

AMERICAN FORK CITY
COUNCIL MEETING MINUTES
SEPTEMBER 9, 2014

REGULAR SESSION

ATTACHMENT

The American Fork City Council met in regular session on Tuesday, September 9, 2014 in the American Fork City Hall, 31 North Church Street, commencing at 7:30 p.m. Those present included Mayor James H. Hadfield and Councilmembers Carlton Bowen, Brad Frost, Rob Shelton, Jeff Shorter, and Clark Taylor.

Staff present:

Associate Planner Wendelin Knobloch
Cemetery Sexton Ray Garrett
City Administrator Craig Whitehead
City Attorney Kasey Wright
City Engineer Andy Spencer
City Planner Adam Olsen
City Recorder Richard Colborn
Finance Director Cathy Jensen
Fire Chief Kriss Garcia
Library Director Sheena Parker
Parks & Recreation Director Derric Rykert
Police Chief Lance Call
Planning Commission Chairman John Woffinden
Public Works Director Dale Goodman
Technology Director George Schade

Also present: Cole Farnsworth, Student Body Officers from American Fork High School, Dave Whitlock, Barbara Christiansen, Rebecca Staten, Glen Nilson, Ken Berg, Kyle Barratt, Andy Flamm, Victor Hansen, and 24 additional persons

Mayor Hadfield welcomed those present and led the Audience in the Pledge of Allegiance. Andy Spencer offered a prayer.

Mayor Hadfield invited the Scouts in attendance to come forward and introduce themselves.

<u>Troop 827</u>	Garrett Pace	Riley Gunther	Jacob Moss
	Daniel Streeter	Johnathan Miller	Collen Gunther
	Brian Busto	Abraham Romero	Marcus Mayfield

Troop 1098 Gage Chapman

Mayor Hadfield encouraged the Scouts that as they looked for an Eagle Project to think of the City as it had many worthwhile projects available.

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

Mayor Hadfield welcomed American Fork High School Principal Doug Finch to the meeting.

High School Student Body President Cole Farnsworth introduced the 18 of the 39 Student Body Officers that were present. There was general applause.

Mr. Farnsworth stated that their Theme this year was, "It's up to us." There were about 2,200 kids at the high school and 39 have been elected to represent them. There was a quote, "Don't count days; make the days count." That was what they were trying to do. They were starting a campaign called, "Paint the Town Red," as part of this year's Homecoming. It included putting up posters around town. In future years they would like to see participation from the City Council and Mayor and more businesses and get the whole town wrapped up in the Caveman Spirit that they have in Homecoming. On Wednesday, September 17, there would be a New Gym Open House starting at 7:00 p.m. There would be a Homecoming Tailgate Party at the High School on Friday, September 19. Three words to keep in mind about the High School-- Feared, Honored, and Inspired.

- They were Feared – Cavemen are respected for what they have done and their great accomplishments.
- They were Honored – Because of things they had done in the past.
- They were Inspired – Because they seek to gain more recognition and more honor for both the school and for American Fork.

He thanked the Council. There was general applause.

Rebecca Staten, a member of the American Fork Planning Commission, stated that she was disappointed to learn that the City Council chose to eliminate safe portion of a regional trail without a hearing and without regard to the general public. She had several neighbors and friends who were marathon runners. She gave a shout out to the American Fork Cross Country Team as they were the top Boys Cross Country team in the State the last 5 years and in the Southwest Region the past 4 years some of which were present tonight.

Ms. Staten continued that there were trails in the community and the decision to eliminate a portion of a trail near 900 West and put runners and trail users at risk because now the only option was crossing entrances to commercial businesses. A lot of hours and money was spent developing the Bicycle and Pedestrian Master Plan. It was a disappointment to her that the Master Plan had not been followed. She believed it was established to complete a trail system that connected with neighboring cities. Lehi had amazing trails and Cedar Hills and Highland. It was a disappointment to her to see that portion of the trail eliminated because she believed it was a safer route.

