

AMERICAN FORK CITY
COUNCIL MEETING MINUTES
APRIL 22, 2014

PUBLIC HEARINGS

ATTACHMENT

The American Fork City Council met in two public hearings on Tuesday, April 22, 2014 in the American Fork City Hall, 31 North Church Street. Those present included Mayor James H. Hadfield and Councilmembers Carlton Bowen, Brad Frost, Rob Shelton, Jeff Shorter, and Clark Taylor.

Staff present: Associate Planner Wendelin Knobloch
City Administrator Craig Whitehead
City Engineer Andy Spencer
City Planner Adam Olsen
City Recorder Richard Colborn
City Treasurer Melanie Marsh
Finance Director Cathy Jensen
IT Specialist George Schade
Library Director Sheena Parker
Parks & Recreation Director Derric Rykert
Planning Commission Chairman John Woffinden
Police Chief Lance Call
Public Works Director Dale Goodman

Also present: Dan & Karen Adams, Ken Berg, and three additional persons

7:10 pm RECEIVING OF PUBLIC COMMENT REGARDING THE DECLARING OF PROPERTY TO BE SURPLUS AND TO BE DISPOSED OF - Staff

Mayor Hadfield noted that there were 10 vehicles used by the Police Department and 1 large format copier on this list. He asked for comments. There being no comment the hearing ended at 7:12 p.m.

7:20 pm RECEIVING OF PUBLIC COMMENT REGARDING THE CITY'S INTENT TO ANNEX THE RED LEAF ANNEXATION AT 825 EAST 50 SOUTH CONSISTING OF 1.81 ACRES

Mayor Hadfield asked if there were any comments regarding the City's intent to annex the Red Leaf Annexation at 825 East 50 South consisting of 1.81 acres.

City Recorder Richard Colborn reported that no protests had been received. There being no other comment the hearing concluded at 7:22 p.m.

REGULAR SESSION

The American Fork City Council met in a regular session on Tuesday, April 22, 2014 in the American Fork City Hall, 31 North Church Street, commencing at 7:30 p.m. Those present

included Mayor James H. Hadfield and Councilmembers Carlton Bowen, Brad Frost, Rob Shelton, Jeff Shorter, and Clark Taylor.

Staff present: Associate Planner Wendelin Knobloch
City Administrator Craig Whitehead
City Attorney Kasey Wright
City Engineer Andy Spencer
City Planner Adam Olsen
City Recorder Richard Colborn
City Treasurer Melanie Marsh
Finance Director Cathy Jensen
Fire Chief Kriss Garcia
IT Specialist George Schade
Library Director Sheena Parker
Parks & Recreation Director Derric Rykert
Planning Commission Chairman John Woffinden
Police Chief Lance Call
Public Works Director Dale Goodman

Also present: Former Councilmember Heidi Rodeback, Former Mayor Jess Green, Daniel Copper, Dan & Karen Adams, Roger Griffin, Kyle Barratt, and 15 additional persons.

Mayor Hadfield led the audience in the Pledge of Allegiance and a prayer was offered by Councilman Bowen

Mayor Hadfield invited the Scouts in attendance to the front to introduce themselves.

<u>Troop 14</u>	Isaish Brown	Tayler Blair	Victor Newman
	Bryson Stafford	Brodey Layne	Coby Larsen
	Elijah Hunt	Gaige	Tim Hunt
	+ 1		

Troop 1129 Michael Jet Jensen

Mayor Hadfield expressed that he was happy to have them here. Their names would be placed in the minutes of the meeting. He wished them success along Scouting’s way and the City would love to help them with an Eagle Scout Project.

TWENTY-MINUTE PUBLIC COMMENT PERIOD – LIMITED TO TWO MINUTES PER PERSON

There was no public comment.

CITY ADMINISTRATOR’S REPORT

Mr. Whitehead had nothing to report at this time.

COUNCIL REPORTS CONCERNING COMMITTEE ASSIGNMENTS

Councilman Shorter reported that he met with the Youth City Council earlier today. They were planning a yard sale in May and a dance during Steel Days in July.

Councilman Shelton turned time to the Library Board for a short presentation.

