

AMERICAN FORK CITY  
COUNCIL MEETING MINUTES  
APRIL 14, 2015

PUBLIC HEARING

**ATTACHMENT**

The American Fork City Council met in two public hearings on **Tuesday, April 14, 2015, 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 Recorder Richard Colborn  
Finance Director Cathy Jensen  
Parks & Recreation Director Derric Rykert  
Planning Commission Chairman John Woffinden  
Police Chief Lance Call  
Public Works Director Dale Goodman  
Technology Director George Schade

Also present: Mr. Terry Mills, Jeff Mitchell, Tykert Christensen, Steve Smith, and 20 additional persons

7:15 p.m. Receiving of public comment regarding the vacation of an Easement at 1080 East State Road – Staff

Mayor Hadfield noted that this easement vacation was in conjunction with the new Maverik Store. The easement was for a pressurized irrigation pipe. Maverik would relocate the pressurized irrigation line. He asked if there were any comments.

There being none, the hearing ended at 7:17 p.m.

7:20 p.m. Receiving of public comment regarding the Mills Annexation consisting of 0.0281 acres at approximately 235 North 1075 East - Staff

Mayor Hadfield explained that this was a small piece of property across 1100 East from the Hospital. He asked if there were any comments.

Richard Colborn reported that the Recorder's Office had received no protests. Mr. Terry Mills was in attendance to answer any questions.

There being no further comment, the hearing concluded at 7:22 p.m.

REGULAR SESSION

The American Fork City Council met in regular session on Tuesday, April 14, 2015 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  
Finance Director Cathy Jensen  
Fire Chief Kriss Garcia  
Library Director Colleen Eggett  
Parks & Recreation Director Derric Rykert  
Planning Commission Chairman John Woffinden  
Police Chief Lance Call  
Public Relations/Economic Development Director Audra Sorensen  
Public Works Director Dale Goodman  
Technology Director George Schade

Also present: Jeff Mitchell, Tykert Christensen, Dan Richards, Steve Smith,

Mayor Hadfield led the audience in the Pledge of Allegiance and Councilman Shelton offered a prayer.

Mayor Hadfield invited Scouts in attendance to come forward and introduce themselves.

Troop 858 Tykert Christensen

Mayor Hadfield wished him well on Scouting's Trail and invited him to look to American Fork City when it came time for an Eagle Project.

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

Steve Smith provided a written copy of what he wanted to see done regarding Recreational Vehicles and Mobile Homes. It is included in these minutes as an **ATTACHMENT**.

Councilman Shelton reported that a change to the Development Code would start at the Planning Commission. It would go through Adam Olsen in the Planning Department.

Mr. Smith stated that he would do that.

CITY ADMINISTRATOR'S REPORT

Craig Whitehead asked Derric Rykert and Dale Goodman to come forward and report on the wind damage of today.

Derric Rykert reported that the pool bubble had come down. The pool was busy at the time but the Head Guard got everyone out before it came down. It was torn beyond repair. The cemetery lost a good sized tree that damaged some headstones. Limbs in many of the parks were down. The scorekeeper's tower at the Pony Field came down.

Dale Goodman reported that they had many calls regarding down trees and limbs around the City. Crews were on the move from one location to another.

Mr. Rykert explained that the bubble was ripped as it came down and was caught on the diving board and the lifeguard stands.

### COUNCIL REPORTS CONCERNING COMMITTEE ASSIGNMENTS

Councilman Bowen had nothing to report at this time but expressed his gratitude to Public Works for keeping the streets clear of tree limbs and our roads safe. He appreciated that effort.

Councilman Frost explained that "Always Ready" was what was posted on the side of the American Fork City Fire Truck. He spent time recently watching them train in the parking lot of the Public Safety Building. You better know what you are doing in operating the Jaws of Life. The only way to be ready is to train like it is for real. They staged an accident scene as to what may take place on any day on I-15. There needed to be a brag session on these people. Thanks to the men and women in our Fire Department. He added that the Mayor has said, "On the worse day of your life when you call 911, they will be ready."

Councilman Shelton noted that the Library was alive and well. They were just finishing up the spring reading program. If one had read enough they would receive an In-n-Out Burger voucher. The "The Lego Movie" was coming up May 2<sup>nd</sup>. Cost was \$5 per family.

Councilman Shelton appreciated his opportunity to serve in this capacity over the past 3½ years and after a lot of thought has decided to run again for another four years.

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

### MAYOR'S REPORT

Mayor Hadfield reported that he attended the Utah League of Cities and Towns convention in St. George last week and learned new things. There were good speakers and great presentations.

