

AMERICAN FORK CITY
COUNCIL MEETING MINUTES
AUGUST 26, 2014

PUBLIC HEARINGS

ATTACHMENTS (4)

The American Fork City Council met in four public hearings on Tuesday, August 26, 2014, in the American Fork City Hall, 31 North Church Street. Those present included Mayor James H. Hadfield and Councilmembers Brad Frost, Rob Shelton, Jeff Shorter, *Carlton Bowen, and **Clark Taylor.

Staff present: Associate Planner Wendelin Knobloch
Cemetery Sexton Ray Garrett
City Administrator Craig Whitehead
City Attorney Kasey Wright
City Engineer Andy Spencer
City Planner Adam Olsen
City Recorder Richard Colborn
Finance Director Cathy Jensen
Fire Marshal Doug Bateman
Library Director Sheena Parker
Police Chief Lance Call
Planning Commission Chairman John Woffinden
Public Relations/Economic Development Audra Sorensen
Public Works Director Dale Goodman
Technology Director George Schade

Also present: Bruce Frandsen, George Wilson, Terrell Thompson, Eileen Miller, Barbara Christiansen, and six additional persons.

7:10 pm Receiving of public comment regarding the Frandsen-Gray Annexation consisting of 28.54 acres at 1100 South 100 East – Mary Mel Land & Livestock LLC

Mayor Hadfield explained that this public hearing was to receive public comment regarding the Frandsen-Gray Annexation. He asked for comments. There were none. The hearing ended at 7:11 p.m.

7:15 pm Receiving of public comment regarding the Pulley Annexation consisting of 58.71 acres at 1100 South Harbor Road – Mary Mel Land & Livestock LLC

*Councilman Carlton Bowen and **Councilman Clark Taylor arrived.

Mayor Hadfield stated that this public hearing was to receive public comment regarding the Pulley Annexation and asked for comments. There being none the hearing concluded at 7:16 p.m.

7:20 pm Receiving of public comment regarding the Boley II Annexation consisting of 79.40 acres at 200 South 800 West – Melvin V. Frandsen

Mayor Hadfield explained that this public hearing was to receive public comment regarding the Boley II Annexation. He asked if there were any comments. There were none and the hearing concluded at 7:20 p.m.

7:25 pm Receiving of public comment regarding the Duncan Annexation consisting of 20.54 acres at 570 West 700 South. – *Melvin V. & Mary C. Frandsen Family LLC*

Mayor Hadfield opened the public hearing to receive public comment regarding the Duncan Annexation. There being no comment, the hearing ended at 7:26 p.m.

REGULAR SESSION

The American Fork City Council met in regular session on Tuesday, August 26, 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
Cemetery Sexton Ray Garrett
City Administrator Craig Whitehead
City Attorney Kasey Wright
City Engineer Andy Spencer
City Planner Adam Olsen
City Recorder Richard Colborn
Finance Director Cathy Jensen
Fire Marshal Doug Bateman
Library Director Sheena Parker
Police Chief Lance Call
Planning Commission Chairman John Woffinden
Public Relations/Economic Development Audra Sorensen
Public Works Director Dale Goodman
Technology Director George Schade

Also present: George Wilson, Eileen Miller, Terrell Thompson, Barbara Christiansen, Roger Dudley, and 24 additional persons.

Mayor Hadfield led the audience in the Pledge of Allegiance and a prayer was offered by Care Pastor Joe Funicello of Calvary Mountain View Church.

Mayor Hadfield invited the Scouts to come forward to introduce themselves.

Troop 853 Harrison Adamson Justin Limbs Sam

Mayor Hadfield wished each success along Scouting's trail and invited them to come to American Fork City when it was time for their Eagle Project.

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

There was no public comment at this time.

CITY ADMINISTRATOR’S REPORT

Craig Whitehead had nothing to report at this time.

COUNCIL REPORTS CONCERNING COMMITTEE ASSIGNMENTS

Councilman Shorter had nothing to report at this time.

Councilman Shelton reported that the Library had a successful fundraiser through a Luau to raise funds for their collections. He added that it was phenomenal how many people used the Library and what a great resource it was. It was a great event. Sponsors included:

Alexander’s Printing	Friends of the Library	Chick-fil-A
Alpine Credit Union	Fresh Market	Costco
Lei Away	Les Schwab Tires	Premier Family Medical
Missionary Aprons	Mat Doctor	LOL
Island Bar B Q	American Fork City	Buffalo Wild Wings
AF Fitness Center	Café Rio	Gunn Chiropractic

Councilman Shelton reported that the Rotary Club would also be having their annual fundraiser on September 27 called the Tour de Donut which is a 21-mile bicycle race and donut eating contest at the same time. The Rotary Club donates to various City organizations.

