AMERICAN FORK CITY COUNCIL MEETING MINUTES JULY 28, 2015

PUBLIC HEARING

The American Fork City Council met in a public hearing on Tuesday, July 28, 2015, in the American Fork City Hall, 31 North Church Street, commencing at 7:20 p.m. Those present included Mayor James H. Hadfield, Councilman Rob Shelton, Councilman Jeff Shorter, and Councilman Clark Taylor.

Staff Present: Craig Whitehead, City Administrator

Terilyn Lurker, Deputy Recorder Dale Goodman, Public Works Director

George Schade, IT Director

Wendelin Knobloch, Associate Planner

Cathy Jensen, Finance Officer Lance Call, Police Chief Kasey Wright, Legal Counsel Adam Olsen, Senior Planner Kriss Garcia, Fire Chief

Audra Sorensen, Public Relations/Economic Development Director

Derric Rykert, Parks and Recreation Director

Also Present: John Woffinden, Barbara Christiansen, Kevin Barnes, Allan Simpson, Rob McNeil, Fred Roberts, scouts and their leaders, and approximately 5 additional people.

7:20 p.m. - Receiving of public comment regarding the Catalyst Business Park Annexation consisting of 111.26 acres at 150 East 1500 South

Mayor Hadfield explained the purpose of the public hearing was to receive comment regarding the Catalyst Business Park Annexation consisting of 111.26 acres at 150 East 1500 South. Mayor Hadfield asked if there were any comments. There being no public comment, the hearing concluded at 7:21 p.m.

REGULAR SESSION

The American Fork City Council met in regular session on Tuesday, July 28, 2015, in the American Fork City Hall, 31 North Church Street, commencing at 7:30 p.m. Those present included Mayor James H. Hadfield, Councilman Carlton Bowen, Councilman Brad Frost, Councilman Rob Shelton, Councilman Jeff Shorter, and Councilman Clark Taylor.

Staff Present: Craig Whitehead, City Administrator

Terilyn Lurker, Deputy Recorder Dale Goodman, Public Works Director

George Schade, IT Director

Wendelin Knobloch, Associate Planner

Cathy Jensen, Finance Officer Lance Call, Police Chief

Kasey Wright, Legal Counsel Adam Olsen, Senior Planner Kriss Garcia, Fire Chief Audra Sorensen, Public Relations/Economic Development Director Derric Rykert, Parks and Recreation Director

Also Present: John Woffinden, Barbara Christiansen, Kevin Barnes, Allan Simpson, Rob McNeil, Fred Roberts, scouts and their leaders, and approximately 10 additional people.

Mayor Hadfield welcomed everyone present. He recognized the candidates for City Council present at this meeting: Kevin Barnes, Brad Frost, Robert Shelton and Allen Simpson. Those present recited the Pledge of Allegiance, Police Chief Call offered a prayer and roll call was taken.

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

Mayor Hadfield asked the scouts present to come forward and introduce themselves.

Troop 55 Jake Monson Troop 800 Tyler Sleight

Troop 943 Jake Taylor, Adam Rawson, Jace Doxey, Brady Pryor

Mayor Hadfield wished them well and encouraged them to remember American Fork City when it was time to work on their Eagle projects.

There were no public comments.

CITY ADMINISTRATOR'S REPORT

Mr. Whitehead had nothing to report.

COUNCIL REPORTS CONCERNING COMMITTEE ASSIGNMENTS

<u>Councilman Bowen</u> reported that the Beautification Committee held their annual BBQ and invited the Steel Days Garden Tour hosts.

Mayor Hadfield applauded the Beautification Committee for the work they do and for their efforts on beautifying Main Street.

Councilman Frost had nothing to report.

Mayor Hadfield applauded Councilman Frost and the Steel Days Committee members for their work on Steel Days. He announced that they would be holding a bounce-back with the City of Fun Carnival in August. If anyone has left-over tickets from Steel Days, they can use those or they can purchase more tickets at City Hall. During Steel Days there had been a scheduling conflict which resulted in fewer rides.