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 March 19, 2015 City Council Work Session & Special Session minutes
2. Approval of the March 24, 2015 City Council minutes.
3. Approval of the City bills for payment, manually prepared checks, and purchase requests over \$25,000. – *Cathy Jensen*

4. Approval of the purchase of real property for right-of-way associated with the 500 East 980 North Art Dye Park Access Project. – *Dale Goodman*
5. Approval of the purchase of real property for right-of-way associated with the 900 West Road Reconstruction - Phase 2 Project. – *Andy Spencer*

Mayor Hadfield asked if there were questions on the Common Consent items.

Councilman Bowen asked to move Common Consent items 4 and 5 to the action items. He did not see the finance items in drop box so he was not able to review them.

Mayor Hadfield stated that they were there.

Mayor Hadfield asked for a motion on items 1, 2, & 3 of the Common Consent Agenda.

**Councilman Shelton moved to approve items 1, 2, & 3 of the Common Consent Agenda. Councilman Frost seconded the motion.**

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

**Voting by voice roll call was as follows:**

<b>Councilman Bowen</b>	<b>Nay</b>	
<b>Councilman Frost</b>	<b>Aye</b>	
<b>Councilman Shelton</b>	<b>Aye</b>	
<b>Councilman Shorter</b>	<b>Aye</b>	
<b>Councilman Taylor</b>	<b>Aye</b>	<b>The motion carried</b>

ACTION ITEMS

(From Common Consent No. 4) REVIEW AND ACTION ON THE APPROVAL OF THE PURCHASE OF REAL PROPERTY FOR RIGHT-OF-WAY ASSOCIATED WITH THE 500 EAST 980 NORTH ART DYE PARK ACCESS PROJECT – *Dale Goodman*

Mayor Hadfield explained that the City was acquiring property and access easements for construction from three property owners.

Mayor Hadfield asked if there were questions.

Councilman Bowen asked if these were voluntary agreements with the property owners.

Andy Spencer answered that they were.

Councilman Shelton added that he had worked with the residents and they had all signed agreements.

**Councilman Taylor moved to approve the purchase of real property on 980 North and 500 East associated with the Art Dye Access Project and to authorize the Mayor to sign the Real Estate Purchase Agreement documents. Councilman Shorter seconded the motion.**

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

**Voting by voice roll call was as follows:**

<b>Councilman Bowen</b>	<b>Aye</b>	
<b>Councilman Frost</b>	<b>Aye</b>	
<b>Councilman Shelton</b>	<b>Aye</b>	
<b>Councilman Shorter</b>	<b>Aye</b>	
<b>Councilman Taylor</b>	<b>Aye</b>	<b>The motion carried</b>

(From Common Consent No. 5) REVIEW AND ACTION ON THE APPROVAL OF THE PURCHASE OF REAL PROPERTY FOR RIGHT-OF-WAY ASSOCIATED WITH THE 900 WEST ROAD RECONSTRUCTION - PHASE 2 PROJECT – *Andy Spencer*

Andy Spencer explained that for a number of months they had been preparing for the 900 West construction project and negotiating with property owners along that route. They had reached an agreement with Dan Richards. Other property owners have provided right of entry documents while they finish their final negotiations. He anticipated that they would be ready in two weeks.

Mayor Hadfield asked if there any questions.

Councilman Bowen asked if the purchase agreement was voluntary.

Mr. Dan Richards stated that it was. He asked when the date of closing was expected. It was not in the document.

Mr. Spencer’s expectation was that they would proceed as soon as it could go through the title company and checks could be cut.

**Councilman Frost moved to approve the purchase of real property on 900 West associated with the 900 West Road Reconstruction - Phase 2 Project and authorize the Mayor to sign the Real Estate Purchase Agreement documents. Councilman Shelton seconded the motion.**

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

**Voting by voice roll call was as follows:**

<b>Councilman Bowen</b>	<b>Aye</b>	
<b>Councilman Frost</b>	<b>Aye</b>	
<b>Councilman Shelton</b>	<b>Aye</b>	
<b>Councilman Shorter</b>	<b>Aye</b>	
<b>Councilman Taylor</b>	<b>Aye</b>	<b>The motion carried</b>

Mayor Hadfield asked if the other properties would be ready in two weeks to which Mr. Spencer replied that he thought they would be. He expressed appreciation to staff to get this to this point.

REVIEW AND ACTION ON AN ORDINANCE APPROVING THE VACATION OF AN EASEMENT AT 1080 EAST STATE ROAD - Staff

Mayor Hadfield explained that this was a matter of an earlier public hearing.

**Councilman Shorter moved to approve Ordinance No. 2015-04-19 approving the vacation of an Easement at 1080 East State Road. Councilman Frost seconded the motion.**

Mayor Hadfield asked if there were questions on the motion.

Councilman Bowen asked if Maverik was paying for the relocation.

Mayor Hadfield answered that they were.