Councilman Taylor had nothing to report at this time.

Councilman Frost introduced his wife Jodi who was in attendance for the first time. He paid tribute to her and through her to all those spouses that support them in their public service. His wife had been by herself at many times. She had been very patient.

Mayor Hadfield added that was the case with all of them.

Councilman Bowen had nothing to report at this time.

MAYOR’S REPORT

Friday evening the Planning Commission had a recognition event for the work that they do. He congratulated the Staff and the Commissioners.

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 August 12, 2014 City Council minutes.

2. Approval of the City bills for payment and purchase requests over \$25,000. – *Cathy Jensen*

Councilman Bowen stated that in the future it would be nice that on the City bills over \$25,000 if that expenditure was part of the existing budget and if it was, how much of the existing budget had been expended and what the future planned expenses were. This would help the Council make that decision. He had some minor corrections on City bills that he would meet with Staff on.

Councilman Shelton noted that there was an asterisk * used when it was outside the budget as the way staff communicated that. The Council also received a quarterly budget report.

Councilman Shelton moved approval of the Common Consent Agenda as presented. Councilman Taylor seconded the motion. Voting was as follows: Aye, Councilmembers Shelton, Taylor, Frost, and Shorter. Nay, Councilman Bowen. The motion carried.

ACTION ITEMS

1. 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 an Ordinance approving a site plan for the extension of the American Fork City Cemetery in the vicinity of 600 North Center Street in the PF-Public Facilities zone – Cemetery Committee

Mayor Hadfield asked Councilman Frost to introduce this item. Public comment would then be taken.

Councilman Frost noted that the need was recognized many years ago. Seven months ago a Cemetery Relocation Committee was formed that consisted of two members of the City Council, members of the City Staff related to engineering and cemetery, and two members at large who were Dan & Karen Adams. They looked at 11 different properties for cemetery. It led them down to three proposals and the one that came out on top was the adjacent ball fields. A big factor in that property was the interest of the taxpayer and the price of relocation. The price for relocation in other places began at about \$3.5 million and went up to \$5 million. They noted that the voters in the last two bond elections had told the Council to do more with less and was not a reflection directly on the cemetery.

Councilman Frost explained that the City followed the very same policies and procedures that were demanded of any developer and they had no special liberties. They wanted to be transparent and upfront. They spoke to some of the neighbors and had an open house and public hearings and heard from them. The Alpine School District Administrative Staff were supportive of this. The cemetery was a very unique piece of sacred and hallowed ground. American Fork City had a tradition of

having one of the finest cemeteries in the State and they did not want to diminish that. In the plan, one element was a Children's Garden which would be a place where those that have had their life unexpectedly interrupted by the loss of a child could go and find solace. A second element was a big United States flag on a 120-foot pole. They have already been approached by two persons who want to pay for that and it was just a concept. It would be seen over most of American Fork and if the wind was blowing it could be seen at night from I-15.

Councilman Frost continued that some had tried to portray this as taking from the living for the dead; and others, get out of the dead business. He commented that in the Fifth Grade he heard Alan Anderson say during a tour of the mortuary, "Everything we do here is for the living nothing we do is for the dead." The Committee had that in mind and they believed that the cemetery was very much for the living and not just for the dead.

Councilman Frost reported that through open houses and public hearings what they had originally planned had changed. It was a different look. They knew that not everyone would be happy about this but felt it met a good balance. If it moved forward it would provide for up to 45 more years of cemetery space, about 7,000 spaces. It is anticipated that it would provide a springboard for revenues. He turned discussion back to Mayor Hadfield.

Mayor Hadfield reported that this proposal had been presented to the Planning Commission a couple of weeks ago and received a favorable recommendation. The City Council looked at this last Thursday in a work session. The financing of the improvements have not yet been worked out. There were several options. He opened the meeting up for citizen comments on the proposed cemetery expansion.

Corey Ernst, 545 North Center, stated his wife had come to the last few meetings. They had small children so it was hard for both to get out. With that thought, the people that really use fields across the street had not been adequately represented and heard. His wife reported to him that Nestor Gallo had said that there had been "almost no opposition to the cemetery expansion." Mr. Ernst did not think that was true. He felt the residents had spoken when they said they were not in favor of cemetery expansion when they had the opportunity to vote on it for a bond. He felt the City had not taken that into consideration. The cemetery was prime central land. He noted that a couple of weeks back a woman had said, you know what, 8 weeks of baseball, suck it up that was all there was. That was not true. There would be no more triathlons associated with the Rec Center. No more baseball tournaments there. That field was one of the best south of the Point of the Mountain. No more kite flying. No more rocket launches. No more soccer. No more Frisbee. Everything would be put down into Art Dye which was not very conducive to the weather sometimes.

