shelton, Taylor

11. Adjournment.

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

The meeting adjourned at 8:57 p.m.



Terilyn Lurker, City Recorder

**AMERICAN FORK CITY
MAYOR'S AFFIDAVIT
Bradley J. Frost, Mayor**

I, Mayor Bradley J. Frost, do solemnly swear and affirm that a portion of the closed session of the American Fork City Council meeting on Tuesday, August 10, 2021, was to discuss the professional character and competence of individuals.



Bradley J. Frost, Mayor

State of Utah
County of Utah

Subscribed and sworn to before me this 11 day of August, 2021.



Signature of Notary Public

My Commission Expires: 2/4/24