**Voting by voice roll call was as follows:**

<b>Councilman Bowen</b>	<b>Aye</b>	
<b>Councilman Frost</b>	<b>Aye</b>	
<b>Councilman Shelton</b>	<b>Aye</b>	
<b>Councilman Shorter</b>	<b>Aye</b>	
<b>Councilman Taylor</b>	<b>Aye</b>	<b>The motion carried</b>

REVIEW AND ACTION ON A MOBILE FOOD BUSINESS ORDINANCE – Audra Sorensen

Mayor Hadfield explained that Audra Sorensen had done a lot of work on this along with the City Attorney. There were changes as late as this afternoon with some distances. It was the subject of a lengthy discussion at the last work session.

Mr. Sorensen asked if there were any questions. There were none.

**Councilman Shelton moved to adopt Ordinance No. 2015-04-20 approving the Mobile Food Business and Licensing fees, the most recent version with the distance in feet instead of blocks. Councilman Taylor seconded the motion.**

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

**Voting by voice roll call was as follows:**

<b>Councilman Bowen</b>	<b>Nay</b>	
<b>Councilman Frost</b>	<b>Aye</b>	
<b>Councilman Shelton</b>	<b>Aye</b>	
<b>Councilman Shorter</b>	<b>Aye</b>	
<b>Councilman Taylor</b>	<b>Aye</b>	<b>The motion carried</b>

REVIEW AND ACTION ON A RESOLUTION APPROVING THE IMPLEMENTATION OF THE PARKS, ARTS, RECREATION AND CULTURE (PARC) TAX, AND THE POLICIES AND PROCEDURES THAT WILL GOVERN THE APPLICATION, SELECTION, DISTRIBUTION, AND ACCOUNTING OF FUNDS – Derric Rykert

Mayor Hadfield explained that this was also an item of discussion at the last work session.

**Councilman Shelton moved to approve Resolution No. 2015-04-09R establishing the PARC Tax Advisory Board. Councilman Taylor seconded the motion.**

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

**Voting by voice roll call was as follows:**

<b>Councilman Bowen</b>	<b>Nay</b>	
<b>Councilman Frost</b>	<b>Aye</b>	
<b>Councilman Shelton</b>	<b>Aye</b>	
<b>Councilman Shorter</b>	<b>Aye</b>	
<b>Councilman Taylor</b>	<b>Aye</b>	<b>The motion carried</b>

Mayor Hadfield expressed appreciation for the staff’s work on this item. He would have some names to present in two weeks for this Board.

REVIEW AND ACTION ON THE ORDINANCE OF ANNEXATION AND THE ANNEXATION AGREEMENT FOR THE BARRATT ANNEXATION NO. 2 AT 1155 EAST 300 NORTH CONSISTING OF 1.25 ACRES TO BE PLACED IN THE RA-1 RESIDENTIAL AGRICULTURAL ZONE – Daniel Barratt

Mayor Hadfield explained this annexation had been ongoing for a period of time. He asked if there were any questions.

**Councilman Shorter moved to approve Ordinance No. 2015-04-21 approving the Annexation of the Barratt Annexation No. 2 at 1155 East 300 North consisting of 1.25 acres to be placed in the RA-1, Residential Agricultural zone. Councilman Frost seconded the motion.**

Mayor Hadfield asked if there were questions on the motion.

Councilman Bowen asked if Mr. Barratt had not petitioned for the Annexation.

Richard Colborn responded that Mr. Barratt did petition for Annexation. The holdup was him signing the annexation agreement. That had now taken place.

**Voting by voice roll call was as follows:**

<b>Councilman Bowen</b>	<b>Aye</b>	
<b>Councilman Frost</b>	<b>Aye</b>	
<b>Councilman Shelton</b>	<b>Aye</b>	
<b>Councilman Shorter</b>	<b>Aye</b>	
<b>Councilman Taylor</b>	<b>Aye</b>	<b>The motion carried</b>

REVIEW AND ACTION ON THE ORDINANCE OF ANNEXATION AND THE ANNEXATION AGREEMENT FOR THE D GREENWOOD ANNEXATION, A PORTION OF THE QUEENS DRIVE ANNEXATION, CONSISTING OF 1.025 ACRES AT APPROXIMATELY 1089 EAST QUEENS DRIVE AND PLACEMENT OF THE PROPERTY IN THE RA-1 RESIDENTIAL AGRICULTURAL ZONE – Dale M. Greenwood

Adam Olsen stated that this was a portion of the original Queens Drive Annexation. It was being annexed a portion at a time as property owners desired.

**Councilman Taylor moved to approve Ordinance No. 2015-04-22 approving the Annexation of the D Greenwood Annexation, a portion of the Queens Drive Annexation, and the Annexation Agreement, consisting of 1.025 acres at approximately 1089 East Queens Drive and placement of the property in the RA-1 Residential Agricultural zone. Councilman Shelton seconded the motion.**

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

Councilman Bowen asked if a public hearing had been held previously. Mayor Hadfield responded that there had been.