Mr. Ernst continued that the City had not addressed anything to replace that land. Can they open up some other central location? This set some sort of a precedent. At some point the City was going to have to say no more. We have no more space. We are done. What was the plan after this? Forty-five years was extremely optimistic.

Would they take more parks to bury our dead in? He did not think that the City had a duty to have to provide a place to bury the dead. With the expansion and the placement of a Children's Garden, if space was so much at a premium he thought they should use every bit for burials. There were already nice gardens in the cemetery and he did not think they needed more.

Councilman Frost clarified that the Children's Garden would be located within the easement of the road where burials could not take place anyway because of existing underground utilities.

Councilman Taylor did not think that citizens spoke against expanding the cemetery but against bonding for the dollars to do so. This was a solution to that. The property had been plotted for cemetery use. The Council was extremely aware that the citizens spoke out against bonding for cemetery expansion.

Councilman Shelton responded that the City had replaced land for soccer with the Bamberger Park and the City purchased an additional eight acres for the Art Dye Park to make sure they had adequate green space down the road to provide for those recreational activities. Bamberger was located off State and West of North County Boulevard. He felt there was an adequate balance there. Mr. Ernst comments were well taken.

David Barlow, 1299 North 500 West, stated that he had the unfortunate experience of spending a lot of time in the cemetery this last year. It was used by a lot of people and not just those who were exercising walking around the cemetery but also by those who mourn for their loved ones. With the expansion of the cemetery and having the Children's Garden and a Heroes Memorial, it was a great opportunity for the community to relish in the love that they have for those that had passed on and visit with others with the same feelings. He felt it was a great thing for the City. He had boys who played baseball and soccer on those fields as well and it was not a problem going to Art Dye and felt it was completely appropriate.

Eileen Hackford Miller, 692 East 100 North, stated that her parents had a lot to do with the cemetery and it was a subject that was near and dear to her heart. She explained that her mother started the first Memorial Day service there in the mid 1970's. Her father was the Commander of the American Legion for more than twenty years and her mother was the president of the Women's Auxiliary. On Memorial Days she was the one that climbed the flag poles to place wreaths.

Ms. Miller added that she was the sixth generation of five families that were original settlers in the Fort. Cemetery Lots over the seven generations have been passed down as inheritable property. The cemetery was just about out of land. American Fork was pretty much landlocked. She was in favor of the cemetery expansion to the ball fields.

Ms. Miller continued that her two brothers were blue chip ball players from American Fork High School and they played on those fields. Her father coached on those fields. That land meant as much to her and to her family to remain ball fields, but they

were to the point that they had to look at pieces of property that were suitable for cemetery use. She liked the idea of a mausoleum.

Ms. Miller expressed that her one and only concern was that three generations ago Harry Manning did a lot for the baseball program and the Pony Field was named in his honor. In 1928 the bodies that were in the park on 300 North and 100 East were exhumed and placed in the American Fork Cemetery, except for just a few. The City already traded cemetery for open space in the central area of town. For the betterment of the community they have buried the feelings of that park. She was in agreement with any of three plans. She asked the Council to consider rededicating a field to Harry Manning.

Councilman Taylor reported that the Recreation Committee a few years ago discussed dedicating one of the fields at Art Dye, as Buss Manning Field.

Kevin Barnes, 755 North Nathan Barnes Street, commented that as a City they owed a great debt gratitude to Sexton Ray Garrett and his staff as they ran a wonderful cemetery. Not only did they know the physical part of that but also they really knew how to take care of people. Mr. Barnes expressed that he was one of those families and he thanked them. He had seen others blessed also by what they did. He thanked the Council for all the work that they did. He was okay with this. He had three lots. He understood that when a family lost a child they could purchase two additional lots, but that was the only way they could be bought. This action would allow people to purchase lots without a need and he was all in favor of that.

Mr. Barnes continued that they had only lived here since 1979 and he had seen some great things happen. American Fork was a great place to live. Although he had not been in attendance at the most recent meetings, he did attend meetings when things were being discussed. He felt this was a great compromise. If it would have been up to him he would have shut down 600 North Street. He understood about the underground utilities and things that would complicate that. The design made it the best option however. Government was about compromise. He loved the idea of the flag. He loved the idea of a Children's Garden. It was a wonderful idea and would be a wonderful addition.

