



AMERICAN FORK CITY COUNCIL
FEBRUARY 27, 2024
REGULAR SESSION MINUTES

Members Present:

Bradley J. Frost	Mayor
Staci Carroll	Council Member
Ryan Hunter	Council Member
Tim Holley	Council Member
Ernie John	Council Member
Clark Taylor	Council Member

Staff Present:

David Bunker	City Administrator
Ben Ash	City Arborist
Terilyn Lurker	City Recorder
Derrick Rykert	Community Services Director
Brook Anderson	Communities that Care Coordinator
Patrick O'Brien	Development Services Director
Loralee Miller	Executive Assistant
George Schade	IT Director
Cherylyn Egner	Legal Counsel
Cameron Paul	Police Chief
Sam Kelly	Public Works Director

Also present: Amy Motta, and seven additional people

The American Fork City Council met in a regular session on Tuesday, February 27, 2024, in the American Fork City Hall, 31 North Church Street, commencing at 7:00 p.m.

REGULAR SESSION

1. Pledge of Allegiance; Invocation by Council Member Taylor; roll call.
Mayor Frost welcomed everyone to the meeting. Those present recited the Pledge of Allegiance and an invocation was offered by Council Member Taylor. Roll call was taken.
2. Presentation of the HERO award to Ed and Koleton Daley.
Mayor Frost invited Ed and Koleton Daley to the front. The Daleys are local business owners who are very supportive of law enforcement and have given back directly to our officers and other public safety personnel in American Fork. They have sponsored K9 safety vests and riot gear in the past, and this year they opted to provide personal lighting

equipment for officers. Not only have they helped the police officers, but fire rescue personnel as well. On behalf of the city, Mayor Frost thanked Ed and Koleton Daley and their families for their willingness to step in where the need arises. Mayor Frost stated the city wanted to honor Ed and Koleton Daley with the HERO award and declare February 27, 2024, “Ed and Koleton Daley” Day in American Fork City.

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

Amy Motta. Ms. Motta explained she volunteers with a non-profit, Bailing Out Benji. She went over the differences between responsible breeders and puppy mills, noting she had given them handouts on responsible breeders/puppy mills. She encouraged the city to pass a humane pet store ordinance.

4. City Administrator's Report

Mr. Bunker noted the new Public Works Director, Sam Kelly, was in attendance. He explained the legislative session was down to the final few days, with a lot of activity taking place over the last few weeks. There were several bills that needed attention and he thanked the council for their responses. Mr. Bunker reported that TSSD was working on the water re-use project; there were some questions on the application that they will be responding to. TSSD has petitioned a cleanup bill that would allow the special service district be allowed to move to a service district, which would take the TSSD out from under the county and allow cities not fully contained within the district a seat at the table.

5. Council Reports

Council Member Hunter thanked Ms. Motta for coming and appreciated the idea of protecting those who don't have a voice; he hoped there was something they could do and hoped to look toward the positive things. He reported he attended the Chamber's Pancakes and Politics breakfast on Saturday; it is a wonderful opportunity to get with the elected officials. He appreciated the Chamber of Commerce. Council Member Hunter stated that Ed and Koleton Daley were good friends, and it was nice to see them honored; they have consistently shown a desire to help.

Council Member Holley reported they had the first gardening class of the year at the library with about 20 people, where they talked about what they could plant for the upcoming season. It was nice to see volunteers share their expertise, as well as seeing the citizens be engaged. The library was a great place to go and encouraged the support of the library and beautification committee. He was excited Barnes and Noble will be opening in American Fork tomorrow. Council Member Holley stated he appreciated the budget workshop he was able to attend last week.

Council Member John stated he also attended the Pancakes and Politics breakfast; he was unaware that Utah had the shortest session. He commented that the budget workshop was also great and thanked staff for putting it all together.

Council Member Carroll reported she attended the annual library board training. It was very interesting to hear about the things required of the library and to see how it all fits together. They were able to spend quite a bit of time talking with the various libraries and sharing ideas. Council Member Carroll stated the PARC applications have been

submitted, and they will spend the next three weeks talking about the applications. She is excited to be part of this board again. She, too, attended Pancakes and Politics breakfast. The state representatives spend so much time on this and she appreciated that. With the budget retreat, she was grateful they could get together and talk about the needs of the city; she appreciated all the work staff did.