Ms. Staten added that that action and other recent actions had left her, as a servant in the community who has spent hundreds of hours in service, that the Council viewed her contribution as worthless.

Councilman Shelton responded that the City Council put a lot of weight the recommendations from the Planning Commission. He hoped that she really did not feel that way. There were

some issues with that trail. He would be happy to talk with Ms. Staten about it. He wished she would have talked with her beforehand.

Ms. Staten responded that the action was taken without them knowing.

Councilman Shelton stated that having two trails within a one block distance did not make much sense to him economically. The Bicycle Plan was a plan that needed to be adapted as conditions came about. He hoped that in no way that took away a lot of the time and effort that Ms. Staten put in. He hoped that she felt the appreciation that the Council expressed on a regular basis for the energy and effort put into it.

Councilman Frost echoed Councilman Shelton's words. He felt that American Fork had the framework of a good trail system. He saw it being used constantly. It just did not make sense to have two trails within a block. With regard to the development, there were concessions on all sides. The Council made a tough decision and felt it was a good compromise for everyone.

CITY ADMINISTRATOR'S REPORT

Craig Whitehead had nothing to report at this time.

COUNCIL REPORTS CONCERNING COMMITTEE ASSIGNMENTS

Councilman Frost commented that during Steel Days they did a lot of things at the High School and seeing Principal Finch he recognized that he had failed to recognize him in a personal way for his contribution on the City's behalf. He thanked Principal Finch and his staff. Without them they could not have a Big Show and Fireworks.

Principal Finch responded that they were always welcome.

Councilman Bowen reported that after the Steel Days Parade the Beautification Committee met and had a Bar B Q and invited those that had participated in the Parade of Gardens. He thought that Cole Farnsworth did a good job. He commended the Scouts that were in attendance and gave them encouragement to continue on Scouting's Path to Eagle.

Councilman Taylor had nothing to report at this time.

Councilman Shelton reported that the Chamber of Commerce had a successful golf tournament to raise funds for the Chamber and also for the Autism Council of Utah. They raised close to their goal of \$1,500.

Councilman Shorter asked that any youth interested in serving on the Youth City Council to contact him or Monica Lish. The Arts Council was still working on a permanent placed for the Arts.

Councilman Taylor stated in behalf of the Arts that there was a misconception that they could not use the Dan Valentine Theater at the Training School. The City may be able to use it. Scott Rodeback reported to him that there were plays put on there all the time. He felt it was a great option for the City where before they thought there was not a chance to use it.

MAYOR'S REPORT

Mayor Hadfield reported that there was an Open House on September 17 at the High School to preview the new gym from 7:00 p.m. to 8:00 p.m.

Mayor Hadfield announced that the American Fork Stake would be hosting a 100-year celebration of the Tabernacle in October.

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 August 21, 2014 work session minutes.
2. Approval of the August 26, 2014 City Council minutes.
3. Approval of the City bills for payment, manually prepared checks, and purchase requests over \$25,000. – *Cathy Jensen*
4. Approval of the Second Amendment to the City Administrator's Employment Agreement. – *Craig Whitehead*

Councilman Shelton moved approval of the common consent agenda as presented. Councilman Taylor seconded the motion.

Councilman Bowen asked that the, Approval of the Second Amendment to the City Administrator's Employment Agreement be removed from the Common Consent agenda and placed in the regular agenda. It was not routine and he did not feel it was appropriate for the Common Consent agenda.

Mayor Hadfield removed that item from the Common Consent agenda and placed it at the end of the Action Items.

Councilman Shelton amended his motion to approve all but the City Administrator's Employment Agreement. Councilman Taylor agreed with his second. All were in favor.

