

AMERICAN FORK CITY COUNCIL
AUGUST 8, 2023
REGULAR SESSION MINUTES

Members Present:

Bradley J. Frost	Mayor
Kevin Barnes	Council Member
Staci Carroll	Council Member
Ryan Hunter	Council Member
Rob Shelton	Council Member
Clark Taylor	Council Member

Staff Present:

David Bunker	City Administrator
Camden Bird	Assistant City Administrator
Terilyn Lurker	City Recorder
Patrick O'Brien	Development Services Director
Brandon Boshard	Fire Battalion Chief
George Schade	IT Director
Cherylyn Egner	Legal Counsel
Cameron Paul	Police Chief

Also present: Austin Duke, Tyler Horan, and five additional citizens.

The American Fork City Council met in a regular session on Tuesday, August 8, 2023, at City Hall, located at 31 North Church Street, commencing at 7:00 p.m.

1. Pledge of Allegiance; Invocation by Council Member Barnes; roll call.
Mayor Frost welcomed everyone to the meeting. Those present recited the Pledge of Allegiance and the invocation was offered by Council Member Barnes. Roll call was taken.
2. Twenty-minute public comment period - limited to two minutes per person.
There were no public comments.
3. City Administrator's Report
David Bunker reported that Timpanogos Special Service District (TSSD) has discussed moving from a special service district to a standalone district to be self-standing board. A proposed resolution will come forward from TSSD and would need to be approved by all cities involved in order for it to take effect.

Mr. Bunker also reported Night Out Against Crime will be this Thursday from 6:00 p.m. to 8:30 p.m. at Robinson Park. This a great event and the entire community is invited to attend.
4. Council Reports

Council Member Hunter reported the library summer reading program was a huge hit with over 3200 participants. He expressed his appreciation to the staff, and noted they were also thankful for the wage adjustments.

Council Member Shelton stated Steel Days was a great event. The Beautification Committee had their annual dinner with those homeowners who participated in the Garden Tour. The Beautification Committee has also been holding classes at the library as well as working with American Heritage School where they have constructed green houses to grow produce.

Council Member Barnes had nothing to report.

Council Member Carroll had nothing to report.

Council Member Taylor also wanted to thank staff and the Chamber of Commerce for all their work on Steel Days. It was a successful event, and he thanked them for all their hard work and effort.

5. Mayor's Report

Mayor Frost read a prepared statement:

"The Americans with Disabilities Act (ADA) is a crucial piece of legislation outlined in the Code of Federal Regulations and overseen by the U.S. Department of Justice. The ADA mandates that municipalities identify and rectify any physical barriers that hinder the accessibility of programs and activities for individuals with disabilities. Over the years, our city has diligently updated its design standards in compliance with this act which has released updates over the years since it was originally instated in 1992.

American Fork City is currently in the process of developing resources to identify and address various accessibility shortcomings. This will include deficiencies reported by the public as well as those we have self-identified. By undertaking this initiative, we aim to ensure continued adherence to federal requirements. According to the ADA, any municipality with 50 or more employees must establish a 'Transition Plan.' This plan will serve as a roadmap to address ADA deficiencies and schedule projects accordingly.

This announcement marks the beginning efforts of the ADA Transition Plan, and we will regularly communicate updates to the public through various city channels. Your engagement and collaboration are vital as we work towards creating a more inclusive and accessible American Fork City."

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.)

1. Approval of the July 25, 2023, city council minutes.
2. Approval of the authorization to release the Improvements Durability Retainer of \$779,490.97 for Savage Apartments Phase 2 (Parc on 5th), located at approximately 540 South 600 East.

3. Acceptance of a public easement at approximately 33 East 100 North.
4. Ratification of city payments (July 19, 2023, to August 1, 2023) and approval of purchase requests over \$50,000.

Council Member Taylor moved to approve the common consent agenda. Council Member Shelton seconded the motion. Voting was as follows:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Clark Taylor, Council Member
SECONDER:	Rob Shelton, Council Member
YES:	Barnes, Carroll, Hunter, Shelton, Taylor

ACTION ITEMS

1. Review and action on a resolution approving a land use amendment of 4.35 acres from Design Industrial to Institutional Lands, Schools and Public Facilities designation at approximately 9 West 1100 South.
Council Member Shelton questioned who the applicant was. Mr. O'Brien explained this was a city-initiated request. This property is located within the area for the Vineyard Connector/Pony Express, and as development took place, they needed to have this area zoned as Public Facilities. It was noted that the alignment of the Vineyard/Pony Express has changed but the city's general plan did have the correct alignment. Mr. O'Brien stated the landowner has been made aware of this request.

Council Member Taylor expressed his appreciation for the detailed planning commission minutes.

Council Member Taylor moved to approve Resolution No. 2023-08-34R approving the land use map amendment, located at 9 West 1100 South, from the Residential Low-Density designation to the Institutional Lands, Schools, and Public Facilities designation with instructions to the city recorder to withhold publication of the resolution subject to any conditions found in the public record of the August 2, 2023, planning commission meeting. Council Member Hunter seconded the motion. Voting was as follows:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Clark Taylor, Council Member
SECONDER:	Ryan Hunter, Council Member
YES:	Barnes, Carroll, Hunter, Shelton, Taylor

2. Review and action on an ordinance approving a Code Text Amendment, known as the Deer Park – Code Text Amendment, of the American Fork City Municipal Code. Amending Sections 17.4.502 and 17.7.701, the Code Text Amendment plans to provide outdoor storage areas for businesses located in the Planned Industrial (PI-1) Zone.
Mr. O'Brien explained there was a discussion at the planning commission, with some confusion as to some of the requirements. This allows the Development Services Director to determine if the types of screening were adequate. This was not a city- or staff-initiated request.

