

AMERICAN FORK CITY COUNCIL
AUGUST 22, 2023
REGULAR SESSION MINUTES

ATTACHMENT

Members Present:

Bradley J. Frost	Mayor
Kevin Barnes	Council Member
Staci Carroll	Council Member
Ryan Hunter	Council Member
Clark Taylor	Council Member

Members Absent:

Rob Shelton	Council Member
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Staff Present:

David Bunker	City Administrator
Camden Bird	Assistant City Administrator
Terilyn Lurker	City Recorder
Derric Rykert	Community Services Director
Patrick O'Brien	Development Services Director
Aaron Brems	Fire Chief
George Schade	IT Director
Cherylyn Egner	Legal Counsel
Cameron Paul	Police Chief
Susan Goebel-Canning	Public Works Director

Also present: Christina Ballard, Tim Holley, Ernie John, Reed Miller, Brent Skidmore, Larry Myler, Lisa Smith, Tyler Horan, Ben Wheat, Mike Roderick, Nicole SaBelle, Scott Warren, Renee Bailey, 3 additional adults and 8 scouts.

The American Fork City Council held a public hearing in conjunction with the regular session on Tuesday, August 22, 2023, in the American Fork City Hall, 31 North Church Street, commencing at 7:00 p.m.

PUBLIC HEARING

- Receiving public comment on the Deer Park-Thomson Annexation consisting of 4.35 acres at approximately 50 West 1100 South.

There were no public comments.

- Receiving public comment on the Deer Park-South Annexation consisting of 6.833 acres at approximately 50 West 1300 South.

There were no public comments.

REGULAR SESSION

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

Those present recited the Pledge of Allegiance and the invocation was offered by Council Member Taylor. Roll call was taken. Council Member Shelton was excused from the meeting.

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

Reed Miller. Mr. Miller introduced himself and commented he has lived in American Fork for over 15 years. He expressed his appreciation for the road work done by the Junior High. He has lived all over, from California to Argentina to Mexico to Utah, and American Fork is the best city he has lived in. He trusts the council that they will keep the appropriate balance in the buildout of the city. He noted the Senior Citizen Center is great and has a great program.

Nicole SaBell. Ms. SaBell stated she lives in American Fork and works for Century Communities, who is one of the builders on the south side of town. Many of the neighbors are concerned about the rumors of the Vineyard connector. There are a lot of rumors going around, so she was hoping to find current information for the planned roads in the area and at what point those plans won't change. She noted they would be meeting with Mr. Bunker tomorrow night. Mr. Bunker stated he would be able to address those questions tomorrow.

Scott Warren. Mr. Warren commented he was in attendance last month regarding the "swamp" in that same community referenced by Sabelle. It appears some work has been done, but they were concerned about the berm around the swamp and making sure it was constructed correctly. He wanted to know if they are draining the swamp or creating a green space. It was noted that Mr. Bunker would be able to address that as well.

3. City Administrator's Report

David Bunker explained staff would be getting together for the 9/11 Day of Service project in September, to which the public was invited to participate. He invited everyone to log on to justserve.org for opportunities to service.

4. Council Reports

Council Member Hunter thanked the Police Department for the Night Out Against Crime event; it is a wonderful event, and he appreciated the police putting that together. He expressed his appreciation for where everyone is going in their lives and noted his son was being sworn into the Air Force on Wednesday.

Council Member Barnes also expressed his appreciation for the Night Out Against Crime event; it was a wonderful community affair and emphasizes the good relationship between the police and the community. He congratulated Council Member Hunter's son on joining the military. Council Member Barnes stated the Veterans of Foreign Wars and

the American Legion are separate entities that involve those who have served. They are a great group of people who attend the city parades, typically carrying the flag at the start. He was told how the residents in American Fork stand up for the flag and place their hands over their hearts, standing at attention while the flag passes. Council Member Barnes reported the Cemetery Committee has met to begin the early planning for Veterans Day Program to be held on Friday, November 10th at the Alpine Tabernacle, in which everyone was invited to attend. He explained the program will be on Friday so the 5th grade students could attend the program.