**Voting by voice roll call was as follows:**

<b>Councilman Bowen</b>	<b>Aye</b>	
<b>Councilman Frost</b>	<b>Aye</b>	
<b>Councilman Shelton</b>	<b>Aye</b>	
<b>Councilman Shorter</b>	<b>Aye</b>	
<b>Councilman Taylor</b>	<b>Aye</b>	<b>The motion carried</b>

REVIEW AND ACTION ON THE AWARD OF A BID FOR THE 500 EAST 980 NORTH ART DYE PARK ACCESS PROJECT – Staff

Andy Spencer explained that this year an item for work at 500 East and 980 North was placed in the budget. The City has purchased the box culvert. The initial bid came in over the estimated budget at \$1.55 million budget. After discussion, some changes, and a rebid of the project it still came in at \$1.4 million. They met again and discussed options and cut back on some of the landscaping at this time and contemplated postponing the trail on 980 North. That took the amount for Phase 1 down to \$954,000. They worked with low bidder S&L Excavation and they were in close concurrence with the numbers. S&L wanted a little flexibility after they see the final drawings. This would still require a \$100,000 change in the budget. He expressed that this would be a beautiful project. They hoped to finish it all up in the 2016 Budget including Phase 2.

Councilman Shelton asked if the chicanes had been eliminated.

Mr. Spencer answered that they had and would be placed in Phase 2. Paving would be done in house for Phase 2.

Councilman Bowen asked what golf course modifications that were being postponed.



Mr. Spencer responded that in order to fit the trail it was necessary to go onto the golf course and redo the cart paths on holes 16 and 17. For the most part this would eliminate substantial impact to the golf course.

Councilman Shelton asked if curbing was still included on the north side.

Mr. Spencer answered that it was.

**Councilman Shelton moved to accept the base bid submitted by S & L, Inc. for the construction of the 500 East 980 North Art Dye Park Access Project in the amount of \$954,333 with a ten percent (10%) contingency allowance of \$95,433 for a total project budget of \$1,049,766, and authorize staff to proceed with the preparation of contract documents. Councilman Shorter seconded the motion.**

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

**Voting by voice roll call was as follows:**

<b>Councilman Bowen</b>	<b>Aye</b>	
<b>Councilman Frost</b>	<b>Aye</b>	
<b>Councilman Shelton</b>	<b>Aye</b>	
<b>Councilman Shorter</b>	<b>Aye</b>	
<b>Councilman Taylor</b>	<b>Aye</b>	<b>The motion carried</b>

REVIEW AND ACTION ON THE AWARD OF A BID FOR THE 900 WEST ROADWAY RECONSTRUCTION PHASE 2 PROJECT – Staff

Andy Spencer reported that both Mr. Richards and Mr. Mitchell were in attendance. The low bidder was Granite Construction. He reviewed the complicated suggested motion.

- They bid the 900 West construction
- They also bid the connection of 1120 North to 900 West over Mitchell Hollow as Alternate #1

The suggested motion awarded the Base Bid and 1120 North, Alternate #1.

- Also bid for Lehi City was a waterline that would connect their new well up by their pond that was just north of 1120 North. This was Alternate #4.

The suggested motion included that Lehi City would provide assurance of repayment of expenses associated with Alternate #4.

- In conjunction with the rights-of-way the City may have the funds available to finish the work on 700 North in front of the Mitchell Farms Property.

The suggested motion was to conditionally award Alternates #2 and #3 for some street lighting and the work on 700 North.

Andy Spencer explained that they planned to use impact fees that would be received for next year. This was an impact fee eligible project and while they had a contractor on site, they would like to finish it. This project culminated a lot of bidding this winter that totaled about \$7 million in roadwork this year. Phase 2 on 980 North would take that to about \$8 million.

Councilman Taylor asked what the ramifications were of rebidding 700 North so they were not part of this award.

Mr. Spencer estimated that if that was done the City would pay another 20 percent. He introduced Jeff Jones from Granite Construction who could provide some additional information.

Mr. Jones responded that right now they were locked in with oil prices. He felt oil prices were going to rise along with material costs. He believed Andy Spencer's assumptions to be correct.

Councilman Shelton noted that the City would be taking impact fees that could not be used for any reconstruction projects. He thought it was time to give some finality in that area. He believed that was what the residents in the area wanted.

Councilman Bowen commented that what was talked about was using impact fees yet to come.

Mr. Spencer answered that was correct. They would be finishing this project in 2016 and it was felt that was a good way to go. Things were strong and it was not felt that it was much of a risk in that regard.

Councilman Frost expressed that on the impact fees they were living on the Law of Averages.