<u>Councilman Taylor</u> wanted to report on actions that were taken at the Fox Hollow Golf Course and express appreciation to our city crews. Last year, in an effort to conserve water, city crews cleaned out one of the holding ponds. American Fork, Lehi and Pleasant Grove crews lined the pond with clay in an effort to retain more water, which did make a significant difference.

<u>Councilman Taylor</u> stated that the Golf Course has also recently purchased Golfboards, which was basically a one-person cart to ride around the course on. They were a bit more expensive but fun to use. Fox Hollow is the second golf course in Utah to purchase them. He encouraged everyone to try them out.

<u>Councilman Shelton</u> wanted to thank everyone involved in Steel Days. There was a lot of work and volunteer hours that goes into that wonderful event.

<u>Councilman Shelton</u> stated he was able to talk to neighbors on 500 East near 980 North prior to the Big Show. They had a lot of positive comments.

<u>Councilman Shelton</u> attended the Bank of American Fork open house. It was a great project and beautiful restoration of the first bank in American Fork.

<u>Councilman Shelton</u> stated that the Chamber of Commerce will be holding an event at Stonegate (the old Manila Church in Pleasant Grove) with Chad Lewis speaking. More information can be found at the Chamber's website.

<u>Councilman Shelton</u> reported that the library would be adjusting their hours of operation during the carnival in August.

<u>Councilman Shorter</u> reminded those who have youth in 9th to 12th Grade that the Youth Court and Youth City Council will be starting this fall. If any youth are interested, please contact him or Monica Lish at the High School.

MAYOR'S REPORT

Mayor Hadfield reported that business in American Fork was alive and well. He noted that there will be a ribbon cutting for Maurices on Friday at 11:00 a.m. on West Main.

<u>COMMON CONSENT AGENDA</u> (*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 July 9, 2015 City Council work session minutes
- 2. Approval of the July 14, 2015 City Council minutes
- 3. Ratification of the approval of the City bills for payment, manually prepared checks, and purchase requests over \$25,000 from the July 14, 2015 City Council Meeting Cathy Jensen
- 4. Approval of the City bills for payment and purchase requests over \$25,000 Cathy Jensen

Mayor Hadfield stated that there were some changes submitted by Councilman Bowen for the July 14, 2015 City Council minutes, so those minutes would be removed from the common consent agenda and placed on the next agenda for approval.

Councilman Bowen asked if the payment to Black and McDonald for street light improvements was for additional lighting along 300 West. Mayor Hadfield answered that was correct.

Councilman Bowen stated that there were two vehicles included on the list of purchase requests over \$25,000 and asked if those were the vehicles included in the current budget. Mayor Hadfield stated that was correct.

Councilman Rob Shelton moved to approve the Common Consent agenda with the exception of the July 14 City Council minutes. Councilman Taylor seconded the motion.

Voting by voice roll call was as follows:

Councilman Bowen	Nay	
Councilman Frost	Aye	
Councilman Shelton	Aye	
Councilman Shorter	Aye	
Councilmon Toylor	A	

Councilman Taylor Aye The motion carried

ACTION ITEMS

REVIEW AND ACTION OF A 'PARKING BY PERMIT ONLY' AREA ON THE WEST SIDE OF 900 EAST, FROM 50 SOUTH TO THE CURRENT DEAD END OF THE BLOCK (APPROXIMATELY 100 SOUTH) AND A RESTRICTED PARKING ZONE ON BOTH THE NORTH AND SOUTH SIDE OF BAMBERGER DRIVE FROM APPROXIMATELY 870 EAST TO 1000 EAST. (Requested by Dale Goodman, Public Works)

Mayor Hadfield stated that this had been discussed in a work session and was discussed at the last City Council meeting, where there were not enough council members present to give it a positive vote. This was back on the agenda for action tonight.

Councilman Bowen indicated he had the same concerns as the last time this was before them. Those concerns were that there was not a clearly defined process for how long the permits were valid for and who was eligible and who was not. Councilman Bowen also felt it was more appropriate to call this the "Parking by Permit Only" zone. With regards to parking on Bamberger, he understood that there was not a problem currently and did not think it was wise to restrict parking at this time.