ACTION ITEMS

REVIEW AND ACTION ON A RESOLUTION RECOGNIZING U.S. CONSTITUTION DAY IN AMERICAN FORK TO BE SEPTEMBER 17, 2014 – *Mayor Hadfield*

Mayor Hadfield read the Resolution. It is included in these minutes as an **ATTACHMENT**.

Councilman Bowen moved to adopt Resolution No. 2014-09-37R recognizing U.S. Constitution Day in American Fork to be September 17, 2014. Councilman Shorter seconded the motion. All were in favor.

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 for BioLife Plasma Center, located at 632 North 900 West, in the GC-2 Planned Commercial zone – BioLife/Stantec

Adam Olsen reported that this was in the IFA Subdivision Lot 4. The plans that the Planning Commission saw had an additional right turn in off 900 West into the site. The Planning Commission denied approval. Since that time they have now changed the plan to eliminate that and that was the one in the packet.

Councilman Frost commented that he did not see the buffer zone on the site plan.

Mr. Olsen reported that one of the conditions was that the landscaping match what was approved. The reason it was not shown to the Planning Commission was because the two timelines for approval overlapped.

Councilman Taylor asked if there were other outstanding issues.

Mr. Olsen responded that there were not.

Councilman Taylor moved to adopt Ordinance No. 2014-09-31 approving a commercial site plan for BioLife Plasma Center, located at 632 North 900 West, 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 August 20, 2014 Planning Commission meeting.**
- **That the landscaping would be according to the approved plan.**

Councilman Frost seconded the motion. All were in favor.

- b. Review and action on an Ordinance adopting the final plat and site plan of Harrington Hollow Planned Community, consisting of 30 units, located in the vicinity of 620 East 650 South in the PC-Planned Community zone. – H & H Engineering – Fieldstone Homes

Andy Flamm was present representing Fieldstone Homes.

Councilman Taylor noted that he reviewed the plans and all things were in including the asphalt, as far as it was required. He did not see any objections from the Planning Commission.

Mr. Olsen reported that the Planning Commission unanimously recommended approval. This was the first Phase of what was Vintaro in the southwest portion.

Councilman Shelton asked if the different developers were working together to match up the utilities.

Mr. Olsen answered that he believed in the end they would all match up. They hit a little bump in the road regarding 620 South. They were working with the City Attorney's Office on that and also Fieldstone.

Councilman Shorter moved to adopt Ordinance No. 2014-09-32 approving the final plat and site plan of Harrington Hollow Planned Community, consisting of 30 units, located in the vicinity of 620 East 650 South in the PC-Planned Community 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 and publication of the ordinance subject to:

- **All conditions as identified in the August 20, 2014 Planning Commission meeting.**

Councilman Taylor seconded the motion.

Mayor Hadfield asked the developers what was magical about the name, Harrington Hollow.

Andy Flamm responded that they were looking for something unique and Harrington was the first Mayor of American Fork.

Mayor Hadfield was impressed that they were doing some history work.

Mayor Hadfield called for a vote on the motion. All were in favor.

- c. Review and action on the final plat of Northshore Corporation Center Plat D, consisting of 2 lots, located at 871 South Automall Drive, in the GC-2 Planned Commercial zone. – Berg Engineering

Mayor Hadfield noted that these were the remaining two lots in that area.

Ken Berg stated that they were excited to bring this last remaining piece of property in this area. In the Planning Commission they talked about street lights and the City's changeover with regard to streetlights. That was the only real question that his client had. Were they going to be the only one with a street light? He was working with staff showing their building lighting plan to show that they did have proper lighting.

Mayor Hadfield asked if there were any questions.

Councilman Bowen asked for clarification.

Mr. Berg responded that in the Planning Commission there were two options presented. It was either put as street light in the public right-of-way that the City would maintain. As this was a re subdivision of a subdivision, the time for that had passed. The other option was internal lighting and they were looking at lighting from the building that

would give the right amount of lumens to adequately light the commercial/retail warehouse entrance. The amount of traffic at night should be low.