Library Board of Trustees Chairman Roger Griffin reported some economic benefits in behalf of libraries. (From Florida State University, the University of Texas and Western Illinois University)

- Nationwide, libraries are returning \$4.42 for every dollar invested.
- Libraries are becoming very attractive for economic development. Smaller companies when looking to expand look for a location with a public library. There were only three public libraries in North Utah County of any affect, American Fork, Lehi, and Pleasant Grove.
- The library provides the opportunity to do research. For some it provided for those that could not afford the Internet to job search. He lived on 540 West in an area where he could not get the Internet.
- The library provided literacy for those that never had a good education and for those just learning to read. The University of Texas stated, "That as we become more and more technologically advanced in our country the lack of somebody to be able to read and understand directions and what is going on in the job force negatively impacts the community and society as a whole." The American Fork Library has a great literacy program and a lot of resources used by the community.

A few years ago the Library Board, as it realized the reality that we were in tough economic times but needed to look at investment in the future as to how the library can benefit the community, adopted the standard of the Wisconsin System of a basic or entry level program. The monies that the Board has asked from the Council over the last few years, and they have been extremely grateful for, were designed over a 4- to 5-year period trying to move us up to just the basic or entry level. American Fork Library was still well below what that entry level would be. They were not trying to be greedy but as one looked at the Library's budget proposal and it was with a long-term goal in mind of trying to increase the value of the Library. That was important because libraries go stale if you don't increase the technology and the holdings at the library.

Mr. Griffin reported that Western Illinois University found that public libraries were "natural partners in local economic development and provide a lot of resources that were designed to foster growth and development within the community."

Mr. Griffin stated that as a Library Board Director for the last four years, he was highly impressed with the quality of the library staff, the director and her employees. As a resource the City can't overestimate what they do. In the Library System there were term limits and he was dropping out after tonight as by Statute he would no longer be able to serve on the Board. Sheena Parker deserved a lot, if not all of the credit, for where the library was today. He highly admired what she has been able to do. He ended with a quote from Walter Cronkite, "Whatever

the cost of our libraries, the price was cheap compared to that of an ignorant nation.” Mr. Griffin added, “or an ignorant City.”

Mayor Hadfield thanked Mr. Griffin for his report.

Councilmembers Taylor and Frost had nothing to report at this time.

Councilman Bowen wished his wife, Linda, a Happy Birthday. He thanked the Scouts for being in attendance.

Councilman Bowen reported that a few weeks back he threw his hat in the ring for County Commissioner and had the opportunity over the past few weeks to meet with about 1500 people at the convention and hundreds on a nightly basis before that, other than the nights we had Council meetings. It was stormy outside and it was turbulent in our society right now. Back in late December there was a federal ruling regarding same gender marriage. This was an issue he had the opportunity to speak out on. The Utah State Constitution , Amendment 3, defined marriage. That definition was very appropriate because it followed natural law. Naturally, when people of opposite genders get together a child can result from that. That was something that would never happen naturally with same gender unions. He thought it was important that our laws reflected that and he was glad that Utah law did reflect that.

Councilman Bowen wanted to see the City at some point simply take a stand and say that we agree with Amendment 3. We all took Oaths to support the State Constitution and the US Constitution and he thought it would be appropriate just to reaffirm that within our City that we continue to recognize Amendment 3.

MAYOR’S REPORT

Mayor Hadfield reported that in the North Pointe Business Park there was now the Coldwell Banker Real Estate Office on the Third Floor consisting of 31 agents representing all of Utah and Juab Counties. There was also a Grand Opening for ABRA Auto Body and Glass at 62 North 1020 West last Thursday and they threw a very nice party. This coming Saturday would be a Ribbon Cutting for Edible Arrangements at 51 North West State Road, in the area behind Olive Garden.

Mayor Hadfield reported that there would be an Arbor Day Celebration on Friday, April 25, as a result of American Fork’s involvement with Tree City USA. A week ago, the Mayor, Derric Rykert and other members of the City Staff were recognized at the Tree City USA annual luncheon for being a member for seven consecutive years.

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 by the Mayor or a Councilmember and placed in the action items.)

1. Approval of the April 3, 2014 city council work session minutes.
2. Approval of the April 8, 2014 city council minutes.
3. Approval of the City bills for payment and purchase requests over \$25,000. – *Cathy Jensen*

Councilman Shelton moved approval of the Common Consent Agenda as presented. Councilman Taylor seconded the motion.

Mayor Hadfield asked if there were any questions on the motion. There were none.