Councilman Shelton moved to adopt Ordinance 2015-07-38 amending Chapter 10.34, the Residential Parking Permit Program to include the neighborhood of 900 East from 50 South to approximately 100 South and to also adopt Ordinance 2015-07-39 designating Bamberger Drive between 870 East and 1000 East approximately as a "Restricted Parking" zone. Councilman Taylor and Councilman Shorter seconded the motion.

Councilman Bowen moved to amend the motion to not approve the ordinance designating Bamberger Drive between 870 East and 100 East approximately as a "Restricted Parking" zone. Mayor Hadfield called for a second to the amended motion. There was no second to the amended motion. The amended motion died for a lack of second.

Voting by voice roll call was as follows:

Councilman Bowen Nay

Councilman Frost Aye
Councilman Shelton Aye
Councilman Shorter Aye

Councilman Taylor Aye The motion carried

ORDINANCE ADOPTING AN AMENDMENT TO SECTION 17.5.128.C.4 OF THE AMERICAN FORK CITY DEVELOPMENT CODE, RELATING TO PROJECT IDENTIFICATION SIGNS. (Requested by Adam Olsen, Planning)

Mayor Hadfield asked if there were any questions of Mr. Olsen regarding this item.

Councilman Taylor stated he did not have a question, but he wanted to let them know where he stood on this amendment. He understood the importance of signs and he did not think he was smarter than the Planning Commission, but he felt this was well beyond what he thought it should be. He commented that they were doubling in size in multiple ways. He asked if there was a smaller compromise that would serve the same purpose. He had a hard time with signs being 85-feet tall. There were large signs in other communities, but he was not on board with signage this big. Councilman Taylor stated that the city worked hard on the sign ordinance to get where they were at right now. This was taking it to a completely different level and he wanted to know if there was another option.

Mr. Olsen explained that this proposal was brought forward by Woodbury Corporation and was their text amendment. He did contact other cities for the Planning Commission to see what their requirements were and found that if this amendment was passed it would put American Fork in the upper tier of cities that have height restrictions. Mr. Olsen stated that Brigham City caps their sign height at 90 feet. Lehi City was unique in that the Planning Commission approves the signs on a case-by-case basis. In Spanish Fork, the area required for a sign is 5 acres and the height was determined by the Planning Commission and City Council. Mr. Olsen stated that Woodbury did give a presentation to the Planning Commission and explained that one of the reasons this height was needed was due to the future overpass over I-15.

Mayor Hadfield stated that American Fork has worked hard on keeping the ordinance alive and viable. He can see a need, but thought going from 45 feet to 85 feet and 600 square feet to 1,400 square feet was going from one extreme to the other. Mayor Hadfield agreed with Councilman Taylor and questioned if there was a happy medium.

Mr. Olsen thought a representative from Woodbury Corporation would have been there tonight, but it did not appear that anyone was in attendance.

Councilman Shelton commented that the existing sign shows the height at 50 feet. Mr. Olsen pointed out that the City allows a height of 45 feet above the nearest grade of the freeway; the nearest grade of the freeway near where the sign is measured from is 5 feet above ground level.

Councilman Frost thought that the sign could be added upon if planned properly. He felt that when the overpass does come and the height of the freeway does change, they could revisit it then. Councilman Frost was not comfortable with this amendment and wanted to have a meeting with Woodbury Corporation to discuss this.

Councilman Bowen stated he was not against this proposed amendment for a bigger sign. He

questioned why they were in the role of dictating how big or small a sign should be. If they want to spend the money to build big signs so people can see it, he did not care. Councilman Bowen stated that he did not think the signs would detract or be an eyesore. He commented that it appeared the sign at the top would be 10-feet wide and he did not think that was excessive.

Councilman Bowen asked if it was only the top of the sign that would be LED and if it would be for any business or only one particular business. Mr. Olsen explained that it was proposed for only the top portion to be LED with the intent to rotate that portion to the different businesses.