Councilman Taylor asked if there were any planned tenants or were they just getting ready to lease.

It was reported that Four Foods have grown and expanded and they would take half. Lizard Skins, a bicycle accessory company that ships to 80 countries worldwide would take the other half.

Councilman Bowen moved to approve the final plat of Northshore Corporation Center Plat D, consisting of 2 lots, located at 871 South Automall Drive, in the GC-2 Planned Commercial 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 August 20, 2014 Planning Commission meeting.**

Councilman Shorter seconded the motion. All were in favor.

- d. Review and action on an Ordinance approving a commercial site plan for Building C of Northshore Corporation Center located at 871 South Auto Mall Drive, in the GC-2 Planned Commercial zone. – Berg Engineering

Councilman Taylor moved to adopt Ordinance No. 2014-09-33 approving a commercial site plan for Building C of Northshore Corporation Center Plat D, located at 871 South 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 August 20, 2014 Planning Commission meeting.**

Councilman Frost seconded the motion. All were in favor.

- e. Review and action on an Ordinance approving a commercial site plan for Tri Valley/Lone Peak Trailer, located at 380 East 620 South, in the GC-2 Planned Commercial zone. – Berg Engineering

Victor Hansen was present to discuss some issues regarding improvements related to this site plan.

Adam Olsen reported that the Planning Commission recommended approval with the level of improvements as shown on the plan that included a landscaped area adjacent to the sidewalk of five feet with some bulb outs at the drive isles and also paving of the main drive isles. The trailer storage area was okay to be left unpaved. The Planning Commission was comfortable in that it brought the site closer to compliance.

Mayor Hadfield asked if there was any discussion regarding the pond or the drainage.

Andy Spencer responded that as part of the subject to conditions was that the developer work jointly with the City to resolve both private and public storm drainage issues in the area and on the site. The exact placement of the pipe was still being worked out.

Mayor Hadfield asked if it was necessary to have a pond in the middle of their site plan.

Mr. Spencer answered that from the City's point of view it could be done away with as long as the appropriate clearances were obtained from the Army Corps of Engineers.

Mayor Hadfield asked if it had been designated as an historical waterway.

Mr. Spencer did not know about that but the City's Sensitive Lands Ordinance would require them to get clearance. He thought the pond would likely meet the qualifications of wetland but he did not think the Army Corps of Engineers would classify it as jurisdictional wetlands.

Councilman Frost asked where the drain line would go and how the City would participate.

Mr. Spencer explained that in order to place the building where it was shown on the plan, it would be right over the top of one of the existing pipes and it would have to be moved.

Mayor Hadfield expressed that it was not the best piping system and contained different types and sizes of pipes. It was being proposed by Mr. Spencer that the City help with the relocation and upsizing and placement of a new pipe. Some of it was site drainage and some of it was City drainage.

Mayor Hadfield asked Dave Whitlock from Lone Peak Trailers if the nature of the business changed at certain times of the year with different sizes or stock.

Mr. Whitlock answered that was exactly right. A paved drive isle was not conducive to their varied inventory. He may have 10-foot trailers or he may have 40-foot trailers. He did not want paved drive isles.

Councilman Frost asked if buyers would just walk through the inventory area and how would they hook on to a trailer after the sale.

Mr. Whitlock responded that the sales office would be where the customers came in. They would walk to the display area. Upon a sale an employee would jump on a tractor or forklift and move the trailer out. Customers would not be driving through there.

Councilman Bowen asked Adam Olsen what the Planning Commission meant when they said that it brought it close to compliance but not in full compliance. He asked what the full compliance issue was.

Mr. Olsen explained that typically it would be required to fully pave the lot. It was felt however that this was not a high traffic area. Under normal circumstances the landscape

buffer against the sidewalk would be 15 feet. In this case it was reduced to five feet. Currently there was no sidewalk.

Councilman Bowen asked for clarification on the drainage issue.