Mr. Barnes spoke of a flag that could be seen from all over the valley. That meant a lot to him. He reminded the City Council and everybody that that land was originally purchased to be cemetery land. He had been in this room when he heard two former Mayors testify that that land was bought for cemetery ground when it was needed and in the meantime it could be used as a ballpark. He understood that Art Dye was purchased specifically to replace that ground. The City should proceed on that basis. This was a great opportunity for American Fork City.

Mr. Barnes explained that he spent a fair amount of time at the cemetery. It was close enough he could walk to it. He drove through the cemetery almost every day and sometimes twice or three times a day. It was sacred ground and it was used by a lot of people who were living. It was sacred and it was special. People went there to celebrate life.

George Wilson, 495 North Center, stated that they moved to American Fork in 1986 and at that time he heard that that land was set aside for cemetery. He knew it was coming. He knew there were pros and cons to it. He loved seeing the little tots playing soccer with the mothers' and fathers' there supporting their children. That was something not seen out east where he came from like one does here in American Fork. There had to be a tradeoff once in a while. He loved the idea of the flag. He fully supported the expansion of the cemetery.

Mark Steele, 610 North 100 West, stated that when he first heard about the new expansion plans and he saw that they were closing the road he was incredibly upset. He always knew that the cemetery was going there but when the road closure became part of the issue he was upset. He was thankful that changes were made and that they were now going to keep the road open. He asked the amount of dollars to do the expansion.

Councilman Frost responded that they were looking at what could be done in house. There was a budget of below \$500,000. That did not include elements of the Children's Garden and such as those things that would be through fundraisers.

Valerie Searle, 253 West 500 North, expressed that she also spent too much time at the cemetery with her youngest daughter who passed away four years ago. The Children's Garden was the thing that was going to bring them together. It will be amazingly beautiful and comforting and will make it such that it will not be such a sad place. It would be some place that parents and siblings could go and remember good things. She was definitely for the expansion.

Emily Barlow, 1299 North 600 West, seconded the thoughts of how wonderful Sexton Ray Garret and his crew were. She had no doubts that the expansion would be beautiful. Her family thanked them. They were in favor of the expansion. They buried their daughter and spent hours at the cemetery finding peace and solace. The expansion was needed. The Children's Garden was needed. She was in favor of the expansion. She appreciated the Council's time.

Mayor Hadfield read a letter from Robert Warnick. It is included in these minutes as **ATTACHMENT 1.**

Mayor Hadfield read a letter from Alec Anderson. It is included in these minutes as **ATTACHMENT 2.**

Mayor Hadfield asked if there was further discussion.

Councilman Taylor moved to adopt Ordinance No. 2014-08-25 approving a site plan for the extension of the American Fork City Cemetery in the vicinity of 600 North Center Street in the PF-Public Facilities zone. Councilman Frost seconded the motion.

Councilman Shelton thanked Councilman Frost and the committee for their time and effort in this. He knew there was a lot of time and energy expended.

Councilman Bowen also appreciated the manner in which the committee had gone about this and the changes that had been made providing for the road to go through. He had a couple of concerns. He thought that what has been proposed was nice in several ways like the Rock Wall tie in and the Children's Garden and some of those features. His concern was that they were putting a cemetery in the middle of the Alpine School District, the Fitness Center, and residences to the west. He did not think that was the best to be surrounded by.

Councilman Bowen was also concerned about the funding for it. He recognized that this was the low-cost option which he was grateful for and congratulated the cemetery committee on that. He did not know how it would end up at the total expense. He asked if Councilman Frost wanted to speak to that.

Mayor Hadfield noted that this was the site plan only. The funding and method of coming up with the funds was yet to be discussed and the Council would discuss that at future meetings.

Councilman Frost asked where the least evasive place to put a cemetery was. The City was the neighbor on two sides. All things considered the committee felt this seemed like the quietest place. The other options were by busy streets. That was their logic. As for funding, it was just like any other project. They have looked at it. They have engineering drawings with estimates and worse case scenarios and a fifteen percent contingency for unforeseeable things. They went through the numbers hard, but he felt in the end they would prove to be lower.

Mayor Hadfield commented that funding whether it be from the City, Perpetual Care Fund, or donations, it would come before the Council.

Mayor Hadfield called for a vote on the motion. Voting was as follows: Aye, Councilmembers Taylor, Frost, Shorter, and Shelton. Nay, Councilman Bowen. The motion carried.

Councilman Taylor felt that they did have an obligation to take care of our dead.

