



AMERICAN FORK CITY COUNCIL
AUGUST 6, 2024
SPECIAL SESSION MINUTES

Members Present:

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| Bradley J. Frost | Mayor |
| Staci Carroll | Council Member |
| Tim Holley | Council Member (participated electronically) |
| Ryan Hunter | Council Member |
| Ernie John | Council Member |
| Clark Taylor | Council Member (participated electronically) |

Staff Present:

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| David Bunker | City Administrator |
| Terilyn Lurker | City Recorder |
| Patrick O'Brien | Development Services Director |
| George Schade | IT Director |
| Cherylyn Egner | Legal Counsel |
| Ryan Archuleta | Police Lieutenant |
| Bronte Stevens | Communication Specialist |

Also present: Debbi John, Aaron Davidson, Ben Wheat, Josh Suchoski, and seven additional attendees

The American Fork City Council met in a special session on Tuesday, August 6, 2024, in the American Fork City Hall, 31 North Church Street, commencing at 6:00 p.m. The agenda shall be as follows:

1. Pledge of Allegiance; Invocation by Council Member John; roll call.
Mayor Frost welcomed everyone to the meeting. Those present recited the Pledge of Allegiance and the invocation was offered by Council Member John. Roll Call was taken. Mayor Frost announced that Council Members Holley and Taylor would be participating electronically.
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 Night Out Against Crime hosted by the police department would be held on Thursday at Robinson Park from 6:00 p.m. to 8:30 p.m. Mr. Bunker also announced that Movie in the Park would be Friday at Hunter Park beginning at 9:00 p.m. The movie shown will be Wonka.

4. Council Reports
Council Member Hunter had nothing to report.

Council Member Holley had nothing to report.

Council Member John had nothing to report.

Council Member Carroll had nothing to report.

Council Member Taylor had nothing to report.
5. Mayor's Report
Mayor Frost had nothing to report.

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 authorization to release the Improvements Durability Retainer of \$507,923.26 for CK Farms Phase 2, located at 434 South 600 East.
2. Approval of the authorization to release the Improvements Construction Guarantee in the amount of \$100,920.00 and issue a Notice of Acceptance for the Highland Gardens construction of public improvements located at 1700 North 900 East.
3. Ratification of city payments (July 17, 2024, to July 30, 2024) and approval of purchase requests over \$50,000.

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

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

ACTION ITEMS

1. Review and action on a resolution approving the request proposing the creation of a new school district.
Mayor Frost explained there were two public hearings held, and the council has received many emails and been approached by many citizens to receive comments. They now need to make a decision, and he opened this item up for discussion.

Council Member Carroll read a statement she had prepared:

I have given the matter of a school district split and possible scenarios a lot of study and thought. I've had the opportunity to review in detail all of the presented studies. I have been able to interview other council members, school board members, district employees, and parents. I have listened to and read all the

comments that have been submitted. I can confidently say that all parties are greatly concerned about the optimal education of our collective children. From the beginning of this process, my goal has always been to create the best scenario for American Fork residents within the bounds of where I have control. I fully support our city entering into the interlocal agreement with Lehi, Alpine, Cedar Hills, Draper, and Highland and encourage my fellow city council members to vote for it. This is the best way to give American Fork residents a continued voice in the matter. A no vote would only pull American Fork away from the interlocal; it doesn't prevent the Central School District from forming. I want our residents to be part of the decision. I also strongly believe that American Fork is better positioned if aligned with the neighbors to the north in the event of a split. This offers the best scenario in terms of finances, school boundaries, and division of assets. Voting for the interlocal agreement is the only way to keep this a possibility. There are very good reasons to split into a Central School District, and there are very good reasons not to split. At this point, I encourage residents to consider reasons on both sides and make a decision for themselves on what they think is best. Voting for the interlocal allows our residents to do that.

Council Member Hunter stated they have had a lot of conversation and public hearing comments for this item. He appreciates how they have gone about this, noting this is by far the item he has received the most commentary on.

Council Member Hunter moved to adopt Resolution No. 2024-08-29R approving the request proposing the creation of a new school district and authorize the city recorder to notify the Utah County Commission and Utah County Clerk. Council Member Carroll seconded the motion.