Voting was as follows: Aye, Councilmembers Shelton, Taylor, Frost, and Shorter. Nay, Councilman Bowen. The motion carried.

ACTION ITEMS

REVIEW AND ACTION ON AN ARBOR DAY PROCLAMATION – *Mayor Hadfield*

Mayor Hadfield read a Proclamation proclaiming April 25, 2014, in American Fork to be Arbor Day. (See ATTACHMENT)

Councilman Taylor moved approval of the Proclamation. Councilman Shorter seconded the motion.

Mayor Hadfield asked if there were any discussion on this motion. There was none.

Voting was as follows: Aye, Councilmembers Taylor, Shorter, Frost, and Shelton. Nay, Councilman Bowen. The motion carried.

Mayor Hadfield reported that the Arbor Day Program would be held at the Public Works Complex at 270 East 200 North on Friday at 10:00 a.m. They would be planting six trees and the three Fourth Grade Classes from Forbes Elementary School will be participating.

Councilman Frost commented that the celebration was being organized for an Eagle Scout Project. He knew the Scout very well and was being done by a young man much like the Scouts in attendance tonight.

REVIEW AND ACTION ON A RESOLUTION DECLARING CERTAIN PROPERTY TO BE SURPLUS AND TO BE DISPOSED OF – *Staff*

Mayor Hadfield noted that this was the subject of an earlier public hearing. He asked if there was further discussion.

Councilman Shelton moved to adopt Resolution No. 2014-04-16R declaring ten used police vehicles to be surplus and disposed of through Ken Garff Ford and a large format copier to be surplus and to be disposed of. Councilman Shorter seconded the motion.

Mayor Hadfield asked if there was discussion on the motion.

Councilman Bowen clarified that the vehicles would be traded in to Ken Garff Automotive. He was curious if there was a way to get competitive bids or solicitations from others.

Chief Call explained that historically they had tried many different options including public auctions and advertising inside the City. They had never done very well. When he first came they were selling these cars to a sheriff's department in Montana and they were only getting about \$1,500 apiece. With this group they had two offers. One was from an organization in Salt Lake that offered \$500 a car. They felt good with the value that Ken Garff was offering of \$2,000 a car as a package.

Councilman Bowen thought that whatever way the City could get the most was appropriate. He noted that a few meetings back, the issue of leasing three new vehicles came before the Council. At that time it was noted that there were 38 vehicles, some seasonal, in the department and 33 officers. He was trying to understand how they were getting rid of 10 vehicles.

Chief Call answered that this year they had leased four vehicles and purchased six. They would not be gaining in numbers.

Councilman Shelton asked for the question.

Mayor Hadfield called for a vote on the motion.

Voting was as follows: Aye, Councilmembers Shelton, Shorter, Taylor, and Frost. Nay, Councilman Bowen. The motion carried.

REVIEW AND ACTION ON THE PROPOSED CONSTRUCTION OF A LOG CABIN GRIST MILL IN BI-CENTENNIAL PARK – *Dan Adams*

Mayor Hadfield introduced Dan Adams and turned time to him.

Dan Adams explained that he had an opportunity to present at the recent Council work session. Two years ago, himself and other members of the Adams Family and descendants, took a log home down. For two years it has been sitting in a pile. He had a place for it but it did not pan out. He then approached the Parks and the Historic Preservation Commission and proposed that it be restored and placed in Bi-Centennial Park. The reason for that location was that the original mill site was across the street at about 299 South Center Street. Two years later the Fort was built, he moved, and the grist mill was rebuilt just west of where Anderson's Mortuary was now. He walked the ground with the Parks people and the location for this would be in the sandy area on the west side of the park.

Mr. Adams had plans to obtain about \$6,000 in funding. Currently he has \$1,000 committed. He hoped to utilize the tax exempt feature of the City where it would be property of the City and donations would be tax exempt. Requisitions would then be issued from the City from those funds. He added that he would like to utilize some time with a backhoe to dig the footings and to move some dirt around.

Mayor Hadfield asked if there were any questions.

Councilman Shorter moved approval of the construction of a Log Cabin Grist Mill in Bi-Centennial Park, representing a historical facsimile of the first flour mill built in American Fork. Councilman Frost seconded the motion.

Councilman Frost thanked that Adams's for their effort and enthusiasm in this project.