- b. Review and action on the final plat of Jockey Hollow Subdivision Plat C Phase 1, consisting of 3 lots, located in the area of 660 East 774 North in the R-1 9,000 Residential zone – Dudley & Associates

Roger Dudley was present to answer any questions.

Councilman Taylor move to approve the final plat of Jockey Hollow Subdivision Plat C Phase 1, consisting of 3 lots, located in the area of 660 East 774 North in the R-1 9,000 Residential Zone and to authorize the Mayor and City Council to sign the plat and accept the dedications with instructions to the City Recorder to withhold recording of the plat subject to:

- All conditions identified in the August 6, 2014 Planning Commission meeting
- The finding that the site (is/is not) sensitive lands, thereby instructing the City Engineer to review plans for compliance with the applicable city ordinances.

Councilman Bowen seconded the motion.

Richard Colborn asked for a clarification if it was or was not in sensitive lands.

Andy Spencer recommended that it not be in sensitive lands.

Councilman Taylor clarified his motion that it was not in sensitive lands. Councilman Bowen agreed with his second. All were in favor.

- c. Review and action on an Ordinance adopting the final plat and site plan of Liberty Park PUD Plat B 2nd Amended located at 1062 East 220 South in the PO-1 Professional Office zone – Excel Engineering/Jon Davis Construction

Jon Davis explained that they were combining two pad sites to create one larger one. The building would match the one on the other side of the parking lot.

Councilman Shelton moved to adopt Ordinance No. 2014-08-26 approving the final plat and site plan of Liberty Park PUD Plat B 2nd Amended located at 1062 East 220 South in the PO-1 Professional Office 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 as identified in the August 6, 2014, Planning Commission meeting.

Councilman Shorter seconded the motion. All were in favor.

- d. Review and action on the final plat of Utah Valley Business Park Plat N consisting of 1 lot, located at 741 East Utah Valley Drive in the PI-1 Planned Industrial zone – ThermoWorks

Mayor Hadfield explained that this was the combining of two lots into one.

Councilman Frost commented that it was encouraging with the growth that was happening in American Fork and people wanting to come here.

Councilman Frost moved to approve the final plat of Utah Valley Business Park Plat N consisting of 1 lot, located at 741 East Utah Valley Drive in the PI-1 Planned Industrial zone and to authorize the Mayor and City Council to sign the plat and accept the dedications with instructions to the City Recorder to withhold recording of the plat subject to:

- All conditions identified in the August 6, 2014, Planning Commission meeting.

Councilman Taylor seconded the motion.

Mayor Hadfield asked if there was discussion on the motion.

Councilman Bowen asked what ThermoWorks did.

Company Owner and President Randy Owen explained that they made digital thermometers for use in the food industry.

All were in favor of the motion.

- e. Review and action on an Ordinance approving a commercial site plan for an Office/Warehouse (ThermoWorks) located at 741 East Utah Valley Drive in the PI-1 Planned Industrial zone – *ThermoWorks*

Mayor Hadfield wished them much success.

Councilman Shorter moved to adopt Ordinance No. 2014-08-27 approving a commercial site plan for an Office/Warehouse (ThermoWorks) located at 741 East Utah Valley Drive 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 August 6, 2014, Planning Commission meeting.**

Councilman Shelton seconded the motion. All were in favor.

- f. Review and action on an Ordinance approving an amended commercial site plan for Timp Plaza Shopping Center located in the area of 200 North West State Road in the SC-1 Planned Shopping Center zone – *Woodbury Corporation*

Woodbury representative Darrin Smith stated that they were going to upgrade the center and construct a more visible pad south of Hobby Lobby.

Councilman Shorter moved to (1) void Ordinance 2013-03-07, which approved a site plan for Longhorn Steakhouse, and (2) adopt Ordinance No. 2014-08-28 approving an amended commercial site plan for Timp Plaza Shopping Center located in the area of 200 North West State Road in the SC-1 Planned Shopping Center zone with instructions to the City Recorder to withhold publication of the ordinance subject to:

- **All conditions identified in the August 6, 2014 Planning Commission meeting.**

Councilman Frost seconded the motion. All were in favor.

REVIEW AND ACTION ON A RESOLUTION APPROVING AN AMENDMENT TO THE LAND USE ELEMENT OF THE GENERAL PLAN LOCATED AT 850 EAST 50 SOUTH FROM THE RESIDENTIAL HIGH DENSITY DESIGNATION TO THE RESIDENTIAL LOW DENSITY DESIGNATION – *Staff*

Adam Olsen reported that the neighborhood was in favor of this action. The Planning Commission recommended such.

Councilman Bowen felt there was a lot of high density in the area.