Council Member Taylor agrees that they have had a tremendous amount of input on this. He had a call from a concerned citizen who wanted to know what this meant. He wanted to be clear that this was never about the city council being smarter than the school district or the citizens. This was about giving the citizens the opportunity to choose what was best for their children. If they pull out, this does not mean this will not go forward. He felt this was the best option to give our citizens the chance to study it out and to vote. He was fully supportive of this motion.

Council Member John explained he is in the community daily and talking with the citizens. He felt the citizens he had talked to have supported the opportunity to vote their own conscience and set their own course. He also supported this and felt it was the best way to move forward.

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

Mayor Frost stated he did not vote tonight, but he supported the decision of the council. They have spent a lot of time studying this. They care for the city, and even those outside the city. This is a very important decision to make. He agrees with the actions taken tonight.

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

2. Review and action on an ordinance re-approving the Coleman Annexation, consisting of approximately 6.96 acres and located at approximately 55 West 1500 South, including the ordinance of annexation, annexation agreement, street dedication plats, and placement of the property in the Marina (M-1) zone. will be annexed into American Fork City and be given the Marina/M-1 zoning designation.

Council Member Carroll moved to adopt Ordinance No. 2024-08-36 re-approving the Coleman Annexation, consisting of approximately 6.96 acres and located at approximately 55 West 1500 South, including the ordinance of annexation, annexation agreement, street dedication plats, and placement of the property in the Marina (M-1) zone, subject to any conditions found in the staff report. Council Member John seconded the motion. Voting was as follows:

Council Members Holley and Taylor left the meeting.

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

3. Review and action on a resolution approving a Land Use Map Amendment, known as 500 East Auto Mall Drive, located at approximately 452 East Auto Mall Drive. On approximately 3.81 acres, the property proposes to change from Design Industrial to the Design Commercial Land Use.

Council Member John moved to adopt Resolution No. 2024-08-30R approving the Land Use Map Amendment, located at 452 E Auto Mall Drive, from the Design Industrial to the Design Commercial designation subject to all conditions identified in the public record of the July 17th, 2024, Planning Commission meeting have been met. Council Member Carroll seconded the motion. Voting was as follows:

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Ernie John, Council Member |
| SECONDER: | Staci Carroll, Council Member |
| YES: | Staci Carroll, Ryan Hunter, Ernie John |
| ABSENT: | Tim Holley, Clark Taylor |

4. Review and action on an ordinance approving a Zone Change, known as 500 East Auto Mall Drive, located at approximately 452 East Auto Mall Drive. On approximately 3.81 acres, the property proposes to change from the PI-1 zone to the GC-2 zone.

Council Member Carroll moved to adopt Ordinance No. 2024-08-37 approving the Zone Change, located at 452 E Auto Mall Drive, from the PI-1 to the GC-2 zoning designation with instructions to the City Recorder to withhold publication of the resolution subject to all conditions identified in the public record of the July 17th, 2024, Planning Commission meeting have been met. Council Member John seconded the motion. Voting was as follows:

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Staci Carroll, Council Member |
| SECONDER: | Ernie John, Council Member |
| YES: | Staci Carroll, Ryan Hunter, Ernie John |
| ABSENT: | Tim Holley, Clark Taylor |

5. 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 a Commercial Site Plan, known as North Pointe Business Park, Building "F" (Application #2), located at approximately 1260 South 630 East. The Commercial Site Plan will be on approximately 6.05 acres and will be in the PI-1 (Planned Industrial) Zone.

Council Member Hunter moved to adopt Ordinance No. 2024-08-38 approving the proposed Commercial Site Plan, located at approximately 1260 South 630 East, in the PI-1 Zone with instructions to the City Recorder to withhold publication of the ordinance subject to all conditions identified in the public record of the July 17th, 2024, Planning Commission meeting have been met. Council Member John seconded the motion. Voting was as follows:

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Ryan Hunter, Council Member |
| SECONDER: | Ernie John, Council Member |
| YES: | Staci Carroll, Ryan Hunter, Ernie John |
| ABSENT: | Tim Holley, Clark Taylor |

- b. Review and action on a Commercial Site Plan, known as Bach Apartments, located at 740 East 620 South. The Commercial Site Plan will be on approximately 10.39 acres and will be in the Planned Community zone.