Council Member Taylor stated one item brought up was the transfer of ownership and approval process prior to that; it didn't appear that was ever resolved. Mr. O'Brien

explained if the use or site plan were to change, that could be addressed; he felt the majority of tenants want their projects to look nice and would not want piles.

Council Member Shelton brought up IFA and noted sometimes items such as pallets can be left out, which could be similar to this zoning. He questioned if it was allowed to be conditional use, where there would be a checklist of requirements. He noted a lot was up to the determination of the Development Services, but he felt a list of requirements could be created and approved with site plan approval.

Mr. O'Brien stated they would allow outdoor storage as permitted use, which would have to go through the site plan process. They can specify that in the ordinance.

Council Member Carroll did not like the idea of outdoor storage in this zone. It mentions multiple times that it would look nice, but she needed a reason to allow it other than just a developer wants it. Mr. O'Brien explained that some of the different types of uses in this zone have bulky items that would be hard to get in and out of a building. Mr. O'Brien also noted that outdoor storage shouldn't be a single use but a subservient use to the primary business on the lot; that may need to be clarified.

There was a discussion on conditional uses for outdoor storage versus allowed uses. Conditional use would allow the city to specify what was being stored and when the plans would be reviewed. Mr. O'Brien stated they could have it as permitted use with certain requirements spelled out. Currently, approval would be on a case-by-case basis where staff would review each project. With concerns about different people's opinions, they could change that to conditional use. It was noted one option was to table action on this and bring it back as a conditional use.

Tyler Horan, the applicant for this code text amendment, stated he understands they have to look at the worst-case scenario. However, there are big nationwide businesses that have outdoor storage and they felt that an industrial zone felt the best place to go. He would understand if they wanted to add things to limit it.

Council Member Hunter moved to table action for the proposed code text amendment amending Section 17.4.502 and Section 17.7.701 to allow for outside storage areas for businesses in the PI-1 zone and instruct staff to come back with a conditional use proposal. Council Member Carroll seconded the motion.

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

RESULT:	TABLED [UNANIMOUS]
MOVER:	Ryan Hunter, Council Member
SECONDER:	Staci Carroll, Council Member
YES:	Barnes, Carroll, Hunter, Shelton, Taylor

3. 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 application for an Amended Final Plat, known as AF Crossings Plat “E-3”, located at approximately 856 South 1000 West, American Fork City, UT 84003. The Final Plat will be approximately 0.43 acres and will be in the PR-3.0 Zone.

Council Member Shelton moved to approve the amended final plat, located at approximately 856 South 1000 West, American Fork, in the PR-3.0 Residential Zone, with instructions to the city recorder to withhold recording the plat subject to all the conditions identified in the public record of the July 19, 2023, planning commission meeting. Council Member Taylor seconded the motion. Voting was as follows:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rob Shelton, Council Member
SECONDER:	Clark Taylor, Council Member
YES:	Barnes, Carroll, Hunter, Shelton, Taylor

4. Review and action on an ordinance creating section 10.32.020 of the American Fork City Municipal Code related to parking in a marked bicycle lane and providing an effective date.

It was noted this was brought up by the Parks and Trails committee, as the issue was brought up that there are a number of bike lanes that are blocked by cars. It was felt they should address that issue now, so the residents can be educated and so law enforcement know the code to cite.

There was a discussion regarding bike lanes and on-street parking. There may be some areas where there is no on-street parking when bike lanes are on both sides, however, parking is provided with the developments. Another discussion point included disabled vehicles, garbage cans, and garbage collection. It was noted staff could work with law enforcement on disabled cars and the addition of “an approved service vehicle” could be added to the language.

Council Member Shelton moved to adopt Ordinance No. 2023-08-28 creating Section 10.32.020 of the American Fork City Code related to parking in a marked bicycle lane and providing for an effective date with the change of “motorbus” to “approved service vehicle”. Council Member Barnes seconded the motion.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rob Shelton, Council Member
SECONDER:	Kevin Barnes, Council Member
YES:	Barnes, Carroll, Hunter, Shelton, Taylor

5. Review and action on a Memorandum of Understanding with the State of Utah Department of Public Safety accepting a \$17,250 grant for mental health services. Battalion Chief Boshard explained the public safety departments were taking mental health very seriously, and they have been looking into taking care of staff. They have looked at different grants, and the State of Utah does offer grants. They have received the \$17,250 now and expect to receive another \$17,000 in the fall. These funds will cover the public safety personnel, their families, and retirees as well. Battalion Chief Boshard stated the firefighters will meet with a counselor in the next three years as part of this grant; any further support would be covered with this grant.

Council Member Barnes moved to approve the memorandum of understanding with the State of Utah Department of Public Safety accepting the \$17,250 grant for mental health services and authorize the city to sign the memorandum. Council Member Taylor seconded the motion. Voting was as follows:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kevin Barnes, Council Member
SECONDER:	Clark Taylor, Council Member
YES:	Barnes, Carroll, Hunter, Shelton, Taylor

6. Adjournment.

Council Member Shelton moved to adjourn the meeting. Council Member Hunter seconded the motion. All were in favor.

The meeting was adjourned at 8:03 p.m.



Terilyn Lurker, City Recorder