Council Member Taylor attended the Wasatch Winds Concert; it was a wonderful event based on movies. They have a tremendously talented group. The PARC Tax does wonderful things for the city and appreciated the citizen's support in passing that. The comradery at the workshop is great; a lot of work goes into that.

6. [Mayor's Report](#)

Mayor Frost appreciated the sentiment of the budget workshop. He explained the sacred nature of taxpayer funds, pointing out that they take about five months to set the budget, making sure the needs of the city are met. The workshop goes over the needs of the next year and the future. He noted the city purchased 30 acres on the south side of town where the plan is to build a fire station on about 2 acres. Those are the types of discussions they have in the workshop. There was a great feeling in the room they were all working together.

[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 February 6, 2024, work session minutes.
2. Approval of the February 13, 2024, city council minutes.
3. Approval of the authorization to release the Improvements Durability Retainer of \$25,125.00 for Bach Apartments, located at 742 East 620 South.
4. Approval of the authorization to release the Improvements Durability Retainer of \$2,748,097.00 for 900 West Phases 1.2 A and 1.2 B, located at 900 West 350 South.
5. Approval of the authorization to release the Improvements Durability Retainer of \$495,507.00 for Lakeshore Landing Phase 1-3, located at 900 West 350 South.
6. Approval of a performance in lieu agreement with Bridge Haven for the Bridges at Fox Hollow Plat A subdivision.
7. ~~Approval of an Escrow Agreement with Central Bank for the Highland Gardens Commercial Site Plan.~~
8. Approval of a beer/alcoholic beverage license for Root's Place LLC., located at 66 North West State Road.
9. Ratification of city payments (February 7, 2024, to February 20, 2024) and approval of purchase requests over \$50,000.

Mayor Frost noted that item number seven would be removed from the common consent agenda and moved to action items.

Council Member Taylor moved to approve the common consent agenda as presented with the exception of item seven. Council Member Carroll seconded the motion. Voting was as follows:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Clark Taylor, Council Member
SECONDER:	Staci Carroll, Council Member
YES:	Carroll, Hunter, Holley, John, Taylor

ACTION ITEMS

CC 7. Approval of an Escrow Agreement with Central Bank for the Highland Gardens Commercial Site Plan.

Mr. Bunker explained there was an adjustment to the escrow amount, with the new amount being \$111,012. They recommend the agreement be approved with the adjusted price. Council Member Hunter appreciated the consistency they have with the agreements.

Council Member Hunter moved to approve the escrow agreement with Central Bank for improvements in the Highland Gardens Commercial Site plan, with the adjustment of the amount to \$111,012. Council Member Taylor seconded the motion. Voting was as follows:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ryan Hunter, Council Member
SECONDER:	Clark Taylor, Council Member
YES:	Carroll, Hunter, Holley, John, Taylor

1. Review and action on subdivisions, commercial projects, condominiums, and PUD's including 1) plat approval; 2) method of satisfaction of water rights requirements; 3) posting of an improvement bond or setting of a time frame for improvement installation; and 4) authorization to sign the final plat and acceptance of all dedications to the public and to have the plat recorded.

a. Review and action on an ordinance approving an application for a Commercial Site Plan, known as Walmart Garden Center & Parking Lot Modification, located at 949 W Grassland Dr. The Commercial Site Plan will be on approximately 21.91 acres and will be in the Planned Shopping Center (SC-1) Zone.

Council Member Carroll stated it showed a future refueling station and clarified that was not part of this plan. Mr. O'Brien responded that was correct and noted they are working through some traffic-related issues that will be handled in the future. Mr. O'Brien pointed out the purpose of this was to make sure they were being consistent with parking and to understand where they stand with parking now and for future projects.