Mr. Spencer explained that the existing drainage system was a combination of various pipes of various ages and of various sizes. It was not the best system. As part of the approval the owner would be required to relocate the existing system to accomplish the construction of the building where they want. Work over and above that that the City would benefit from would be at the City's cost.

Councilman Bowen asked if they were amenable to that.

Mr. Hansen responded that they could handle their responsibility and the City could handle theirs.

Councilman Bowen noted that with the high water table this was a great use of the land and he was supportive.

Mr. Whitlock expressed that he appreciated the City's value in landscaping noting that there were mature trees twenty feet high already around the pond. He wanted to maintain as much visibility as possible so customers could see their product. Any landscaping that went in on the north end he felt would detract from what they were trying to accomplish. There was a sidewalk half-way down the property.

Property owner Glen Nilson reported that the 4-foot sidewalk was put in with the original annexation from 500 East and will need to be extended across the rest of this property.

Councilman Frost stated that he loved trees and he planted them every day. He asked if in the Ordinance they could clump the trees

Mr. Spencer felt that the landscape buffer that the Ordinance sought to achieve was less about the number of trees and more about breaking up the sea of asphalt and to provide some visual relief.

Mr. Olsen noted that the site plan had the landscaping clumped in areas so the merchandise was visible. They do the same with auto dealerships.

Mayor Hadfield noted that the sidewalk to the east was a 4-foot sidewalk. At that time that was the City standard. When the ADA standard changed the City went to a 5-foot sidewalk and a 6-foot combination curb, gutter, and sidewalk. He asked if there was a grade difference from 620 South Street to the level of the commercial site.

Mr. Spencer responded that the trailer yard was a little lower.

Councilman Taylor asked about eliminating the paved drive paths.

Mr. Spencer explained that it was meant to reduce the tracking of mud onto the City streets and to keep down any dust.

Councilman Frost asked about the gate to the west.

Mr. Whitlock answered that it was more of an emergency access and the yard would be completely secured at night.

Mr. Nilson stated that he wanted to make the City happy and do what he needed to do to accomplish that. He was looking at \$75,000 to \$90,000 in improvements on a \$225,000 building. Lone Peak trailers did about \$6 million in business annually. They had been in Lehi for 30 years and were now moving to American Fork. He thought that was a big deal. This was a smaller site and they had to make every square foot count. He noted that the trailers, some four feet and some forty-five feet, would never line up with the drive strips. This was an asset for American Fork and definitely an upgrade to the property.

Councilman Taylor understood the need to be in compliance with ADA. He was not in favor of throwing down some ambiguous drive strip. It did not make sense. He did not have a problem at all with eliminating the paved drive strips. The sidewalk had to remain.

Councilman Shelton commented that they had to be careful with what was required or not required.

Councilman Taylor responded that they were not doing anything different than in other storage areas.

Mayor Hadfield added that the material being used was milled asphalt. The treatment of the pond still needed to be worked out. With the relocation of the pipe and the pond went away, was that vegetation still needed.

Mr. Nilson explained that he brought the trees to the area twenty years ago. He had a little sweat in them.

Councilman Shelton asked what size of trees would be going in.

Mr. Olsen answered that they would be 2-inch caliper.

Mr. Hansen asked about xeriscape landscaping and colored rock.

Councilman Frost knew of a lot of bushes that would be below a trailer.

Mr. Olsen stated that the ordinance allowed for a portion to be xeriscape.

Councilman Frost moved to adopt Ordinance No. 2014-09-34 approving a commercial site plan for Tri Valley/Lone Peak Trailer, located at 380 East 620

South, 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 August 20, 2014 Planning Commission meeting, with the exception of having asphalt drive strips and that they could accommodate xeriscape with colored rock and grouped shrubbery.**
- **Victor Hansen and Adam Olsen would work out the landscaping.**

Councilman Taylor seconded the motion.

Councilman Shorter asked if the 6-foot sidewalk stayed.

