

AMERICAN FORK CITY COUNCIL  
OCTOBER 11, 2016  
REGULAR SESSION MINUTES

Members Present:

James H. Hadfield	Mayor
Kevin Barnes	Councilman
Carlton Bowen	Councilman
Brad Frost	Councilman
Jeff Shorter	Councilman

Members Absent:

Rob Shelton	Councilman
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Staff Present:

Camden Bird	Admin Analyst
Wendelin Knobloch	Associate Planner
Nestor Gallo	City Engineer
Terilyn Lurker	City Recorder
Trevor Coombs	Finance Director
Kriss Garcia	Fire Chief
Judy Thimakis	HR Manager
George Schade	IT Director
Kasey Wright	Legal Counsel
Derric Rykert	Parks and Recreation Director
Darren Falslev	Police Chief
Dale Goodman	Public Works Director
Adam Olsen	Senior Planner

Also Present: John Woffinden, Lee Rawlings, Brad Reynolds, four additional residents, and scouts and their leaders.

REGULAR SESSION

The American Fork City Council met in a regular session on Tuesday, October 11, 2016, in the American Fork City Hall, 31 North Church Street, commencing at 7:30 p.m.

1. Pledge of Allegiance; prayer by Councilman Barnes; roll call.

Mayor Hadfield welcomed everyone to the meeting. Those present recited the Pledge of Allegiance and Councilman Barnes offered a prayer. Roll call was taken. Mayor Hadfield invited the scouts to introduce themselves:

Troop 825: Elias Geeting, Ashton Geeting, Evan Karren, Jacob Dean, Shad Nielson, Alex Petersen, Benjamin Ralths, Scott Olsen, Emeron Dean

Troup 828: Ben Belnap

Troop 854: Rohit Abraham

Troop 1181: Mark Sponwick, Andrew Conder, Easton Earl, Corbin Loveless, Jake Hansen, Doug Massey

Troop 1238: Matthew

Troop 1570: Justin Whitour

Troop 1628: Matt Haws, Preston Tanner, Matthew Courtney, Wayne Jensen, Deagen Varney

Wyatt Anderson

Mayor Hadfield invited the scouts to consider projects in American Fork City when the time comes to decide upon an Eagle Scout Project.

2. Twenty-minute public comment period - limited to two minutes per person.

Lee Rawlings, of 223 West 400 South, came forward to discuss the issues he and his neighbors have experienced with the Loeffler project. Mr. Rawlings presented photographs of the damage that was done to several homes as a result of the newly installed meters and high pressure water lines. Many of the residents have needed to have their water heaters or lines replaced, and there have been other damages to the homes. Mr. Rawlings reported that there was a drain in front of his home that did not drain properly, and his sprinkler system did not work properly despite being replaced several times that summer. Mr. Rawlings and his neighbors requested that the City Council stop this development until the residents' issues have been resolved.

Mayor Hadfield explained that Geneva Rock has worked well in the City in the past. Public Works Director, Dale Goodman, was already aware of the situation and had been speaking with the residents in the area about their issues. The Public Works Department was working to resolve all issues. Mayor Hadfield stated that installation of a larger pipe did not change the water pressure, but there was more volume coming through the meters. This was the cause of the water line and heater issues. He admitted the City had done a poor job of explaining to the residents what they could expect with the new pipe, and they should have encouraged the installation of pressure reducing valves in the homes. He noted the valves were not a standard requirement when these homes were built, but it is something required for new construction. Mayor Hadfield stated that Geneva Rock's bonds would not be released until the residents were satisfied.

Councilman Barnes was under the impression that all of the lines had been taken down with the exception of the American Fiber lines. Mayor Hadfield stated that he had a meeting with the contractor the previous week and gave them a certain amount of time to complete their work. They have been doing their best to meet that requirement.

3. Council Reports concerning Committee Assignments.

Councilman Barnes reported that the Veterans Day program would be held on November 11, 2016 at 11:00 am in the American Fork Tabernacle.

Councilman Bowen reminded the Council about the Scarecrow Competition sponsored by the Beautification Committee. Anyone who wished to enter the competition should send an email to [afscarecrow@gmail.com](mailto:afscarecrow@gmail.com). He explained that American Fork businesses and residents were welcome to bring their scarecrows to Main Street on October 29<sup>th</sup> to be viewed and judged. Prizes would be awarded by the Beautification Committee.

Councilman Frost reported that he attended the ribbon cutting for the new Home Goods store and it was successful.

Councilman Shorter encouraged the Council and residents to support the American Fork Symphony and their volunteers.

4. Mayor's Report

Mayor Hadfield stated that the American Fork Symphony would be holding another concert in December. He also announced Black Bear Diner would be having a soft opening on November 17<sup>th</sup>.

