

AMERICAN FORK CITY COUNCIL  
OCTOBER 12, 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
Terilyn Lurker	City Recorder
Anna Montoya	Finance Officer
George Schade	IT Director
Cherylyn Egner	Legal Counsel
Cameron Paul	Police Chief
Scott Sensanbaugher	Public Works Director

Also present: Christine Anderson, Julie Smith, and six additional people.

The American Fork City Council held a public hearing in conjunction with the regular session on Tuesday, October 12, 2021, in the American Fork City Hall, 31 North Church Street, commencing at 7:00 p.m.

PUBLIC HEARING

- Receiving public comment on the vacation of a portion of a public utility easement at 714 North 700 West Circle and 713 North 700 West Circle.

There were no public comments.

REGULAR SESSION

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

Those present recited the Pledge of Allegiance and an invocation was offered by Council Member Barnes. 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 Ryan Hunter expressed gratitude to the Chamber of Commerce for the debate they hosted. He reported on his meeting with the advisory committee in which they went through the stormwater management plan. He noted they have been meeting for a few months to put together this plan. Council Member Hunter discussed the makeup of the committee and expressed gratitude for all the work they have put into the project. He also noted they are working on creating and further updating the plan for the permit and that should be before the Council shortly.

Council Member Rob Shelton had nothing to report on.

Council Member Kevin Barnes noted he was pleasantly surprised at the size of the crowd at the debate. He stressed how good he felt about participating in the event. He then noted that John Woffinden's grandson's funeral was a couple of weeks ago; the Fire and Police Departments did a wonderful job showing their love for this little boy. He emphasized how wonderful their community truly is.

Council Member Staci Carroll also expressed her gratitude for the Chamber and the debate. She announced that Halloween on Main was on Friday, October 29<sup>th</sup>, from 3:30 to 5:30 pm.

Council Member Clark Taylor had nothing to report.

5. Mayor's Report

Mayor Bradley J. Frost reported that he had the opportunity to meet with Congressman John Curtis. He also spoke to the first graders at Greenwood Elementary about the community.

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 September 7, 2021 work session minutes.
2. Approval of the authorization to release the Improvements Construction Guarantee in the amount of \$4,900.00 and issue a Notice of Acceptance for the LAKE CITY ROW SEWER construction of public improvements located at 620 South 860 East.
3. Ratification of city payments (September 22, 2021 to October 5, 2021) 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:**

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

**\*Council Member Barnes abstained from approval of the September 7, 2021, work session minutes as he was not in attendance at that meeting.**

ACTION ITEMS

1. Review and action to approve forfeiture of a surety bond, posted by Merchant's Bonding Co. on behalf of True Trenchless.

Public Works Director Scott Sensanbaugher explained this item was a forfeiture of a bond. He noted this is rare, and they have been trying to work with the contractor prior to doing the repair on their own.

Council Member Kevin Barnes reiterated that this is rare. Mr. Taylor asked if there was any more asphalt, and expressed concern over the amount of work left to do. Mr. Sensanbaugher said there was asphalt that was put down as a temporary measure to ensure a safe work area. He noted the actual repairs in the area have not been done yet.

**Council Member Taylor moved to approve the forfeiture of the surety bond, posted by Merchant’s Bonding Company, on behalf of True Trenchless, in the amount of \$10,000.00 to repair asphalt located at 80 North 300 West. 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>	Barnes, Carroll, Hunter, Shelton, Taylor

Mr. Sensanbaugher said that, while they have repeat offenders, they treat all offenders the same.

2. Review and action on approval of a real estate agreement for property located at approximately 1800 South 100 West.

Mr. Taylor asked if the plan was to surround this property with asphalt. City Administrator David Bunker said there was already a structure on the City’s property. He pointed out this agreement was to clean up the property line so their structure was on their property. Mr. Bunker stressed that everything would stay as is.

**Council Member Taylor moved approval of the real estate purchase agreement with Timp Marina Club and authorize the Mayor to sign the agreement and quit claim deed. Council Member Hunter seconded the motion. Voting was as follows:**

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

3. Review and action on a resolution approving a land use map amendment for property located at 341 North 300 East from the Medium-Density Residential to the High-Density Residential designation.

Council Member Rob Shelton said he looked at the minutes and felt they were sufficient.

**Council Member Shelton moved to adopt Resolution No. 2021-10-35R approving a land use map amendment for the property located at 341 North 300 East from the Medium-Density Residential to the High-Density Residential designation. Council Member Taylor seconded the motion.**

Council Member Kevin Barnes said the area in question looked like the only property in the area in the high-density designation. Council Member Clark Taylor noted that it was zoned for high density. Council Member Staci Carroll said she had called earlier and found the land use map does not note the density despite the fact the zoning does.

Council Member Staci Carroll asked why the whole area would be zoned as “high density” when it didn’t appear to be wholly high density. Council Member Clark Taylor said this could have been left over from when there were duplexes and professional office spaces in the area. He suggested changing the zoning to just include the north section as high density. Council Member Rob Shelton added that he thought the aesthetic changes made to the area made it look a lot more cleaned up.

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

<b>RESULT:</b>	<b>ADOPTED [4 TO 1]</b>
<b>MOVER:</b>	Rob Shelton, Council Member
<b>SECONDER:</b>	Clark Taylor, Council Member
<b>AYES:</b>	Kevin Barnes, Ryan Hunter, Rob Shelton, Clark Taylor
<b>NAYS:</b>	Staci Carroll

4. Review and action on an ordinance approving a zone map amendment for property located at 341 North 300 East from the R-2-7,500 Residential zone to the R-4-7,500 Residential zone.