Councilman Taylor answered that it did.

All were in favor.

REVIEW AND ACTION ON THE LIFTING OF THE MORATORIUM ON THE SALE OF CEMETERY LOTS – *Mayor Hadfield*

Mayor Hadfield suggested that the 10-year moratorium on the sale of cemetery lots be lifted. With the approval of a site plan for cemetery expansion at the last City Council meeting, and persons waiting to purchase lots, it was time to allow that. He stated that Cemetery Committee Chairman Carma Cornell and Cemetery Sexton Ray Garrett were present. He asked if there were any questions.

Councilman Taylor recognized the gravity of this situation and all that has taken place and the efforts of Ray Garret and his crew, Derric Rykert, Carma Cornell, and the Cemetery Committee, and the number of people for an enormous amount of years to see this accomplished. They had done the right thing. He applauded them all.

Councilman Taylor moved to lift the moratorium on the sale of cemetery lots and make them available with the conditions that

- **All cemetery spaces sold must be paid in full at time of selection. No contracts will be carried on future lot sales.**
- **Each household may purchase 8 spaces which is equal to 1 full lot. This can equate to 16 spaces should they choose to do double deep burials.**
- **Families on the waiting list will be given first priority to purchase lots. Families will be contacted in order they are on the list and they will be given appointments to purchase lots between Wednesday, September 10th and Friday, September 19th. Beginning Monday, September 22, 2014 all cemetery lots will be available to the general public for sale.**

Councilman Frost seconded the motion.

Councilman Shelton echoed Councilman Taylor's comments regarding the amount of work that took place to accomplish this.

Mayor Hadfield complimented Sexton Ray Garrett for his work in this.

All were in favor.

REVIEW AND ACTION ON THE APPROVAL AND AWARD OF A CONTRACT FOR THE 2014 PACIFIC DRIVE OVERLAY AND DRAINAGE PROJECT TO MORGAN ASPHALT, INC. – Dale Goodman

Dale Goodman reported that \$250,000 was budgeted which was the engineer's estimate. The low bid was over \$300,000. They also did two alternate bids to extend the project further to the east and also to the west. The options before the Council were to

- A. Cancel all bids and bid later for work in the spring
- B. Go with the low bid and just do the primary bid
- C. Include the first alternate
- D. Include the first and second alternate

Mr. Goodman felt they could find the difference for the primary bid in the current budget.

Mayor Hadfield asked if 100 North could survive one more year between the railroad wig-wag and 100 East.

Mr. Goodman answered that the road was pretty beat up. A lot would depend on the winter.

Mr. Spencer commented that this corridor had a different future according to the master plan of five lanes. The solution would need to last eight to ten years until they reached that major reconstruction. The overlay was a reasonable action at this time. He added that they had tried to bid a spring option for the work as well but there was not a lot of difference in the bids.

Councilman Taylor did not want to go through another winter and suggested that they go with the base bid right now.

Councilman Bowen asked if Morgan Asphalt could complete the work in the time before winter.

Mayor Hadfield responded that Morgan Asphalt had done work in Utah Valley and in American Fork in the past. They were a comparable bidder with Geneva and Staker. He had a great deal of faith in Morgan Asphalt.

Councilman Taylor added that Horrocks gave their full approval.

Councilman Bowen moved that they accept base bid submitted by Morgan Asphalt Inc. for the 2014 Pacific Drive Overlay and Drainage Project in the amount of \$373,390.50 with a ten percent contingency for a total contract of \$410,780.50 and to authorize staff to proceed with the preparation of contract documents. Councilman Taylor seconded the motion.

Mayor Hadfield stated that they were just taking the base bid.

Mr. Spencer clarified that this project would take them to 200 East.

Councilman Taylor asked if 'wig-wag' was an official term.

Mayor Hadfield thought it to be a railroad term.

All were in favor.