Andy Spencer reported that conservatively the City should take in \$500,000.

Councilman Frost asked what happened if they fell short.

Mr. Spencer answered that the fall back was fund balance.

Councilman Frost asked if they had to use fund balance for the full amount where would that leave the City.

Cathy Jensen stated that fund balance was between 19 percent and 25 percent. The City should still be okay.

Councilman Shelton explained that the City historically was down around 9 percent fund balance. Since then the City has doubled it to over 18 percent. It was wise to look at projects like this where some money could be saved. There were a lot of large projects out there for companies to bid on. This was a small one.

**Councilman Shelton moved approval of the suggested motion.**

**(Accept the Base Bid and Additional Bid #1 (1120 North) submitted by Granite Construction for the 900 West Reconstruction Project in the amount of \$2,435,308 with a**

**ten percent (10%) contingency allowance of \$243,531 for a total of \$2,678,839, and authorize staff to proceed with the preparation of contract documents.**

**Award Alternate #4 in the amount of \$142,650 pending financial assurance from Lehi City for repayment of expenses associated with this Alternate.**

**Conditionally award Alternate #2 and #3 pending rights-of-way negotiation outcome to determine funding availability. Staff shall be authorized to enact these alternates at such time as sufficient funds are assured.)**

**Councilman Shorter seconded the suggested motion.**

Mayor Hadfield asked if there were questions on the motion.

Councilman Shelton appreciated Jeff Mitchell and hoped that this did not impact anything that he had going on negotiation wise.

Mr. Spencer stated that in the motion it was to conditionally award pending rights-of-way negotiations.

Jeff Mitchell expressed that he and Andy Spencer had worked on this for six to eight months now. The north side of 700 North had no sidewalk. Mr. Mitchell has allowed for that now. There was to be a consolidation of some of the trail systems so there were not paralleling trails 300 yards apart. As a business and family and home, he personally would like to see it wrapped up and done with. From a family perspective he definitely felt that this had a shelf life.

Councilman Bowen supported the work on 700 North and 900 West. He was concerned that it was bigger than it need to be as far as the suggested motion. He felt that Alternates #2 and #3 and #4 was a little bit premature. He did not see why 1120 North needed to be included.

**Councilman Bowen moved to amend the suggested motion to remove Alternate Bid #1, Alternate Bid #4, and Alternates #2 and #3.**

Mayor Hadfield called for a second.

Councilman Frost stated that he was not going to second that motion because he felt strongly that 1120 North was a key road that needed to come through. He would not dare take it out.

Councilman Shelton added that it would cost the City a hefty penny to do it later. Postponing 700 North or 1120 North would not be a wise use of funds. A little bit of vision was needed to see more than just to July 1, 2015. He felt comfortable with moving ahead with it.

Councilman Taylor expressed that they had talked at nausea about the need for traffic flow and to get 900 West done so that the pressure could be relieved from the north and south corridors that were already packed, First East in particular. This would quell a little bit of that traffic. They talked about having 1120 North go through for some time for the benefit of all. It was a win-win to have both 1120 North and 900 West taken care of.

Councilman Bowen continued that some of the other concerns he had was the \$500,000 in anticipated impact fees. He was not suggesting that the City would not receive that amount, but when the City set the utility rates in the past for the secondary irrigation and counting on impact fees, the economy crashed and there were not enough impact fees to make those payments. Subsequently the City's utility rates were jacked up significantly. Caution needed to be exercised in using funds that had not yet materialized. He felt they could move forward with the work on 900 West and 700 North without counting on those additional funds by just reducing the scope of the project. As time went on they could add in this additional scope.

Councilman Bowen questioned that costs would go up in the future. Gas prices had actually dropped significantly in the last year to almost a half of what a barrel was a year ago. He was not convinced that costs would go up in the future.

Councilman Shelton commented that some key points to look at included that they were comparing a \$39 million bond to a \$500,000 impact fee portion of this project. They were not bonding for this project. He did not think it was a fair comparison. This was one-time money that was spent and done.

Councilman Bowen responded that the only comparison that he was making was relying on income that had not yet materialized.

Councilman Shelton noted that they did that every year with the budget. In July the City would allocate millions of dollars that the City had not gotten through sales tax or property tax. That was how the City was run. They did not get their money all in one lump sum.

Councilman Bowen stated that they did not even know what the 2016 budget was going to be yet. They did not know what other priorities there were. They were kind of taking this out of context.