Council Member Carroll had nothing to report.

Council Member Taylor expressed his appreciation for Council Member Hunter's son's willingness to serve the country. He noted he met with residents in the northwest quadrant of town regarding the roadwork being performed. Staff members were present, along with over 30 residents. There were a lot of feelings expressed on the roadwork, process, and safety, and they were able to find things going on that needed to be corrected, which they were able to do. This gives the city the opportunity to make corrections as well as having the arborist walk the area to bring some peace to residents on the streets. He was grateful for the staff and for the citizens who spoke up. Progress has been made today on the concerns and he commented the city could do better with communication. It was a great opportunity to hold that meeting.

5. Mayor's Report

Mayor Frost stated the kids were lining up for the dunk machine during the annual Night Out Against Crime event; it was great to interact with the Police Department. Mayor Frost stated that each year at the Veterans Day and Memorial Day program, the names of those residents of American Fork who have been killed in the line of duty are read. There are a few names with MIA next to their names. Jim Chipman has been on that list, and after 50 years they have been able to locate Chipman's remains. On November 10th, they will remove MIA from his name on the plaque. Mayor Frost explained there is a large pine tree in Robinson Park that was placed in his honor. He noted more information will be forthcoming.

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 August 1, 2023, work session minutes.
2. Approval of the August 8, 2023, city council minutes.
3. Approval of easements for 620 South 600 East Traffic Signal
4. Ratification of city payments (August 2, 2023, to August 15, 2023) and approval of purchase requests over \$50,000.

Council Member Taylor moved to approve the common consent agenda. Council Member Hunter seconded the motion. Voting was as follows:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Clark Taylor, Council Member
SECONDER:	Ryan Hunter, Council Member
YES:	Kevin Barnes, Staci Carroll, Ryan Hunter, Clark Taylor
ABSENT:	Rob Shelton

Mayor Frost explained the council has access to the city council packets at the end of last week to give them time to study the information and ask questions prior to this meeting.

ACTION ITEMS

1. Review and action on a cleaning contract with Caliber Cleaning Services to provide services in City buildings.

Council Member Barnes commented it was nice to see all the companies who have responded and appreciated the bidding process.

Council Member Barnes moved to approve the mayor to sign the two-year contract with Caliber Cleaning Solutions. Council Member Taylor seconded the motion.

Voting was as follows:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kevin Barnes, Council Member
SECONDER:	Clark Taylor, Council Member
YES:	Kevin Barnes, Staci Carroll, Ryan Hunter, Clark Taylor
ABSENT:	Rob Shelton

2. Review and action on a request to reallocate \$2,000 in PARC funds from the Wasatch Contemporary Dance project titled "culminating performance" to a project titled "Professional Dance Workshop Experience for Young Dancers" by the same organization.

Camden Bird explained the council awarded \$2000 in PARC Tax funds to Wasatch Contemporary Dance for a project which they had requested approximately \$4800 for. They found could not hold this event with the reduction of funds, so they have proposed a different activity that would benefit students at the high school. The PARC Tax board are in favor of this change.

Council Member Taylor moved to grant the request to reallocate \$2,000 in PARC funds to the Wasatch Contemporary Dance project titled “culminating performance” to a project titled “professional dance workshop experience for young dancers” by the same organization. Council Member Barnes seconded the motion.

Voting was as follows:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Clark Taylor, Council Member
SECONDER:	Kevin Barnes, Council Member
YES:	Kevin Barnes, Staci Carroll, Ryan Hunter, Clark Taylor
ABSENT:	Rob Shelton

3. Review and action on a proposed Land Use Map Amendment, located at 6411 North 5750 West (approximately 1500 South and 100 East), from the Residential Very- Low Density designation to the Design Industrial land use designation.