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 September 27, 2016 Minutes
2. Approval of the City bills for payment, manually prepared checks, and purchase requests over \$25,000
3. Approval of a partial release for the performance guarantee bond in the amount of \$83,278.55 for Ashley Meadows located at 900 North 900 West. (*Requested by Dale Goodman, Public Works*)
4. Approval for the authorization to release the Improvements Construction Guarantee in the amount of \$295,800.01 and Issue a Notice of Acceptance for the Autumn Crest Plat A construction of public improvements located at 1000 N 1000 E. (*Requested by Dale Goodman, Public Works*)

5. Approval for the authorization to release the Improvements Construction Guarantee in the amount of \$81,291.43 and Issue a Notice of Acceptance for the Autumn Crest Plat B construction of public improvements located at 1060 N 1050 E. *(Requested by Dale Goodman, Public Works)*
6. Approval of the authorization to release the Improvements Construction Guarantee in the amount of \$222,148.80 and Issue a Notice of Acceptance for the Dick's Sporting Goods construction of public improvements located at 841 W Pacific Drive. *(Requested by Dale Goodman, Public Works)*
7. Approval of the authorization to release the Improvements Construction Guarantee in the amount of \$280,522.14 and Issue a Notice of Acceptance for the Eddington Estates construction of public improvements located at 900 West 900 North. *(Requested by Dale Goodman, Public Works)*
8. ~~Approval of the authorization to release the Improvements Construction Guarantee in the amount of \$312,026.16 and issue a Notice of Acceptance for the Mira Vista Plat B and C construction of public improvements located at 502 S 1040 E. *(Requested by Dale Goodman, Public Works)*~~

Mayor Hadfield noted that Consent Item 8 would be removed from the agenda as the paperwork was not yet completed.

**Councilman Frost moved to approve the common consent agenda as presented. Councilman Shorter seconded the motion. Voting was as follows:**

<b>RESULT:</b>	<b>APPROVED [3 TO 0]</b>
<b>MOVER:</b>	Brad Frost, Councilman
<b>SECONDER:</b>	Jeff Shorter, Councilman
<b>AYES:</b>	Kevin Barnes, Brad Frost, Jeff Shorter
<b>ABSTAIN:</b>	Carlton Bowen
<b>EXCUSED:</b>	Rob Shelton

**ACTION ITEMS**

1. Review and "provisional approval" of the naming 150 East, from approximately 550 North to 650 North, to "Star Mill Lane." *(Requested by Terilyn Lurker, Recorder)*  
 Mayor Hadfield stated this was discussed during Thursday's work session. This item would allow for public comment.

**Councilman Bowen moved to grant "provisional approval" and authorize staff to continue the process for the naming of 150 East, from approximately 550 North to 650 North, to Star Mill Lane. Councilman Frost seconded the motion. Voting was as follows:**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Carlton Bowen, Councilman
<b>SECONDER:</b>	Brad Frost, Councilman
<b>AYES:</b>	Kevin Barnes, Carlton Bowen, Brad Frost, Jeff Shorter
<b>EXCUSED:</b>	Rob Shelton

2. Review and action on a resolution approving an Interlocal Agreement with Utah County and other Utah County cities for the establishment of an intergovernmental program known as the Utah County Major Crimes Task Force. (Requested by Terilyn Lurker, Recorder)

Mayor Hadfield explained that this Agreement had been supported by the community for the past eight years. Two American Fork Police Officers were involved in the program. Mayor Hadfield stated the Agreement was not binding, and the City could remove itself at any time.

**Councilman Barnes moved to approve Resolution No. 2016-10-32R to enter into an Interlocal Agreement with Utah County and other Utah County cities for the establishment of an intergovernmental program known as the Utah County Major Crimes Task Force. Councilman Shorter seconded the motion.**

Councilman Bowen stated that he was not opposed to the City cooperating on major crimes enforcement, but he was concerned that one of the funding mechanisms for the program was asset forfeiture. In the past, this seizure of property had been done without a finding from a judge or jury, which goes against the constitution. He had spoken with Chief Falslev about the matter and was assured there would be no asset forfeiture without a judge or jury, but he was still uncomfortable with the concept. Councilman Bowen would be abstaining from the vote for this reason.

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

<b>RESULT:</b>	<b>APPROVED [3 TO 0]</b>
<b>MOVER:</b>	Kevin Barnes, Councilman
<b>SECONDER:</b>	Jeff Shorter, Councilman
<b>AYES:</b>	Kevin Barnes, Brad Frost, Jeff Shorter
<b>ABSTAIN:</b>	Carlton Bowen
<b>EXCUSED:</b>	Rob Shelton

3. Review and action on an ordinance approving a zone map amendment, located at 747 West 200 South of approximately 18.111 acres, from the RA-1 Residential Agricultural zone to the TOD Transit Oriented Development zone. (Requested by Adam Olsen, Planning)

**Councilman Shorter moved to adopt Ordinance No. 2016-10-48 approving a zone map amendment, located at 747 West 200 South of approximately 18.111 acres, from the RA-1 Residential Agricultural zone to the TOD Transit Oriented Development zone. Councilman Frost seconded the motion.**

Councilman Bowen asked if the construction company listed as the applicant in the staff report was also the property owner. Mayor Hadfield answered in the affirmative.