Mr. Olsen responded that there was and the residents felt there was enough.

Councilman Shelton moved to adopt Resolution No. 2014-08-35R approving an amendment to the Land Use Element of the General Plan located at 850 East 50 South from the Residential High Density designation to the Residential Low Density designation. Councilman Taylor seconded the motion.

Mayor Hadfield asked for discussion on the motion. There being none he called for a vote.

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

REVIEW AND ACTION ON A RESOLUTION APPROVING AN AMENDMENT TO THE LAND USE ELEMENT OF THE GENERAL PLAN LOCATED AT 1050 EAST 50 SOUTH FROM THE RESIDENTIAL HIGH DENSITY DESIGNATION TO THE RESIDENTIAL LOW DENSITY DESIGNATION – Staff

Mayor Hadfield explained that this was like unto the previous item just a little farther to the east. This again has the approval of the neighborhood.

Adam Olsen reported that on both this item and the previous one, notification was sent to the property owners and there was no dispute on the proposed change.

Councilman Shorter moved to adopt Resolution No. 2014-08-36R approving an amendment to the Land Use Element of the General Plan located at 1050 East 50 South from the Residential High Density designation to the Residential Low Density designation. Councilman Taylor seconded the motion.

Councilman Bowen noted that 50 South Street was the extension of Main Street and it intersected with North County Boulevard. He felt that high density or commercial or professional was more appropriate.

Councilman Taylor appreciated Councilman Bowen's opinion but if one talked to the residents and the property owners, the high density housing there was more senior housing except further west on 50 South. There were single family residences there now. It would not make sense to put high density in the backyard of those houses. Having gone through the proper channels inside the City there was no feedback from the property owners, who happened to be his neighbors.

Mayor Hadfield called for a vote on the motion. Voting was as follows: Aye, Councilmembers Shorter, Taylor, Shelton, and Frost. Nay, Councilman Bowen. The motion carried.

REVIEW AND ACTION ON THE AGREEMENT FOR THE ASHLEY MEADOWS ANNEXATION CONSISTING OF 13.20 ACRES LOCATED AT 900 NORTH 900 WEST – Robert Searle

Mayor Hadfield explained that there was a subdivision to the north and to the south and a boundary with Lehi City to the west. This was a logical infill. He asked if there were any questions of the developer.

Councilman Shorter moved to approve the agreement for the Ashley Meadows Annexation consisting of 13.20 acres located at 900 North 900 West. Councilman Shelton seconded the motion.

Mayor Hadfield asked if there was discussion on the motion. There being none he called for a vote.

All were in favor.

REVIEW AND ACTION ON THE ORDINANCE OF ANNEXATION AND THE ANNEXATION AGREEMENT FOR THE BOLEY III ANNEXATION, A PORTION OF THE QUEENS DRIVE ANNEXATION, CONSISTING OF 0.55 ACRES AT APPROXIMATELY 1005 EAST 490 NORTH AND TO BE PLACED IN THE R1-9000 ZONE – Kent Boley

Mayor Hadfield explained that this property fronted on an existing City street. A father was taking a portion of his lot to give to a daughter.

Councilman Shelton moved to adopt Ordinance No. 2014-08-29 approving the Ordinance of Annexation, the Annexation Agreement for the Boley III Annexation consisting of 0.55 acres at approximately 1005 East 490 North and placement of the property in the R1-9000 zone. Councilman Taylor seconded the motion. All were in favor.

REVIEW AND ACTION ON AN ORDINANCE ADOPTING AN AMENDMENT TO ORDINANCE 2009-03-13 OF THE AMERICAN FORK CITY MUNICIPAL CODE RELATING TO THE PLACEMENT OF SEXUALLY ORIENTED BUSINESSES IN THE I-1 INDUSTRIAL ZONE – Staff

Mayor Hadfield explained that this made the City's Ordinances consistent in allowing sexually oriented businesses only in the I-1, Industrial zone. This was a housekeeping measure.

Councilman Shelton moved to adopt Ordinance No. 2014-08-30 approving an amendment to Ordinance 2009-03-13 of the American Fork City Municipal Code. Councilman Frost seconded the motion.

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

Councilman Bowen asked if there was someone seeking application.

Mayor Hadfield answered that there was not one to his knowledge.

Mayor Hadfield called for a vote on the motion. Voting was as follows: Aye, Councilmembers Shelton, Frost, Taylor, and Shorter. Nay, Councilman Bowen. The motion carried.