Patrick O'Brien explained this property was currently in the annexation process, with a proposed site plan project for his adjoining property. Approval of this land use map amendment would allow staff to move forward with the appropriate zone when the annexation is finalized.

Council Member Taylor moved to adopt Resolution No. 2023-08-35R approving the proposed land use map amendment, located at 6411 North 5750 West, from the Residential Very Low-Density designation to the Design Industrial designation.

Council Member Hunter seconded the motion. Voting was as follows:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Clark Taylor, Council Member
SECONDER:	Ryan Hunter, Council Member
YES:	Kevin Barnes, Staci Carroll, Ryan Hunter, Clark Taylor
ABSENT:	Rob Shelton

4. Review and action on a proposed Code Text Amendment, known as Deer Park – Code Text Amendment, of the American Fork City Municipal Code. Amending Sections 17.4.502 and 17.7.701, the Code Text Amendment plans to provide outdoor storage areas for businesses located in the Planned Industrial (PI-1) Zone.

Mr. O'Brien explained this was tabled at the last city council meeting, after which they made some adjustments to include five or six different criteria for outdoor storage areas.

The council expressed their appreciation for the work done, feeling this addressed their concerns. Appreciation was expressed for the detailed planning commission minutes.

Council Member Carroll moved to adopt Ordinance No. 2023-08-29 approving a code text amendment to Sections 17.4.502 and 17.7.701 to allow outside storage in the PI-1 Zone, with instructions to the city recorder to withhold publication of the ordinance subject to any conditions found in the public record of the July 19, 2023, planning commission meeting. Council Member Hunter seconded the motion.

Voting was as follows:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Staci Carroll, Council Member
SECONDER:	Ryan Hunter, Council Member
YES:	Kevin Barnes, Staci Carroll, Ryan Hunter, Clark Taylor
ABSENT:	Rob Shelton

5. Review and action on an ordinance approving the Deer Park-Thomson Annexation, consisting of 4.35 acres at approximately 50 West 1100 South, including the ordinance of annexation, annexation agreement, street dedication plat, and placement of the property in the PI-1 zone.

Council Member Taylor moved to adopt Ordinance No. 2023-08-30 approving the Deer Park-Thomson Annexation, consisting of 4.35 acres at approximately 50 West 1100 South, including the ordinance of annexation, annexation agreement, street dedication plat, and placement of the property in the PI-1 zone, and authorize the mayor and council to sign the annexation documents, annexation plat, and street dedication plat. Council Member Hunter seconded the motion. Voting was as follows:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Clark Taylor, Council Member
SECONDER:	Ryan Hunter, Council Member
YES:	Kevin Barnes, Staci Carroll, Ryan Hunter, Clark Taylor
ABSENT:	Rob Shelton

6. Review and action on an ordinance approving the Deer Park-South Annexation, consisting of 6.833 acres at approximately 50 West 1300 South, including the ordinance of annexation, annexation agreement, street dedication plat, and placement of the property in the PI-1 and PF zone.

It was explained there is one parcel between the Deer Park annexations and the boat harbor road.

Council Member Carroll moved to adopt Ordinance No. 2023-08-31 approving the Deer Park-South Annexation, consisting of 6.833 acres at approximately 50 West 1300 South, including the ordinance of annexation, annexation agreement, street dedication plat, and placement of the property in the PI-1 and PF zone, and authorize the mayor and council to sign the annexation documents, annexation plat, and street dedication plat. Council Member Taylor seconded the motion. Voting was as follows:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Staci Carroll, Council Member
SECONDER:	Clark Taylor, Council Member
YES:	Kevin Barnes, Staci Carroll, Ryan Hunter, Clark Taylor
ABSENT:	Rob Shelton

7. Review and action on an ordinance approving a Zone Change for approximately 6.22 acres of land located at approximately 383 South 500 East, from the Planned Commercial (GC-2) Zone to the General Commercial (GC-1) Zone.

Mr. O'Brien explained this request came before the council a few months ago, where it was tabled so staff and the development could work on a development agreement. They have not been able to come to an agreement.