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

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jeff Shorter, Councilman
<b>SECONDER:</b>	Brad Frost, Councilman
<b>AYES:</b>	Kevin Barnes, Carlton Bowen, Brad Frost, Jeff Shorter
<b>EXCUSED:</b>	Rob Shelton

4. Review and action on subdivisions, commercial projects, condominiums, and PUD's including 1) plat approval; 2) method of satisfaction of water rights requirements; 3) posting of an improvement bond or setting of a time frame for improvement installation; and 4) authorization to sign the final plat and acceptance of all dedications to the public and to have the plat recorded
  - a. Review and action on the amended final plat of Green Spring Towns PUD, consisting of 67 units and two commercial lots, located at approximately 150 North West State Road, in the SC-1 Planned Shopping Center and the R4-7,500 Residential zones. (Requested by Adam Olsen, Planning)

Mayor Hadfield stated that the City Council recently approved the Green Springs Towns PUD, but some lot line adjustments needed to be made to the plat to accommodate the two outparcels.

Adam Olsen stated that the plat amendment would increase the private area of the units on the south side of the development. This would bring these units more in line with the other units on site.

**Councilman Shorter moved to approve the final plat of Green Spring Towns PUD, consisting of 67 units and two commercial lots, located at approximately 150 North West State Road, in the SC-1 Planned Shopping Center and the R4-7,500 Residential zones 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 identified in the public record associated with the September 21, 2016 Planning Commission meeting. Councilman Bowen seconded the motion. Voting was as follows:**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Jeff Shorter, Councilman
<b>SECONDER:</b>	Carlton Bowen, Councilman
<b>AYES:</b>	Kevin Barnes, Carlton Bowen, Brad Frost, Jeff Shorter
<b>EXCUSED:</b>	Rob Shelton

- b. Review and action on an ordinance approving a commercial site plan for the Perry Flex Development, located at 792 East 280 South, in the GC-2 General Commercial zone. (Requested by Adam Olsen, Planning)

**Councilman Frost moved to adopt Ordinance No. 016-10-49 approving a commercial site plan for the Perry Flex Development, located at 792 East 280 South, 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 September 21, 2016 Planning Commission meeting. Councilman Barnes seconded the motion. Voting was as follows:**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Brad Frost, Councilman
<b>SECONDER:</b>	Kevin Barnes, Councilman
<b>AYES:</b>	Kevin Barnes, Carlton Bowen, Brad Frost, Jeff Shorter
<b>EXCUSED:</b>	Rob Shelton

5. Review and action on an Ordinance approving amendments to the Development and Construction Standards for trails and street cross sections. (Requested by Dale Goodman, Public Works)

This item was removed from the agenda, as the paperwork was not yet complete.

6. Review and action on a Betterment Agreement with UDOT for improvements for the 200 East Main Street realignment project. (Requested by IOM2 Admin.)  
 Mayor Hadfield explained that this item was discussed during a previous work session. The City has agreed to pay \$136,510 for improvements in the area between 300 and 200 East. These improvements would consist of lighting, landscaping, and other amenities.

**Councilman Frost moved to approve the betterment agreement with the State of Utah Department of Transportation for improvements on the 200 East Main Street realignment project. Councilman Shorter seconded the motion.**

Councilman Bowen stated that he would feel more comfortable voting on this issue if a finalized plan had been presented.

Lars Anderson, a representative of the firm that designed the intersection in question, explained the current plans for the intersection. He stated that a left turn from State Street to Main Street would be allowed, but it was uncertain as to whether there would be a left hand turn onto 200 East. UDOT was looking into this option, but it was not promising. Mr. Anderson stated that this application involved the landscaping and lighting in the area rather than the street lanes.

Councilman Barnes asked if the planned improvements would be impacted by the lanes. Mr. Anderson stated that any changes to the lanes would not affect the improvements.

Councilman Bowen felt that it was premature to approve this funding without seeing a finalized street plan.

Mayor Hadfield asked if there was a deadline to provide funding for the improvements. Mr. Anderson confirmed that these needed to be funding first. Essentially, the approved funding would allow the UDOT contractor to install all of the betterments that the City wanted to include in that area. If a commitment were not received by the upcoming Friday, the improvements would not be installed.

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

<b>RESULT:</b>	<b>APPROVED [3 TO 1]</b>
<b>MOVER:</b>	Brad Frost, Councilman
<b>SECONDER:</b>	Jeff Shorter, Councilman
<b>AYES:</b>	Kevin Barnes, Brad Frost, Jeff Shorter
<b>NAYS:</b>	Carlton Bowen
<b>EXCUSED:</b>	Rob Shelton

Councilman Barnes voted “aye” with some hesitation. Although he felt this to be premature, he believed that they needed to move forward.

7. Adjournment

**Councilman Bowen moved to adjourn. Councilman Frost seconded the motion. All were in favor.**

The meeting adjourned at 8:20 p.m.



Terilyn Lurker  
City Recorder