**Mayor Hadfield called for a second to Councilman Bowen's amendment to the suggested motion. Hearing none, he declared the motion dead for the lack of a second.**

**Mayor Hadfield called for a vote on the suggested motion. Voting by voice roll call was as follows:**

<b>Councilman Bowen</b>	<b>Nay</b>	
<b>Councilman Frost</b>	<b>Aye</b>	
<b>Councilman Shelton</b>	<b>Aye</b>	
<b>Councilman Shorter</b>	<b>Aye</b>	
<b>Councilman Taylor</b>	<b>Aye</b>	<b>The motion carried</b>

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 an amended commercial site plan for Autobahn Carwash located at 504 North 900 West in the GC-2 General Commercial zone – Benchmark Civil Engineering

**Councilman Shelton moved to adopt Ordinance No. 2015-04-23 approving an amended commercial site plan for Autobahn Carwash located at 504 North 900 West in the GC-2 General Commercial zone with instructions to the City Recorder to withhold publication of the Ordinance subject to all conditions identified in the public record associated with the March 18, 2015 Planning Commission meeting. Councilman Bowen seconded the motion.**

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

**Voting by voice roll call was as follows:**

<b>Councilman Bowen</b>	<b>Aye</b>	
<b>Councilman Frost</b>	<b>Aye</b>	
<b>Councilman Shelton</b>	<b>Aye</b>	
<b>Councilman Shorter</b>	<b>Aye</b>	
<b>Councilman Taylor</b>	<b>Aye</b>	<b>The motion carried</b>

- b. Review and action on the final plat of Autumn Crest Subdivision Plat D Phase 1, consisting of 17 lots, located in the vicinity of 1040 North 900 East (Mt. Timpanogos Blvd), in the R1-9,000 Residential Zone – Patterson Homes

Mayor Hadfield asked if there were questions on this item. There were none.

**Councilman Taylor moved to approve the final plat of Autumn Crest Subdivision Plat D Phase 1, consisting of 17 lots, located in the vicinity of 1040 North 900 East (Mt. Timpanogos Blvd), in the R1-9,000 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 public record associated with the March 4, 2015 Planning Commission meeting. Councilman Shorter seconded the motion.**

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

**Voting by voice roll call was as follows:**

<b>Councilman Bowen</b>	<b>Aye</b>	
<b>Councilman Frost</b>	<b>Aye</b>	
<b>Councilman Shelton</b>	<b>Aye</b>	
<b>Councilman Shorter</b>	<b>Aye</b>	
<b>Councilman Taylor</b>	<b>Aye</b>	<b>The motion carried</b>

REVIEW AND ACTION REGARDING THE LIBRARY'S E-RATE GRANT IN THE AMOUNT OF NO MORE THAN \$15,989.95 - Colleen Eggett

Mayor Hadfield reported that this grant had been applied for by the City's new Library Director Colleen Eggett. It required some matching funds. The grant would be used to improve the Library's Internet connectivity.

Colleen Eggett explained that when she was hired she looked at what was needed at the Library and it was obvious to her right-off that as soon as the Library and the parking lot were full the Library's Internet went down around 3:00 p.m. to 4:00 p.m. She was aware of the e-Rate grant where they could get federal funding from the FCC, not taxpayer dollars, for schools and libraries dealing with Internet connectivity. This was a 50 percent matching grant. One of the big users of this grant in Utah County was the Alpine School District.

Councilman Bowen thought the FCC was part of the federal government.

Ms. Eggett explained that the grant was not taxpayer dollars. This was funding through access charges paid by long distance carriers. This program was under the direction of the FCC.

Councilman Bowen appreciated where Ms. Eggett was going with that but guessed that the carriers and people that had to pay the fee, which he guessed ultimately was paid the consumers on their local phone bill, was not voluntary and they would probably consider it a tax.

Councilman Frost asked if the Library's Internet was secure and if there was a password required. Protection was important.

Ms. Eggett answered that when a person logged onto the wireless service they were hit with a screen that makes them accept the Library's Policies. They will have a greater opportunity to do that with a better wireless service than before because hubs could be placed at certain places throughout the building and then it could be controlled exactly where that access was. She thought she would get with the police, for example, to decide whether they want it to go out into the park or not. She suggested that they did not want access in the back parking lot.

Councilman Shelton asked if this was coming from already budgeted funds.

Ms. Eggett responded that all of the funds were proposed in the upcoming 2016 budget.

**Councilman Taylor moved to approve the expenditure for e-Rate expenses for the Library. Councilman Frost seconded the motion.**

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

**Voting by voice roll call was as follows:**

<b>Councilman Bowen</b>	<b>Nay</b>	
<b>Councilman Frost</b>	<b>Aye</b>	
<b>Councilman Shelton</b>	<b>Aye</b>	
<b>Councilman Shorter</b>	<b>Aye</b>	
<b>Councilman Taylor</b>	<b>Aye</b>	<b>The motion carried</b>

REVIEW AND ACTION ON THE 2015 MUNICIPAL RECREATION GRANT IN THE AMOUNT OF \$30,657.54 – Derric Rykert

Derric Rykert explained that this was an annual item that the City was eligible for from the County. It was based on population. The City was awarded \$15,000 last year and because of the project they were trying to do at the Fitness Center entry and front desk remodel they held that money to put it with this year’s money. They were allowed to roll the money over for one year.