Councilman Bowen stated that he did not have any problems with this proposal.

Councilman Shelton moved to table this item and to invite Woodbury Corporation to the next work session for discussion. Councilman Taylor seconded the motion.

Voting by voice roll call was as follows:

Councilman Bowen	Nay	
Councilman Frost	Aye	
Councilman Shelton	Aye	
Councilman Shorter	Aye	
Councilman Taylor	Ave	The motion carried

ORDINANCE APPROVING AN AMENDED COMMERCIAL SITE PLAN FOR KEN GARFF CHEVROLET, LOCATED AT 500 EAST AUTO MALL DRIVE, IN THE GC-1 PLANNED COMMERCIAL ZONE. (Requested by Adam Olsen, Planning) Jonathan Jackson was present to answer any questions.

Mayor Hadfield explained that this went to the Planning Commission and received a positive recommendation.

Councilman Frost moved to void any previous approvals for Ken Garff Chevrolet and to adopt Ordinance No. 2015-07-40 approving an amended commercial site plan for Ken Garff Chevrolet, located at 500 East Automall Drive, in the GC-2 Planned 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 July 8, 2015 planning commission meeting. Councilman Taylor seconded the motion.

Voting by voice roll call was as follows:

Councilman Bowen	Aye	
Councilman Frost	Aye	
Councilman Shelton	Aye	
Councilman Shorter	Aye	
Councilman Taylor	Aye	The motion carried

FINAL PLAT OF LOEFLER PARK TWIN HOMES SUBDIVISION, PLAT A, CONSISTING OF 56 UNITS, LOCATED IN THE VICINITY OF 400 SOUTH STORRS AVENUE IN THE R2-7,500 ZONE. (Requested by Adam Olsen, Planning)

Fred Clark and his associates were available for any questions.

Councilman Frost stated that in reading through the minutes it appeared there were liability issues and the city was concerned with water tables, basements and retention basins. He asked if staff felt the city and future homeowners were covered properly. Mr. Spencer explained that there would be lots that abut the street that had a detention basin with a separate liability waiver and acknowledgement from the owners. There will also be a note added to the plat so that those owners recognize that they cannot change the grade in those areas and cannot have any openings in those areas below one-foot above those ponds. Mr. Spencer stated that they have made every attempt to protect the City.

Mayor Hadfield asked if there was a geotechnical report done on the property and what they found the water table to be in the area. Mr. Spencer answered that there was a report done for the property. It was stated by one of the developers that the water level was 40 feet down.

Mayor Hadfield stated years ago, the developer across the street from this project assured the city that there was no water problem. Three years after the development happened, the city had to spend a quarter-million dollars to pipe away sub-surface water from that subdivision. He asked if the geotechnical report was done over the entire property or just the upper corner. Mayor Hadfield was told that the report was done over all of the property and that the highest water level was found at 40 feet down with areas as low as 90 feet down.

Mayor Hadfield asked where the closest park was and he was told that it would be the Mountain Meadows Park west of this project.

Mr. Spencer stated that he did want to bring up that there was an issue regarding potential access issues with the property directly to the east. They were suggesting that in the 310 South and 350 South circles there be dedication of the public road directly to the adjacent property so that development could take place for them in the future. They would leave the improvements as planned, but allow for future access. Mr. Spencer that the Roberts were keen in working with them; he thought this was a fair solution.

Chris Dexter stated he represents the Roberts and they appreciate those issues being addresses. He stated that they do want to make sure the city has dedicated a portion that was 60 feet wide on both streets.

Councilman Shorter moved to approve the final plat of the Loefler Park Twin Homes Subdivision Plat A, consisting of 56 units, located in the vicinity of 400 South Storrs Avenue in the R2-7,500 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 July 8, 2015 Planning Commission meeting.

Mr. Spencer asked that they add the dedication of 310 South and 350 South to the property line as discussed in the meeting.

Councilman Shorter added to the motion to include the dedication of 310 South and 350 South to the property line as discussed. Councilman Shelton seconded the motion.