Larry Myler commented that three months have passed with no progress on a development agreement. They are asking for the council to consider the zone change, which would allow them to have commercial on part of the property. The acreage would not allow for a grocery store, but they could have a convenience store or restaurant. They would still like to have a residential project along the east side of the project. They suggested they approve this zone change request with the stipulation that commercial remain adjacent to 500 East with residential on the remaining 4.3 acres. He noted this is in an opportunity zone with the clock ticking, so they would like to move forward in a way that doesn't disregard the council's desire for commercial. A development agreement would take time, so they would like to move forward with the zone change understanding it would come back to them with a site plan approval.

Mayor Frost stated he feels they are eroding commercial property for residential and would prefer to keep that property commercial. He asked the council how they felt about the request.

Council Member Hunter appreciated the intent, but he was concerned that they would only use 2 acres for commercial use. He would be more inclined if the commercial went to the east lining up with the rear of the Deseret Industries property. He was committed to commercial and would love to have an anchor tenant along 500 East. While he could get onboard with residential on the east side, he was less inclined unless it preserved more than 2 acres for commercial use.

Council Member Taylor agreed with Council Member Hunter, and stated he was not inclined for more high-density housing or moving forward with a zone change that would allow for residential.

Council Member Carroll stated when the applicant was before the council before, she stated she was very concerned with losing commercial property. She wanted substantial commercial and could not support a zone change.

Council Member Barnes stated this was a property rights issue. He understands what the council was saying, but at this point he had no problem with the applicant putting a little store out front and housing on the rest.

It was confirmed that the property was already zoned commercial when the property was purchased. Mr. Myler stated that he bought the property at a cost that would not work for a commercial-only project.

Council Member Carroll stated she does not do this lightly, but she has to do what she feels is best for the city.

Council Member Carroll moved to deny approval of the Cascade Zone Change, located at approximately 383 South 500 East, from the Planned Commercial (GC-2) zone to the General Commercial (GC-1) zone. Council Member Hunter seconded the motion. Voting was as follows:

RESULT:	DENIED [3 TO 1]
MOVER:	Staci Carroll, Council Member
SECONDER:	Ryan Hunter, Council Member
YES:	Staci Carroll, Ryan Hunter, Clark Taylor
NO:	Kevin Barnes
ABSENT:	Rob Shelton

8. Review and action on an appeal of the Planning Commission’s denial of the Preliminary Plan for Roderick Catalyst Business Park Ph 3, located in the area of 1600 South 150 East, in the PI-1 Planned Industrial zone.

Mr. O'Brien stated the Planning Commission denied approval of the preliminary plan. As the proposal did not meet the current city code or master plans, staff could not recommend approval. There were a number of findings of facts, so the commission denied approval. The items were substantial engineering items that would have an impact on the area as they are issues with the transportation master plan. The applicant has appealed the decision to the city council to overturn the denial.

Council Member Carroll commented that there was a lot of information in the packet, and she felt they have plenty of information in which to make a decision. She was unwilling to have the conversation about the temporary cul-de-sac, and she would hold firm as there had previously been discussions that that and they felt they came to the best resolution with that. With the intersection, she understands their reasoning, but it was in the master plan. If they chose to change the master plan, they could do that but felt the roundabout was the best decision.

Council Member Hunter appreciated Council Member Carroll’s position; however, he had a different opinion. He felt it was the appropriate action by the Planning Commission

since the project did not fit the city code, but he felt there was an opportunity for change. He would prefer a light in that location rather than a round-a-bout. He spoke to Mr. Bunker and to Rod Martin, and for him there was an opportunity to consider how to approve the project. While he didn't feel they could move to approve this now, he felt they could evaluate amending the master plan so it could comply. When the master plan was created, the vision was different for that area. He felt they could work with the developer and see what was best for the community. Council Member Hunter also felt there were a few things that didn't make sense, such as the dumpster requirements, and the design was not intended to circumvent the code. He re-stated that he while he thought denial was the right decision, they could look at changes so the project would meet the city code. There were opportunities for different options.