**Councilman Frost moved to approve the 2015 Municipal Recreation Grant Application. Councilman Shelton seconded the motion.**

Councilman Frost asked when it was anticipated that the remodel would start.

Mr. Rykert answered that it could start possibly in about two weeks.

**Voting by voice roll call was as follows:**

<b>Councilman Bowen</b>	<b>Abstain</b>	
<b>Councilman Frost</b>	<b>Aye</b>	
<b>Councilman Shelton</b>	<b>Aye</b>	
<b>Councilman Shorter</b>	<b>Aye</b>	
<b>Councilman Taylor</b>	<b>Aye</b>	<b>The motion carried</b>

REVIEW AND ACTION ON AN ORDINANCE ADOPTING AN AMENDMENT TO SECTION 17.5.121.B, RELATING TO “LANDSCAPING” AND “APPLICABILITY” OF THE AMERICAN FORK CITY DEVELOPMENT CODE – Staff

Adam Olsen explained that this amendment proposed to simplify the parameters as to when landscaping was required. It took out the remodel of a structure as something that triggered landscaping. There had been complaints that it was unfair. This simplified the parameters.

Councilman Frost asked who determined what was needed.

Mr. Olsen responded that as it stood currently it just referred to businesses. The City did not regulate the landscaping on single family parcels. If someone came in to remodel the Cal-Ranch building and use it as a retail establishment, they would be required to bring the landscaping up to code. This amendment would not make that a requirement. It would be a requirement if there was expansion to the building, parking area, or new construction on a vacant piece of ground.

**Councilman Taylor moved to approve Ordinance No. 2015-04-24 adopting an amendment to Section 17.5.121.B, relating to “Landscaping” and “Applicability” of the American Fork City Development Code. Councilman Frost seconded the motion.**

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

**Voting by voice roll call was as follows:**

<b>Councilman Bowen</b>	<b>Abstain</b>
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<b>Councilman Frost</b>	<b>Aye</b>	
<b>Councilman Shelton</b>	<b>Aye</b>	
<b>Councilman Shorter</b>	<b>Aye</b>	
<b>Councilman Taylor</b>	<b>Aye</b>	<b>The motion carried</b>

REVIEW AND ACTION ON AN ORDINANCE ADOPTING AMENDMENTS TO SECTIONS 17.4.101, 17.4.102, 17.4.201, 17.4.202, 17.4.203, 17.4.204, 17.4.205, 17.4.206, 17.4.301, 17.4.302, PARAGRAPHS E.1.E OF THE AMERICAN FORK CITY DEVELOPMENT CODE RELATING TO REAR SETBACKS ON CORNER LOTS – *Staff*

Adam Olsen explained that this amendment proposed to modify the setback requirements for corner lots. Specifically it addressed where the rear setback abutted a side setback of an adjacent parcel. It gave owners of those corner lots more room to expand. This was brought up through the Planning Commission. They looked at options and this was the one they recommended.

**Councilman Shorter moved to approve Ordinance No. 2015-04-25 adopting amendments to sections 17.4.101, 17.4.102, 17.4.201, 17.4.202, 17.4.203, 17.4.204, 17.4.205, 17.4.206, 17.4.301, 17.4.302, paragraphs E.1.e of the American Fork City Development Code relating to rear setbacks on corner lots. Councilman Taylor seconded the motion.**

Mayor Hadfield asked if there was any discussion on the motion.

Councilman Shelton appreciated the attention to detail on this. It was well thought out.

**Voting by voice roll call was as follows:**

<b>Councilman Bowen</b>	<b>Abstain</b>	
<b>Councilman Frost</b>	<b>Aye</b>	
<b>Councilman Shelton</b>	<b>Aye</b>	
<b>Councilman Shorter</b>	<b>Aye</b>	
<b>Councilman Taylor</b>	<b>Aye</b>	<b>The motion carried</b>

REVIEW AND ACTION ON THE APPROVAL OF THE PURCHASE OF A LEEBOY 8616B ASPHALT PAVER FROM CATE EQUIPMENT COMPANY FOR USE IN THE CITY'S PAVEMENT MANAGEMENT PROGRAM – *Dale Goodman*

Dale Goodman reported that this was a subject at the last work session. There were changes. Rather than financing this through someone such as Zions, they were looking at other options. Lehi City was still going to go 50-50 with American Fork. He would be working with Cathy Jensen on other ways of funding.

Councilman Shelton asked if there was any reason why a finance company like Zions did not want to be used.