Council Member Carroll moved to approve the proposed commercial site plan located at approximately 740 E 620 S, American Fork City, UT 84003, in the PC (Planned Community) zone. Council Member Hunter seconded the motion. Voting was as follows:

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| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Staci Carroll, Council Member |
| SECONDER: | Ryan Hunter, Council Member |
| YES: | Staci Carroll, Ryan Hunter, Ernie John |
| ABSENT: | Tim Holley, Clark Taylor |

- c. Review and action on an application for a Final Plat, known as Roderick Catalyst Business Park Phase 3 Application #2, located at approximately 1600 South 150 East, American Fork City. The Final Plat will be for approximately 32.73 acres and will be in the Planned Industrial (PI-1) Zone.

Council Member Hunter moved to approve the proposed Final Plat, located at approximately 1600 South 150 East in the PI-1 Zone. Council Member John seconded the motion. Voting was as follows:

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| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Ryan Hunter, Council Member |
| SECONDER: | Ernie John, Council Member |
| YES: | Staci Carroll, Ryan Hunter, Ernie John |
| ABSENT: | Tim Holley, Clark Taylor |

- d. Review and action on a Commercial Site Plan, known as Roderick Catalyst Business Park Building #6 Application #2, located at approximately 148 East 1600 South, American Fork City. The Preliminary Plan will be for approximately 7.46 acres and will be in the Planned Industrial (PI-1) Zone.

Council Member Carroll questioned one of the stipulations regarding the parking requirement being met at the time of building permit. Patrick O'Brien explained that the buildings would be built now with tenants determined later, and the final tenant would determine what the parking requirements are. The applicants are aware of this requirement, and they will provide similar parking to their other projects. Mr. O'Brien stated this should not be an issue, but was the first time they have run into this issue.

Council Member Carroll moved to approve the proposed Commercial Site Plan, located at approximately 148 East 1600 South in the PI-1 Zone. Council Member Hunter seconded the motion.

It was brought up that there was no statement included in the motion regarding conditions of approval.

Council Member Carroll amended her motion to include subject to conditions outlined in the packet. Council Member Hunter agreed to that amendment. Voting was as follows:

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| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Staci Carroll, Council Member |
| SECONDER: | Ryan Hunter, Council Member |
| YES: | Staci Carroll, Ryan Hunter, Ernie John |
| ABSENT: | Tim Holley, Clark Taylor |

- e. Review and action on an ordinance approving a Commercial Site Plan, known as Roderick Catalyst Business Park Lot 7, located at approximately 68 East 1600 South, American Fork City. The Commercial Site Plan will be on approximately 4.70 acres and will be in the Planned Industrial (PI-1) Zone.

Council Member Carroll moved the adopt Ordinance No. 2024-08-40 approving the proposed Commercial Site Plan, located at approximately 68 East 1600 South in the PI-1 Zone subject to conditions outlined in the packet. Council Member John seconded the motion. Voting was as follows:

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Staci Carroll, Council Member |
| SECONDER: | Ernie John, Council Member |
| YES: | Staci Carroll, Ryan Hunter, Ernie John |
| ABSENT: | Tim Holley, Clark Taylor |

6. Review and action on an ordinance approving a Code Text Amendment, known as Rival Athletics, of the American Fork City Municipal Code. Amending Section 17.4.502, the Code Text Amendment plans to include athletic gyms as a permitted use with the Planned Industrial (PI-1) Zone.

This item was pulled from the agenda.

7. Review and action on an ordinance approving a Code Text Amendment, known as Procedure for Obtaining Approval of a Large Scale Overlay Zone, of the American Fork City Municipal Code. Amending Section 17.7.200, the Code Text Amendment plans to give administrative approval for preliminary plans and final plats for the large-scale overlay zone.

This item was pulled from the agenda.

8. Adjournment.

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

The meeting was adjourned at 6:30 p.m.



Terilyn Lurker, City Recorder