Council Member Taylor moved to adopt Ordinance No. 2024-02-06 approving the proposed commercial site plan, located at 949 West Grassland Drive, in the Planned Shopping Center (SC-1) zone. Council Member Holley seconded the motion. Voting was as follows:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Clark Taylor, Council Member
SECONDER:	Tim Holley, Council Member
YES:	Carroll, Hunter, Holley, John, Taylor

2. Review and action on an ordinance amending Chapter 12.16 of the American Fork City Code known as Park Strips and Trees.

Council Member John stated he understood the safety issues with trees, but questioned who would decide if it was unsightly. Ben Ash, the City Arborist, stated that was existing in the code at this time with no changes; there would be modifications with the code re-write.

Council Member Carroll questioned if this was retroactive. Mr. Ash stated this was not retroactive and they would not be actively pursuing things unless it was a safety issue. Ms. Egner clarified that this was the code, but with respect to citing people not for not bringing their trees into compliance, the city wasn't going to go cite people if the trees weren't in compliance unless there was an issue. She noted that once trees were brought into compliance, they would have to meet code.

Council Member Hunter thanked Mr. Ash for being here. He brought up in 12.16.020 some concerns with the language in "d" and "f" and the inconsistencies. There was a discussion on what a "service walkway" was and the distances of trees to walkways, sidewalks, and hard surfaces. Mr. Ash explained a service walkway was the walkway from the sidewalk to the home, as well as the distances included in the ordinance. It was noted they could define the service walk in the new code. Mr. Ash explained the difference between pavement and street, noting that pavement can be the street but could also refer to the sidewalk; the code clarifies trees to be 8 feet above sidewalk regardless of materials and 14 feet above the street.

Council Member Holley pointed out a grammatical correction that needed to be made in one of the sections.

Council Member Hunter moved to adopt Ordinance No. 2024-02-07 approving the updates to municipal code section 12.16. Council Member John seconded the motion. Voting was as follows:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ryan Hunter, Council Member
SECONDER:	Ernie John, Council Member
YES:	Carroll, Hunter, Holley, John, Taylor

3. Review and Action on an ordinance amending Section 15.01.100 (E) of the American Fork City Code known as Dead End Streets. Amending Section 15.01.100 (E.), the Code Text Amendment plans to allow and provide criteria for dead end streets into commercial developments.

Ms. Egner explained this addressed when dead end roads go into commercial areas. There are locations where a dead-end street can go into a commercial area where they don't have concern if they have sufficient turnaround if they provide an easement. It was noted there was a bit of gray area in the code to allow them to have the flexibility to meet the current code at the time of development; the intention was to protect the city.

Council Member Carroll moved to adopt Ordinance No. 2024-02-08 approving the code text amendment amending Section 15.01.100(E), titled Dead End Streets,

relating to allowing and providing criteria for dead end streets into commercial developments and providing an effective date for the ordinance, with instructions to the city recorder to withhold publishing the ordinance subject to all conditions identified in the public record associated with the February 7, 2024, planning commission meeting. Council Member Hunter seconded the motion. Voting was as follows:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Staci Carroll, Council Member
SECONDER:	Ryan Hunter, Council Member
YES:	Carroll, Hunter, Holley, John, Taylor

4. Review and action on a resolution authorizing the execution of a lease-purchase agreement with Financial Pacific Leasing for six vehicles.
Council Member Holley questioned if this was a three-year lease or a five-year buyout. Mr. Bunker explained it was a three-year lease where they would sell it back at the end of three years.

Council Member Hunter moved to adopt Resolution No. 2024-02-06R approving the execution of a lease-purchase agreement with Financial Pacific Leasing for six vehicles and authorize the city to sign the documents. Council Member Taylor seconded the motion. Voting was as follows:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ryan Hunter, Council Member
SECONDER:	Clark Taylor, Council Member
YES:	Carroll, Hunter, Holley, John, Taylor

5. Review and action on approval of an agreement with Axon Enterprise, Inc. for the placement and use of in-car cameras (dashcam) for six patrol vehicles.
Council Member Hunter thanked Chief Paul and his team for being awarded this grant.