**Council Member Shelton moved to adopt Ordinance No. 2021-10-48 approving a zone map amendment for property located at 341 North 300 East from the R-2-7,500 Residential zone to the R-4-7,500 Residential zone. Council Member Barnes seconded the motion. Voting was as follows:**

Ms. Julie Smith came up to speak. She said that, in working with Wendelin Knobloch in the high density zone, they are allowed up to so many units per acre. She stated the max would ever have been five units.

<b>RESULT:</b>	<b>APPROVED [4 TO 1]</b>
<b>MOVER:</b>	Rob Shelton, Council Member
<b>SECONDER:</b>	Kevin Barnes, Council Member
<b>AYES:</b>	Kevin Barnes, Ryan Hunter, Rob Shelton, Clark Taylor
<b>NAYS:</b>	Staci Carroll

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 for Mott Estates B, located at 485 South 380 East.

**Council Member Hunter moved to approve the final plat for Mott Estates B, located at 485 South 380 East 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 the plat subject to all conditions identified in the public record associated with the September 22, 2021 planning commission meeting. Council Member Taylor seconded the motion. Voting was as follows:**

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

6. Review and action on a Second Amendment to the Land Lease Agreement dated October 23, 2018 with T-Mobile West LLC.

Council Member Clark Taylor asked if the applicants were moving the pole or putting up a new one. IT Director George Schade noted they have decided to move the pole about 20 feet closer. He added there will be a new pole installed with the old pole removed.

**Council Member Taylor moved to approve the second amendment to the Land Lease Agreement dated October 23, 2018, with T-Mobile West LLC. 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>	Barnes, Carroll, Hunter, Shelton, Taylor

7. Review and action on a resolution approving the assistance agreement with the Bureau of Reclamation for funding the American Fork City Pressurized Irrigation Metering Project.

Public Works Director Scott Sensanbaugher began by noting this was the agreement for receiving the \$1.5 million of grant money for the first phase of the metering project. He pointed out that this has been reviewed by the legal counsel. Mr. Sensanbaugher stressed that as soon as they can get this agreement signed they are ready to go to bid for the first phase.

Council Member Clark Taylor asked how much the grant will cover. Mr. Sensanbaugher said that the grant will probably cover roughly 30 percent of the City costs while 10 percent of the City is already metered. Council Member Rob Shelton asked about AMI capabilities and what they have decided on. Mr. Sensanbaugher said this bid would not include any of the AMI work, only meters. He said staff analyzed the pros and cons of this plan and felt it made more sense to use the radio network versus the cellular network.

Council Member Rob Shelton asked if they did a study on this problem specifically so they would not have to have people driving around. Mr. Sensanbaugher said they looked at both networks and at not driving around. Staff conducted a cost analysis which showed the difference in the per unit monthly cost. He explained that the City will install the tower when they proceed and ensure they are appropriately located. He added that staff is confident they will need between 41 and 47 towers, and this will yield substantial savings. Council Member Rob Shelton said he heard there have been issues with radio signals and asked if this was also taken into consideration. Mr. Sensanbaugher said yes.

Council Member Kevin Barnes asked where the City would start in implementing these changes. He asked if they planned on scattering around towers or keeping them in one area. Mr. Sensanbaugher said they could be flexible though he was recommending starting in the older part of town. He added he knew there would not be a recommendation for rates until the entire City was completed. He noted the City would be collecting its own data.

Council Member Rob Shelton then asked when they will see the radio system and build out. Mr. Sensanbaugher said that the Governor’s Office of Planning and Budgeting had a program wherein they could submit grant requests for specific projects. He noted many of these options were based on Covid relief with additional emphasis on water savings and drought relief. He noted they have applied for a grant for the rest of the project, and they will find out mid-November where they stand in the application process. He stated that, if the City gets the grant, the City will move ahead whereas if they don’t get the grant, they have other options to assess. Lastly, Council Member Kevin Barnes asked if there was any concern over getting the meters. Mr. Sensanbaugher said he had been given no indication there was a shortage.

**Council Member Taylor moved to approve Resolution No. 2021-10-36R approving the assistance agreement with the Bureau of Reclamation for funding the American Fork City Pressurized Irrigation Metering Project as presented and authorize the City to sign the agreement. 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

8. Review and action on ratification of the purchase agreement for land at approximately 100 East 1100 South.

This was pulled from the agenda.

9. Review and action on an ordinance repealing Chapter 10.08 of the city code titled "American Fork High School Traffic and Parking Regulations."

Legal Counsel Cherylyn Egner stated that it was brought to her attention that this chapter was in the City's code. She noted it was approved in 1983, and the City cannot tell the school district what to do with their property. She added that this was for the parking only.

**Council Member Carroll moved to adopt Ordinance No. 2021-10-49 repealing Chapter 10.08 of the city code titled "American Fork High School Traffic and Parking Regulations." Council Member Barnes seconded the motion. Voting was as follows:**

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

10. Review and action on an ordinance approving the vacation of a portion of the public utility easement at 714 North 700 West Circle and 713 North 700 West Circle.

This action was to vacate a portion of the rear easement. Staff noted it was for a swimming pool.

**Council Member Taylor moved to adopt Ordinance No. 2021-10-50 approving a vacation of a portion of the public utility easements at 714 North and 713 North 700 West Circle, noting there is good cause for the vacating of said portion of the easement and will not be detrimental to the public interests. Council Member Carroll seconded 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

11. Adjournment.

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

The meeting adjourned at 7:51 p.m.



Terilyn Lurker, City Recorder