Mr. Goodman explained that the concern they had was with the bond limit of \$10 million which was on a calendar year. With this particular purchase it could be very close to the limit or go over the \$10 million limit which would push the City into another bracket. They did not want to wait until January 1, 2016 to purchase the paver.



Councilman Shelton asked if they had to do it as a bond or could it be done as a loan.

Cathy Jensen responded that if it was non-taxable it was counted as a bond.

Councilman Shelton asked if they could look at doing a normal loan without the tax qualification.

Cathy Jensen answered that they could look at that.

Councilman Bowen would rather use the existing B & C Road funding and the Road Accrual Fund.

Councilman Shelton noted that the City would use this machine in part of the Phase 2 of the 980 North improvements and would save a great deal.

**Councilman Shorter moved to authorize the immediate rental of one LeeBoy 8616B Tier-4i paver from Cate Equipment Company for the balance of the fiscal year, and the subsequent purchase of said paver after July 1, 2015. Councilman Taylor seconded the motion.**

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

**Voting by voice roll call was as follows:**

<b>Councilman Bowen</b>	<b>Aye</b>	
<b>Councilman Frost</b>	<b>Aye</b>	
<b>Councilman Shelton</b>	<b>Aye</b>	
<b>Councilman Shorter</b>	<b>Aye</b>	
<b>Councilman Taylor</b>	<b>Aye</b>	<b>The motion carried</b>

ADJOURNMENT

**Councilman Shelton moved adjournment at 8:55 p.m. Councilman Frost seconded the motion. All were in favor.**



Richard M. Colborn  
City Recorder

## ATTACHMENT TO THE 04-14-2015 CC MINUTES – PAGE 1 OF 1

Dear Mayor and Council Members,

Section 10.5.124 reads:

*17.5.124 Recreational vehicles and mobile homes prohibited; exceptions.*

*It shall be unlawful to place any recreation vehicle on any lot or parcel of land in the area covered by the zoning map and to use the same for human habitation, except when located in a vacation vehicle court or when used as temporary sleeping quarters when located on the same lot as a dwelling for a period of not more than fifteen days in any one calendar year.*

*It shall be unlawful to place a mobile home on any lot or parcel of land in an area covered by the zoning map and to use the same for human habitation, except in compliance with one or more of the following conditions.*

- 1. When located in a licensed mobile home park or in a vacation vehicle court.*
- 2. When placed on a lot on which a main building is being constructed subject to the following conditions and safeguards:*
  - a. The mobile home will be connected to the city's water and sewer system.*
  - b. The board of adjustment, after public hearing, finds that property values in the surrounding area will be fully safeguarded.*
  - c. Assurances will be given to the city in the form of a bond, mortgage, or other consideration in the amount of three hundred dollars or more as a guarantee that the mobile home will be removed from the premises upon completion of the main building but no later than one year from the date of the issuance of the permit for the main building.*

There is a clear distinction between an RV and a Mobile Home and while this ordinance provides some options and exceptions for Mobile Homes it severely limits the use of one's Recreational Vehicle on a similar temporary basis longer than 15 days. I would like to respectfully request that the ordinance be changed to provide some of the same benefits to Recreation Vehicles and make it easier to allow temporary use during such things as construction activities, etc.

We excited to be building a home in American Fork (1352 No. 100 East) and would like to move our fully contained 5<sup>th</sup> Wheel onto the lot during construction, not to exceed 6 months. It is the same 5<sup>th</sup> Wheel that will continue to be parked there long after we move into our home, so it is not something that will detract from the neighborhood. Our biggest concern is that during construction the insurance company will not cover theft of materials, that coverage is specifically excluded. Given the frequency with which theft on construction sites occurs, we feel at great risk and unprotected by not being able to be onsite to keep an eye on things. Secondly, there is some personal savings of time and energy since I am building my own home, it would be handy to be right there, use it as a construction office and have private facilities. There is also savings financially if we do not have to pay rent elsewhere.

I feel it would be a benefit to many others if the ordinance were amended to allow temporary use of an RV based on the same accommodation as a mobile home. However I believe it over the top and burdensome to require either one to apply to the Board of Adjustments for a temporary exclusion. The building department is perfectly capable of making and deciding exceptions, setting limits and even administering a small bond if necessary for enforcement.

Requiring one to make application to the Board of Adjustments seems unnecessary, and it also can take weeks to even get on the agenda and then have a hearing. So it would be nice to see that process made more simple and easier to administer. After all, it is temporary, and Board of Adjustments are generally there to grant exceptions of a permanent basis that affect the citizens for years to come.

In the meantime until such a review is done, and possible changes made, I would like to request permission to temporarily use my 5<sup>th</sup> wheel on my property while I build to provide security for my site and materials.

Respectfully,  
W. Steven Smith  
801-502-6398