It was noted the preliminary plan that was denied, a final plan that was recommended denial, and two items that were tabled by the planning commission.

Mr. Bunker pointed out the issue would also require a realignment of the road and the infrastructure. There was a short discussion on amending the master plan. It was noted an amendment would have to go back through the planning commission but did not need to be a two-year process.

Council Member Barnes stated it was a lot of reading material, but he quoted a member of the planning commission who said the roundabout was ludicrous. Council Member Barnes felt roundabouts were more for residential areas and not industrial areas. He was also concerned about the idea of enclosures for the garbage. He pointed out the applicants have started a project in the area that has been approved in the past and he felt they should be able to continue with a project that matches what is already there. If they have allowed the applicant to do that in the other project even if it didn't meet code, he felt they needed to allow that in this project.

Mr. O'Brien explained the enclosure has been problematic with other large projects as there is a standard, however, there isn't much wiggle room with the code. They understand the issues, but staff does not have the ability to recommend approval that goes against code.

Council Member Barnes stated he likes flexibility in projects.

Ben Wheat, with Roderick Enterprises, explained he oversees the development in the area and had some information he wanted to get to the council. He commented that this project went through seven reviews over nine months and two different traffic studies. On the seventh review, the roundabout came back into the redlines. Mr. Wheat stated they felt they had come to a roadblock. The two issues are the roundabout on 1500 South and 100 East and the temporary cul-de-sac which was constructed as part of Phase 2 improvements. With the code change on temporary cul-de-sacs, they now have to change

that to a permanent cul-de-sac which will be ripped out when TSSD installs their road. Mr. Wheat explained there was a memo done by Hales Engineering with information on Ben Hunter's question on the assumption of growth used on traffic level by the 2050 plan. traffic. He further explained Horrocks Engineering's assumptions for the 2050 model was based on was on 6.5% increases annually on 100 East and 7.1% on 1500 South. Hales Engineering used 12.3% and 11%, which was almost double their assumption. Based on the traffic study, in 2050, that level of service was still at level A. Hales Engineering did a sensitivity analysis on the additional grown until the 4-way stop fails, and their conclusion was a 1762 and 968 increase on those roads. They only have one way to do this; they will never sale this project and this is an important detail to them. Mr. Wheat had a map that showed the transportation plan that has four roundabouts on the general plan on 1500 South from the Pleasant Grove Interchange to Boat Harbor Road, which they did not feel was appropriate to funnel that level of traffic. He thought there was a benefit to roundabouts in residential areas with high levels of traffic, but in their three traffic studies the volume did not show the volumes were not projected.

Council Member Hunter commented that he did not feel tabling action would work and that the right thing to do was to deny it, thinking there were ways to accomplish this.

Ms. Egner explained the suggested motion refers to findings of fact. She noted the council does not have to accept all the findings of fact, but they do have to specify which findings the council was moving to deny the project under.

Council Member Hunter felt the cul-de-sac on 1700 South could be addressed with some sort of connectivity between the 1600 South cul-de-sac and this one. He also felt there was a way to not step on what they have already decided on cul-de-sacs due to the connectivity.

Mr. Wheat stated that the temporary cul-de-sac was constructed in Phase 2, but they were told they needed to change it to fit the new code. He pointed out that TSSD's intention was to continue 1700 South to Boat Harbor Road. The city staff's intention was to have them build the entire cul-de-sac and then deed property back to them when the road went through, but they would prefer a temporary cul-de-sac as it was in Phase 2. If the road hasn't gone through by the time they construct lot 7, they would then construct the cul-de-sac.

It was mentioned that Lot 7 could be removed from the plat and placed in Phase 4, which would then be considered at that time of development.