Voting by voice roll call was as follows:

Councilman Bowen	Aye	
Councilman Frost	Aye	
Councilman Shelton	Aye	
Councilman Shorter	Aye	
Councilman Taylor	Aye	The motion carried

ORDINANCE APPROVING A COMMERCIAL SITE PLAN FOR COPPER RIDGE LOT #3, LOCATED AT 858 SOUTH AUTO MALL DRIVE, IN THE PI-1 PLANNED INDUSTRIAL ZONE. (Requested by Adam Olsen, Planning)

Steve Hansen was available to answer any questions.

Mayor Hadfield stated that they have seen this project before and was told that the current owners were Fiber Fix. He asked if the property owners were comfortable with what was proposed; he was told they were. Mayor Hadfield stated that in the past, the Copper Ridge project has had a history of going in after the building was complete to modify the building and it then does not meet code. He wanted to make sure the owners were satisfied with what would be built.

Mayor Hadfield asked if Chief Garcia was comfortable with the project. Chief Garcia stated he was, as long as they do what they say they will do.

Councilman Frost asked what type of business this would be. Mr. Hansen explained that this would be an office up front with warehouse storage in the back.

Councilman Taylor moved to adopt Ordinance No. 2015-07-41 approving a commercial site plan for Copper Ridge Lot #3, located at 858 South Auto Mall 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 public record associated with the July 8, 2015 Planning Commission meeting. Councilman Frost seconded the motion.

Voting by voice roll call was as follows:

Councilman Bowen	Aye	
Councilman Frost	Aye	
Councilman Shelton	Aye	
Councilman Shorter	Aye	
Councilman Taylor	Ave	The motion carried

FINAL PLAT OF AMERICAN FORK COMMERCIAL CENTER PLAT Q CONSISTING OF 6 LOTS, LOCATED IN THE AREA OF 841 WEST PACIFIC DRIVE, IN THE SC-1 PLANNED SHOPPING CENTER ZONE. (Requested by Adam Olsen, Planning)

Mr. Olsen stated that was a subdivision plat resulting in combining of other plats. This would allow for Dick's Sporting Goods.

Mayor Hadfield stated that this would allow them to extend the road and eventually work with MAG on an overpass to get traffic to Pioneer Crossing on 1000 West. The next item on the agenda was approval of a site plan on this property.

Councilman Frost moved to approve the final plat of American Fork Commercial Center Plat Q consisting of 6 lots, located in the area of 841 West Pacific Drive, in the SC-1 Planned Shopping Center 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 July 22, 2015 Planning Commission Meeting. Councilman Taylor seconded the motion.

Voting by voice roll call was as follows:

Councilman Bowen	Aye
Councilman Frost	Aye
Councilman Shelton	Aye
Councilman Shorter	Aye
Councilmon Toylor	A 170

Councilman Taylor Aye The motion carried

ORDINANCE APPROVING A COMMERCIAL SITE PLAN FOR A RETAIL

ESTABLISHMENT LOCATED IN THE AREA OF 841 WEST PACIFIC DRIVE, IN THE SC
1 PLANNED SHOPPING CENTER ZONE. (Requested by Adam Olsen, Planning)

Councilman Shorter moved to adopt Ordinance No. 2015-07-42 approving a commercial site plan for a retail establishment located in the area of 841 West Pacific Drive, 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 public record associated with the July 22, 2015 Planning Commission meeting. Councilman Shelton seconded the motion.

Voting by voice roll call was as follows:

Councilman Bowen	Aye	
Councilman Frost	Aye	
Councilman Shelton	Aye	
Councilman Shorter	Aye	
Councilman Taylor	Aye	The motion carried

REVIEW AND ACTION ON AN ORDINANCE AMENDING THE AMERICAN FORK CITY CODE CONCERNING UTILITIES, TO PROVIDE A TIMEFRAME FOR MAKING ADJUSTMENTS TO UTILITY ACCOUNTS FOR OVER OR UNDER BILLING ISSUES.