APPROVAL OF THE SECOND AMENDMENT TO THE CITY ADMINISTRATOR'S EMPLOYMENT AGREEMENT – *Craig Whitehead*

Kasey Wright reminded the Council that anything discussed in a prior closed session should not be discussed in open session.

Mayor Hadfield called on Councilman Bowen to express his concerns.

Councilman Bowen thanked Mayor Hadfield for separating this item from the Common Consent agenda. His concern was the increase to twelve month's severance and the fact that it was a lump payment. He hoped that it would not come into play anyway. He noted that in Utah severance was unusual anyway. He felt this was an extremely generous package.

Councilman Shelton stated that they looked at comparables around Utah Valley, especially our neighboring cities, and they all had twelve month severance packages. He felt they were comparable.

Councilman Bowen did not think that government needed to be so much more generous than private industry in this regard.

Councilman Shelton reported that he had looked a lot at this in the private sector and this was not uncommon. When looking at a CEO of a corporation they all had severance agreements. He felt very comfortable with this because it was still putting us below our peer group and he felt the City was getting a very good service from Mr. Whitehead.

Mayor Hadfield added that the City Managers had a professional organization that was nationwide that represented them and twelve months was the standard in the industry.

Councilman Taylor tried to make clarity on that by stating that a City Manager was in a unique position where they fell under new leadership every two years. If the new leadership had an issue with him, his livelihood and his family came into question, whether he had done a poor job or not. We were beyond a very good job and have seen great things happen in the last two and half years with the City and the things that have taken place with Mr. Whitehead. They were meeting the minimums.

Councilman Shelton moved approval of the Second Amendment to the City Administrator's Employment Agreement.

Councilman Shelton commented that in the private section this was a CEO and some of their severance packages were more generous.

Councilman Taylor seconded the motion.

Mayor Hadfield called for a vote on the motion. Voting was as follows: Aye, Councilmembers Shelton, Taylor, Frost, and Shorter. Nay, Councilman Bowen. The motion carried.

Mayor Hadfield asked Councilman Bowen if he would like to explain his nay vote.

Councilman Bowen felt that 12 month's severance was too generous.

ADJOURNMENT

Councilman Taylor moved adjournment at 9:10 p.m. Councilman Shorter seconded the motion. All were in favor.

A handwritten signature in blue ink, appearing to read "R. M. Colborn".

Richard M. Colborn
City Recorder

Resolution Recognizing U.S. Constitution Day In American Fork
Resolution No. 2014-09-37R

WHEREAS, as the result of a revolutionary war that was fought to free the citizens of the United States of America from a tyrannical and oppressive government; and, the attempt of these citizens to form a new government that respected the people as the sole source of all governmental power, the need for a written document to limit the strength of government and secure, to the people, the right to govern themselves was recognized, and

WHEREAS, the U.S. Constitution was adopted in a Constitutional Convention on the 17th of September, 1787, and thus became the supreme law of the United States of America in order to secure and guarantee the rights of all free citizens of the United States of America, and

WHEREAS, the U.S. Constitution stands today as the oldest written document, of its kind, in the history of all mankind, as a result of the efforts of, and at great cost to, the patriots that founded our great nation, the United States of America, and

WHEREAS, September 17th is designated as U.S. Constitution Day throughout the United States of America.

NOW, THEREFORE, BE IT RESOLVED that the City Council of American Fork, Utah, hereby declares the official observance of September 17, 2014 as U.S. Constitution Day in American Fork, Utah, in humble respect for the patriots from our past that gave their all so that their fellow citizens, and those yet unborn in our nation, should remain free in perpetuity to enjoy the rights of Life, Liberty, and the Pursuit of Happiness.

IN WITNESS WHEREOF, I hereunto set my hand and cause the Seal of the City of American Fork to be affixed this 9 day of September, 2014


James H. Hadfield, Mayor

ATTEST:



Richard M. Colborn, City Recorder