Mayor Hadfield asked if there were any questions on the motion.

Councilman Bowen appreciated the private funding. He asked legal counsel if there was any legal problems with the proposed funding mechanism.

Kasey Wright answered that there was not.

All were in favor of the motion.

REVIEW AND ACTION ON A RESOLUTION TO IMPLEMENT OUTDOOR WATER RESTRICTIONS ON THE CITY PRESSURIZED IRRIGATION USERS FOR 2014 – Staff

Mayor Hadfield turned time to Dale Goodman.

Dale Goodman commented that as a result of the work session it was decided that a better educational tool was needed. A new flyer was prepared that explained about the cost of pumping water. It clarified the watering timing and a waiver was available to those with new landscaping. Also added were some penalties. Ninety-eight percent of the people did what was asked of them.

Councilman Frost believed that there needed to be penalties but was personally concerned about the misdemeanor charge. He was satisfied with just denying them the use of the water. He knew there were people out there that did not care.

Councilman Shorter agreed that the penalty was a little steep. He asked Kasey Wright if the City could really shut off their water if they were paying for it but just not following the rules.

Mr. Wright responded that the question was if the City stopped billing them at that time. There was a process that the City had to follow. He added that the misdemeanor was on most of the Ordinances but in these types of matters it was rarely used.

Mr. Goodman noted that the reinstatement fee had been placed at \$100. It could be adjusted.

Councilman Taylor did not have a problem with the version with penalties as this was one of our key resources and they were trying to implement things for the betterment of the entire City. This was not an arbitrary action. He did not have a problem with the misdemeanor being in there although he certainly did not want to see it go to that point. This was not culinary water but secondary water.

Craig Whitehead commented that as an alternative to a misdemeanor they could up the dollar amount.

Councilman Taylor stated that he would be okay with that.

Mr. Goodman explained that locking out was something they did now when someone failed to pay their culinary water bill. In fact, they should be locking them out of both culinary and secondary water if they fail to pay.

Councilman Shorter liked the lock out approach rather than a criminal action.

Councilman Bowen asked if American Fork City expected to run out of water this summer.

Mr. Goodman responded that they did not expect to. It was expected that citizens would comply with these restrictions, by and large, and that they would have adequate water. They would still be able to run the wells; it just was very expensive.

Councilman Taylor expressed that without pumping they would run out of secondary water.

Councilman Bowen asked the different sources of water that American Fork City had access to.

Mr. Goodman answered that the City had rights to a certain percentage of water coming out of American Fork Canyon; rights in the Jordanelle Reservoir; and rights in Deer Creek Reservoir. Those were all based on percentages. Right now the City was being told that they would get 60 percent.

Andy Spencer added that the prognosis was a little higher than last year.

Mr. Goodman noted that the snowpack was a little less so he thought it would be a wash.

Councilman Shelton moved to adopt Resolution No. 2014-04-17R with the enforcement regulations, striking out the Class C Misdemeanor and adding a \$300 fee to reconnect. Councilman Taylor seconded the motion.

Mayor Hadfield asked if there was discussion on the motion. There was none.

Voting was as follows: Aye, Councilmembers Shelton, Taylor, Shorter, and Frost. Nay, Councilman Bowen. The motion carried.

REVIEW AND ACTION ON AN ORDINANCE ADOPTING AN AMENDED OVERALL CONCEPT PLAN FOR PORTIONS OF VINTARO PUD, PHASES 1-G AND 1-E, LOCATED IN THE VICINITY OF 860 EAST 600 SOUTH IN THE PC (PLANNED COMMUNITY) ZONE - *The Ritchie Group*

Mayor Hadfield recognized that representatives of the Ritchie Group were in attendance. He noted that they had met with the City Council in February regarding incentives in 1-G.

Adam Olsen explained that in February the points of discussion centered around the feasibility of a density transfer out of the park area to 1-G. The applicants have decided to withdraw the previous application and do a little more homework on it. It was ready to come back. The density in 1-G has now dropped because they were not considering a density transfer, although they were still proposing to transfer density from different areas within the project that they own. Instead they would like to use impact fee credits, or portions thereof, for the units on 1-G for the

City to obtain the park area, 1-E. As staff met with them, it was felt that this was a cleaner approach. Both the developer's and the City needed to agree on an appraisal. Then they would have a development agreement drawn up that showed what that portion was worth. Nothing has changed on 1-E. 1-G has dropped a little. He asked if there were any questions.