REVIEW AND ACTION REGARDING A LEASE AGREEMENT WITH AVATIVE, LLC –
George Schade

George Schade explained that this allowed Avative, LLC, into the Network Operations Center (NOC). It did not provide a lot of revenue but the plan all along was to provide something that was attractive to the different providers that were out there.

Councilman Taylor moved approval of the Lease Agreement with Avative, LLC. Councilman Frost seconded the motion. All were in favor.

CONSIDERATION AND ACTION ON ENTERING INTO AN EXECUTIVE SESSION TO
DISCUSS THE PROFESSIONAL CHARACTER AND COMPETENCE OF AN INDIVIDUAL
– Mayor Hadfield

Councilman Taylor moved to enter into an executive session at 8:58 p.m. to discuss the professional character and competence of an individual. Councilman Shorter seconded the motion. All were in favor.

The City Council entered into an executive session at 9:00 p.m. (See ATTACHMENT 3)

The executive session concluded at 9:18 p.m.

ADJOURNMENT

Councilman Frost moved adjournment at 9:18 p.m. Councilman Shelton seconded the motion. All were in favor.

(Mayor Hadfield asked that a letter he received after the meeting regarding the cemetery expansion from Scott Kettle be included in the minutes. It is included as ATTACHMENT 4)



Richard M. Colborn
City Recorder

ROBERT WARNICK
P. O. Box 71412
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February 19, 2009

Mayor Heber Thompson
33 North Church Street
American Fork, 84003

RE: ANTICIPATED CEMETERY EXPANSION

Mayor Thompson:

I am a former resident of American Fork and we have met on a couple of occasions in the past. I went to school with Vicky and Olani in the 50's and later served as a member of the city council and worked as the City Administrator and Recorder (late 70's and early 80's). I'm writing today following a telephone call from Alan Anderson.

During much of the time I was involved with American Fork City government, I was also the Sexton. During that time, there were discussions held regarding future expansion of the cemetery. The westward expansion has occurred and, I understand, mostly sold.

During those discussions, it was generally agreed that at some time in the future the expansion would go south to include the baseball fields. In fact, my recollection is that when the lights were moved from that field to the Art Dye Complex it was anticipated that the field could continue to be utilized for recreation only until the cemetery needed to expand that direction.

From a more personal standpoint, I believe that expansion to the south would benefit the city and its residents by keeping the cemetery in a single location and by enhancing the beauty and utilization of the cemetery. Many members of my and my wife's families own lots in the current cemetery. Our parents, other family members, and many friends and acquaintances are buried there. It is important to my family, and I am sure many other American Fork families, to keep our loved ones close together thus enhancing the likelihood of families congregating at the gravesites on important days in the lives of ourselves and our departed family members.

Your consideration of my observations is appreciated.

Sincerely,


Robert Warnick

CC: ALAN ANDERSON ✓

August 22, 2014

To all interested parties,

I am not able to attend the City Council meeting for the discussion on the Cemetery expansion; however, I feel the need to express my opinions on the subject.

To start, let me say that I am being accused of being biased based upon my employment and the truth is that I am. However, my license will allow me to bury in any cemetery in Utah and in all of the surrounding states, and I do so quite often so my business will be affected but not like the residents of American Fork will be. I am, however, more concerned as a lifetime resident of American Fork. I am proud to be from American Fork. I purchased cemetery lots for myself and family when I was in my late twenties at a time that finances were very tight for me because I could foresee the circumstances in which we presently find ourselves. I wanted to be buried in my town close to my family who are already buried there and so the purchase was very important to me.

I think that our present situation is sad for many of my friends and the residents of American Fork. They too are proud of their heritage here in the community and, due to the moratorium that is presently in place, they are unable to purchase cemetery space to plan for their futures. Many are using other city cemeteries and paying an excessive price to be there just so that they can have plans on paper for the future. Many are planning on serving missions, or moving to retirement areas but still want to be “home” when the time comes.

I have spoken to the council about the cemetery problem on multiple occasions over the last 10 years and have served on the cemetery committee for 15 years. I have spoken of the need at every monthly meeting of the cemetery committee and have been assured that the city was working on it. I have spoken to the council about the need for space for regular burials and for the need if there were a catastrophe, such as pandemic flu or an earthquake, and how we presently wouldn't meet the needs with the ground that is available.

I see an immediate need for the city to act on acquiring new ground. I have experienced the concerns and complaints of the residents of the community about the lack of space and the inability to pre-plan so that they could feel comfortable planning other events in their lives. I would hope that as the city leaders look at the expansion, they would incorporate smaller graves for cremations and babies that could extend the life of the cemetery by using less space than the adult grave that is presently used for two cremations or two infants. I would hope that there would be some tasteful columbarium walls with niches for cremations to save ground space for burials.