Council Member Taylor asked if this was this a first year only grant or if they could apply for it every year. Chief Paul explained they can apply for this every year and anticipate getting this funding every year.

Council Member Carroll asked how long the cameras last, and Chief Paul stated at the end of five years they would get new cameras for the cars. This does include the camera and cloud storage.

Council Member Holley noticed that in future years, the cost would go up and he questioned if they would be able to get a grant to cover that. Chief Paul responded that there were potential increases, and the grant covers the \$10,000 the first year. They are trying to convert all cars over to this so there would be additional funding needs, but they are always looking for grants to cover the costs.

Council Member Taylor moved to approve the agreement with Axon Enterprises, Inc. for the placement and use of in-car cameras (dashcam) for six patrol vehicles

and authorize the city to sign the agreement. Council Member John seconded the motion. Voting was as follows:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Clark Taylor, Council Member
SECONDER:	Ernie John, Council Member
YES:	Carroll, Hunter, Holley, John, Taylor

6. Review and action on approval of an agreement with the Cook Center for Human Connection for qualified and licensed therapists for parent coaching as part of the Communities that Care Program.

Brook Anderson, with Communities That Care, explained they wanted to help the children as well as their parents. They have gotten together with the Cook Center for Human Connection to put toward a new program of parent coaching. This is being piloted at Polaris High and Forbes Elementary. This allows the parents the ability to have twenty-four-hour access to parent coaching for one year. Parents can reach out to a coach, who would work with certified therapists who can help parents navigate any issues that come up. Initially, they wanted this for those who are caught vaping. There is no cost to the parents and will be an additional resource for the police officers who are called to family issues where this may help. Answering why these two schools were chosen, Ms. Anderson explained they chose Polaris High School because it had the most at-risk kids in the community and Forbes Elementary because it was in contrast to the older kids and was a Title 1 school. They wanted to see how the parents would access it, whether it was for older or younger kids or across the board.

Council Member Holley asked how they were going to market it to the parents? Ms. Anderson explained there is a notification system they can use, as well as being there at parent-teacher conferences. They are also relying on the school's administration and teachers to get the word out. This is not only for students who are caught vaping, but for any students who may be struggling.

Ms. Anderson also explained there is access to another free resource called Parent Guidance that has pre-recorded scenarios that parents might experience that could help. The Cook Center has done an amazing job, and they are grateful to be able to work with them. After the year, they will evaluate how it has been used and the best way to move forward.

Council Member Hunter moved to approve the agreement with the Cook Center for Human Connection and authorize the city to sign the documents. Council Member Taylor seconded the motion. Voting was as follows:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ryan Hunter, Council Member
SECONDER:	Clark Taylor, Council Member
YES:	Carroll, Hunter, Holley, John, Taylor

7. Consideration and action to enter into a closed session to discuss items described in Utah State Code 52-4-204 and 52-4-205.

Mayor Frost explained the closed session will be held for the purpose of buying/selling real estate and pending litigation. They would convene downstairs for the closed session, and at the end the regular city council meeting would end from that location.

Council Member John moved to enter into a closed session at 8:07 p.m. Council Member Carroll seconded the motion. Voting was as follows:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ernie John, Council Member
SECONDER:	Clark Taylor, Council Member
YES:	Carroll, Hunter, Holley, John, Taylor

The City Council entered into a closed session to discuss the sale and/or purchase of property and pending litigation at 8:13 p.m. Those present included Mayor Frost, Council Member Carroll, Council Member Holley, Council Member Hunter, Council Member John, and Council Member Taylor. Also present were City Administrator David Bunker, City Civil Attorney Cherylyn Egner, and City Recorder Terilyn Lurker.

Pending litigation and the sale and/or purchase of property was discussed, and audio recorded as required by law.

Council Member John moved to return to the regular session at 9:01 p.m. Council Member Taylor seconded the motion. Voting was as follows:

11. Adjournment

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ryan Hunter, Council Member
SECONDER:	Tim Holley, Council Member
YES:	Carroll, Hunter, Holley, John, Taylor

The meeting was adjourned at 9:01 p.m.



Terilyn Lurker, City Recorder