Councilman Shelton explained once again that his biggest concern with the Vintaro project was that the intent of the Planned Community zone was to have one developer with a big concept plan. That was what was happening at one time. Now the project was moving forward on a piece-meal basis. The continuity originally desired was not happening. He asked how they would make the development of this project a seamless process to get what they wanted in the Planned Community zone.

Mr. Olsen responded that was why this was back before the Council. The pieces were now coming in individually. However, they still looked at the overall plan and how they fit. The core network of streets was still in place. The cap on the number of units was still intact.

Councilman Shorter moved to adopt Ordinance No. 2014-04-16 approving the amended overall concept plan for portions of Vintaro PUD Phases 1-G and 1-E, located in the vicinity of 860 East 600 South in the PC, Planned Community zone subject to the findings and conditions as contained in the January 22, 2014 Planning Commission minutes, and with a finding that compensation for park space is accomplished by the utilization of impact fee credits, subject to an agreement being authorized by the City Council establishing the amount of impact fee credit and methodology associated with such; and, an approved concept plan for areas 1-C and 1-D being approved by both the Planning Commission and City Council which does not exceed the collective densities addressed by this plan. Councilman Taylor seconded the motion.

Mayor Hadfield asked if there were any questions on the motion.

Councilman Frost commented that he had full confidence in the staff, he loved this project and could not wait to see the dirt fly. He expressed the need to be really careful not to load one area. He felt the right plans were in place. He asked the Ritchie Group if they were looking to sell this or were they representing Fieldstone.

A representative of the Ritchie Group explained that they were representing themselves. They planned to develop it and build an attractive product. They recognized that they were working together with other landowners to meet the needs of the area in the project in a way that worked for everyone. They had meetings off-site with Fieldstone Homes, with Patterson Homes, and with Oakwood. They had good relationships with all of those parties and their engineers to try and find common ways that benefitted all the parties that were fair and appropriate for utilities and for roads. They were using a team approach to make an otherwise broken project successful.

Councilman Shelton appreciated that explanation.

Councilman Bowen had some questions on impact fees. He understood that impact fee credits would be used for the land that would become a City park, but what about improvements to the park.

Adam Olsen answered that it would be just for the raw land.

Councilman Bowen asked if the area was a high-water table area or a wetlands area.

There was a study done by the Army Corps of Engineers that showed of the 8 acres that the Ritchie Group owned about .25 acres, or 3 percent was consumed with wetlands and that would be reflected in the appraisal.

Mr. Olsen noted that they were looking at the net acreage.

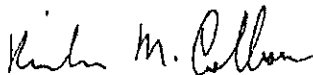
Councilman Bowen appreciated the fact that it would be value for value.

Mayor Hadfield called for vote on the motion.

All were in favor.

ADJOURNMENT

Councilman Shelton moved adjournment at 8:28 p.m. Councilman Taylor seconded the motion. All were in favor.



Richard M. Colborn
City Recorder

ARBOR DAY 2014 PROCLAMATION AMERICAN FORK CITY

Whereas, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

Whereas, the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

Whereas, Arbor Day is now observed throughout the nation and the world, and

Whereas, trees can reduce the erosion of our precious topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

Whereas, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

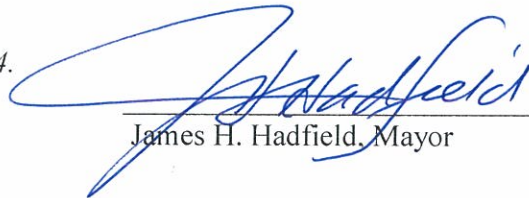
Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal,

Now,

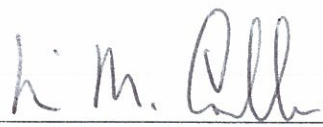
Therefore, I, James H. Hadfield, Mayor of the City of American Fork, do hereby proclaim April 25, 2014 as Arbor Day in the City of American Fork and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

Further, I urge all citizens to plant and care for trees to gladden the heart and promote the well-being of this and future generations.

Dated this 22 day of April in the year 2014.


James H. Hadfield, Mayor

ATTEST:


Richard M. Colborn, City Recorder