(Requested by Cathy Jensen, Administration)

Mayor Hadfield asked if there were a number of issues coming forward that brought this to their attention. Ms. Jensen stated that occasionally they have challenges where errors are found and

they want to establish a fair timeline. They looked at what Provo did with adjustments and thought those timeframes were equitable.

Mayor Hadfield thought this was reasonable amount of time.

Councilman Frost moved to adopt Ordinance No. 2015-07-43 amending the code of the City American Fork, Utah, concerning utilities to provide for adjustments to utility accounts. Councilman Shelton seconded the motion.

Councilman Bowen felt that if a property owner could prove an error to their bill had been made that it would be okay to go further back. He thought that it takes a year to have a comparison from year to year. Councilman Bowen moved to amend the motion to change the 12 month period to 36 months.

Councilman Shorter wanted to keep it at 12 months. That gave them plenty of time to recognize there was a problem. Councilman Frost was fine with 12 months as well.

Mayor Hadfield called for a vote on the amendment to the motion. There was no second. The motion to amend the motion died for lack of second.

Voting by voice roll call was as follows:

Councilman Bowen	Nay
Councilman Frost	Aye
Councilman Shelton	Aye
Councilman Shorter	Aye
Councilman Taylor	ΔVA

Councilman Taylor Aye The motion carried

REVIEW AND ACTION OF A SPEED LIMIT CHANGE ON 300 WEST BETWEEN STATE STREET AND 200 SOUTH. (Requested by Dale Goodman, Public Works)

Mr. Spencer explained that with the reconstruction of 300 West, staff was recommending that the speed limit on 300 West be modified to 30 mph. This was consistent with the character and classification of the road. Mr. Spencer explained that major collector roads are typically assigned a higher speed limit, and they were designed to function at that higher speed. He noted that the speed limit changes to 35 mph when they hit 500 West on 200 South. Staff felt the speed was reasonable.

Councilman Taylor moved to adopt Ordinance No. 2015-07-44 modifying the speed limit on 300 West from State Street to 200 South and then west along 200 South to 500 West to 30 miles per hour with the finding that such speed is in keeping with the engineered speed for this class road and is consistent with established speed limit standards. Councilman Shorter seconded the motion.

Councilman Bowen noted that the current speed limit was 25 miles per hour but could be increased up to 35 miles per hour as far as what the road was engineered for based on standards; however, they were only increasing it 5 miles per hour to 30 miles per hour. Mayor Hadfield stated that was correct; they felt that 30 miles per hour would work for that road.

Voting by voice roll call was as follows:

Councilman Bowen	Aye	
Councilman Frost	Aye	
Councilman Shelton	Aye	
Councilman Shorter	Aye	
Councilman Taylor	Ave	The motion carried

CONSIDERATION AND ACTION ON ENTERING INTO AN EXECUTIVE SESSION TO DISCUSS THE ACQUISITION OF REAL PROPERTY - Mayor Hadfield

Councilman Shelton moved to enter into an Executive Session to discuss the acquisition of real property at 8:22 p.m. Councilmen Shorter and Taylor seconded the motion. All were in favor.

The Council entered into an executive session in a downstairs work room of the City Hall to discuss the acquisition of real property at 8:30 p.m. Those in attendance included Mayor James H. Hadfield, Councilman Carlton Bowen, Councilman Brad Frost, Councilman Robert Shelton, Councilman Jeff Shorter, and Councilman Clark Taylor. Others presented included City Administrator Craig Whitehead, City Attorney (Civil) Kasey Wright, Public Works Director Dale Goodman, City Engineer Andy Spencer and Deputy Recorder Terilyn Lurker. The acquisition of real property was discussed. The executive session concluded at 8:45 p.m.

Councilman Shelton moved to return to regular session at 8:45 p.m. Councilman Bowen seconded the motion. All were in favor.

ADJOURNMENT

Councilman Shorter moved to adjourn the meeting at 8:45 p.m. Councilman Frost seconded the motion. All were in favor.

Terilyn Lurker Deputy Recorder

Venlyn Luter