Council Member Hunter moved to deny the proposed preliminary plan, located at approximately 1600 South 150 East, in the PI-1 zone as it does not comply with the American Fork Municipal Code, including, but not limited to, Findings of Fact 1, 2 and 3 identified in the staff report. Council Member Carroll seconded the motion.

Council Member Hunter commented he felt they could work on this.

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

RESULT:	DENIED [UNANIMOUS]
MOVER:	Ryan Hunter, Council Member
SECONDER:	Staci Carroll, Council Member
YES:	Kevin Barnes, Staci Carroll, Ryan Hunter, Clark Taylor
ABSENT:	Rob Shelton

9. 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 Roderick Catalyst Subdivision Phase 3, located in the area of 1600 North 150 East in the PI-1 Planned Industrial zone.

Council Member Hunter moved to deny the final plat, located at approximately 1600 South 150 East, in the PI-1 zone as it does not comply with the American Fork Municipal Code, including, but not limited to, not having received approval of a preliminary plat and Findings of Fact 1 and 2 identified in the staff report. Council Member Taylor seconded the motion. Voting was as follows:

RESULT:	DENIED [UNANIMOUS]
MOVER:	Ryan Hunter, Council Member
SECONDER:	Clark Taylor, Council Member
YES:	Kevin Barnes, Staci Carroll, Ryan Hunter, Clark Taylor
ABSENT:	Rob Shelton

10. Review and action on an ordinance amending Sec. 17.4.402 of the American Fork Municipal Code relating to permitted uses in the General Commercial (GC-1) zone. Mr. O'Brien explained the code text amendment pulled out the provision that allows for residential in the GC-1 zone.

Council Member Carroll moved to adopt Ordinance No. 2023-08-32 approving the code text amending Section 17.4.402 of the American Fork City Municipal Code relating to the permitted uses in the General Commercial (GC-1) zone and proving an effective date for the ordinance. Council Member Taylor seconded the motion. Voting was as follows:

RESULT: APPROVED [UNANIMOUS]
MOVER: Staci Carroll, Council Member
SECONDER: Clark Taylor, Council Member
YES: Kevin Barnes, Staci Carroll, Ryan Hunter, Clark Taylor
ABSENT: Rob Shelton

11. Review and action on approval of a contract with J-U-B Engineers for professional services for the Boat Harbor Master Plan.

Council Member Carroll moved to approve having the mayor sign the agreement for professional services with J-U-B Engineers. Council Member Barnes seconded the motion. Voting was as follows:

RESULT: APPROVED [UNANIMOUS]
MOVER: Staci Carroll, Council Member
SECONDER: Kevin Barnes, Council Member
YES: Kevin Barnes, Staci Carroll, Ryan Hunter, Clark Taylor
ABSENT: Rob Shelton

12. Review and action on the award of the contract for the traffic signal at 620 South 600 East to Cache Valley Electric.

Council Member Taylor moved to approve accepting the bid submitted by Cache Valley Electric for construction of the traffic signal at 620 South 600 East and other site improvement for the amount of \$306,788.15 and approve the construction contract as presented. Council Member Carroll seconded the motion. Voting was as follows:

RESULT: APPROVED [UNANIMOUS]
MOVER: Clark Taylor, Council Member
SECONDER: Staci Carroll, Council Member
YES: Kevin Barnes, Staci Carroll, Ryan Hunter, Clark Taylor
ABSENT: Rob Shelton

13. Review and action on an ordinance amending Chapter 15.30 of the American Fork City Code relating to the naming of Public Parks, Buildings, and Streets.

Council Member Carroll moved to adopt Ordinance No. 2023-08-33 of the city code relating to the naming of public parks, buildings, and streets. Council Member Taylor seconded the motion. Voting was as follows:

RESULT: APPROVED [UNANIMOUS]
MOVER: Staci Carroll, Council Member
SECONDER: Clark Taylor, Council Member
YES: Kevin Barnes, Staci Carroll, Ryan Hunter, Clark Taylor
ABSENT: Rob Shelton

14. Review and action on an ordinance approving the adjustment of the common boundary with Pleasant Grove City, located at approximately 1485 East 300 North (Parcel No: 14:018:0067) and consisting of approximately 0.73 acres, to allow said property to be annexed into Pleasant Grove City.