When the city originally purchased the old high school from the school district, we were assured that it was for cemetery expansion. Sadly, apparently the city cannot find records of these conversations. Four previous mayors were brought to a hearing with the council a few years ago to acknowledge these promises, and unfortunately no action was taken at the time. Two of the mayors have since died so that knowledge base is quickly disappearing.

I have heard complaints that American Fork should get out of the cemetery business because it is too expensive. I would inform those who feel that is so, that the original cemetery was purchased for \$1 because to transfer title you needed a dollar amount. It was a gift--a gift that has been blessing the community for over 100 years. It has been offsetting the costs to American Fork City which would have led to higher taxes to support the general budget for the city. I hope that we see as much value in honoring and providing for the residents of American Fork now as the family that donated the land back then did.

If you want to know my credentials, I am a lifelong resident of American Fork, I am a licensed Funeral Director in the state of Utah and work for a family business that has been located and served families in American Fork for 148 years. I am presently the Manager of our two locations. I have served on the Utah Funeral Directors Board for 9 years, and I am the immediate past president of the association. I have served on the Utah Funeral Directors Association Disaster Committee representing them to the state for the last 5 years. I am just finishing my tenure as Utah's Policy Board Representative to the National Funeral Directors Association and have just been elected to the Executive Board as an At-Large representative to the National Funeral Directors Association.

I think that William Gladstone said it best when he said: “Show me the manner in which a nation cares for its dead and I will measure with mathematical exactness the tender mercies of its people, their respect for the laws of the land and their loyalty to high ideals.” –William Gladstone

Once again, I encourage the city to move forward with this expansion. It is good for the community, it is good for the residents, and will bless many people both the living and the dead.

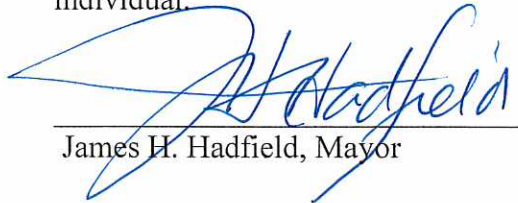
Thank You,

Alec Anderson, CFSP

Business owner and Resident of American Fork

**AMERICAN FORK CITY
MAYOR'S AFFADAVIT
James H. Hadfield, Mayor**


I, Mayor James H. Hadfield, do solemnly swear and affirm that the sole purpose of the second portion of the executive session of the American Fork City Council on Tuesday, August 26, 2014, was to discuss the professional character and competence of an individual.


James H. Hadfield, Mayor

State of Utah
County of Utah

Subscribed and sworn to before me this 27 day of August, 2014.




Signature of Notary Public

My Commission Expires: 2/4/16

JH Hadfield

From: Scott Kettle <ketscott@yahoo.com>
Sent: Tuesday, August 26, 2014 11:17 AM
To: JH Hadfield; bradfrostaf@gmail.com; rob@voteshelton.com; Jeffrey Shorter; clark@perfectlytaylor.com; carltonbowen4afcity@gmail.com; Ray Garrett
Subject: Cemetery Expansion

Mayor and City Council,

I am writing this email to express my opposition to the proposed cemetery expansion. Due to my employment, I will not be able to attend the City Council meeting tonight to voice my concerns. I have been a resident of American Fork City for almost 40 years and have lived close to the cemetery expansion during that time.

I am opposed to eliminating the parks adjacent to the Recreation Center. I feel that the parks and the rec center compliment each other. Having the parks adjacent to the rec center allow the rec center to hold activities that are a benefit to the rec center and will take away the possibility to expand the rec center in the future. Once the cemetery is expanded, you have eliminated the possibility to expand the rec center in the future.

I am also concerned about the activities at the rec center conflicting with burials at the cemetery. Moving the cemetery closer to the rec center could create a disturbance during a burial. During a busy swim meet, it could also create a parking problem.

I am disappointed in the lack of information that has been given to the entire community. I am disappointed that information about this project cannot be found on the City's facebook page or the City app. I know a sign has been placed at the corner of Center Street and 600 North, but it does not give any information about the project, just the dates of the meetings. If you don't live close to or drive by the park, you don't know that this is taking place. I have talked to several residents that don't live near the park and they were surprised to hear about the expansion.

I believe these parks are important to the community. I also know that the City Cemetery is important to the community, but I just feel that the City should be looking for a larger piece of property that will serve the community further into the future without eliminating parks that have been used by the the community for years.

Thank you for listening to my concerns.

Scott Kettle
628 North 100 West
American Fork