Council Member Taylor moved to adopt Ordinance No. 2023-08-34 approving the adjustment of the common boundary with Pleasant Grove City, located at approximately 1485 East 300 North (Parcel No. 14:018:0067) consisting of approximately 0.73 acres, to allow said property to be annexed into Pleasant Grove City. Council Member Hunter seconded the motion.

It was noted that Pleasant Grove City was in favor and already approved the boundary adjustment.

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Clark Taylor, Council Member
SECONDER:	Ryan Hunter, Council Member
YES:	Kevin Barnes, Staci Carroll, Ryan Hunter, Clark Taylor
ABSENT:	Rob Shelton

15. Review and action on a resolution consenting to the reorganization of the Timpanogos Special Service District (TSSD) as a Special District.

Council Member Taylor moved to adopt Resolution No. 2023-08-36R consenting to the reorganization of the Timpanogos Special Service District as a Special District.

Council Member Carroll seconded the motion. Voting was as follows:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Clark Taylor, Council Member
SECONDER:	Staci Carroll, Council Member
YES:	Kevin Barnes, Staci Carroll, Ryan Hunter, Clark Taylor
ABSENT:	Rob Shelton

16. 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 Hunter moved to enter into a closed session as described in Utah State Code 52-4-204 at 8:38 p.m. held for discussion of the character, professional competence, or physical or mental health of an individual, strategy session to discuss collective bargaining, and strategy session to discuss pending or reasonably imminent litigation, and strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares. Council Member Barnes seconded the motion. Voting was as follows:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ryan Hunter, Council Member
SECONDER:	Kevin Barnes, Council Member
YES:	Kevin Barnes, Staci Carroll, Ryan Hunter, Clark Taylor
ABSENT:	Rob Shelton

Mayor Frost noted they will meet in the downstairs workroom for the closed session, after which they will reconvene as council and adjourn the meeting from that location.

The City Council entered into a closed session to discuss the character, professional competence, or physical or mental health of an individual, strategy session to discuss collective bargaining, and strategy session to discuss pending or reasonably imminent litigation, and strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares at 8:47 p.m. Those present included Mayor Frost, Council Member Barnes, Council Member Carroll, Council Member Hunter, and Council Member Taylor. Council Member Shelton was excused. Also present were City Administrator David Bunker, City Civil Attorney Cherylyn Egner, and City Recorder Terilyn Lurker.

The closed session to discuss collective bargaining, pending or reasonably imminent litigation, and the purchase, exchange, or lease of real property, including any form of a water right or water shares was discussed, and audio recorded as required by law. This portion of the closed session ended at 9:25 p.m. The professional character and competence of individuals was then discussed. (See attachment).

Council Member Taylor moved to return to the regular session at 9:48 p.m. Council Member Hunter seconded the motion. Voting was as follows:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Clark Taylor, Council Member
SECONDER:	Ryan Hunter, Council Member
YES:	Kevin Barnes, Staci Carroll, Ryan Hunter, Clark Taylor
ABSENT:	Rob Shelton

11. Adjournment

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

The meeting adjourned at 9:49 p.m.



Terilyn Lurker, City Recorder

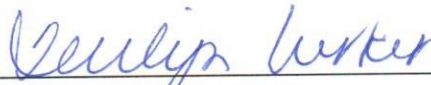
**AMERICAN FORK CITY
MAYOR'S AFFIDAVIT
Bradley J. Frost, Mayor**

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 22, 2023, was to discuss the professional character and competence of individual(s).


Bradley J. Frost, Mayor

State of Utah
County of Utah

Subscribed and sworn to before me this 23 day of August 2023.


Signature of Notary Public



My Commission Expires: 02/04/2024