

AMERICAN FORK CITY COUNCIL
DECEMBER 4, 2018
WORK SESSION MINUTES

Members Present:

Brad Frost	Mayor
Kevin Barnes	Council Member
Staci Carroll	Council Member
Barbara Christiansen	Council Member
Rob Shelton	Council Member
Clark Taylor	Council Member

Staff Present:

David Bunker	City Administrator
Camden Bird	Admin Analyst
Wendelin Knobloch	Associate Planner
Lauralee Hill	Deputy Recorder
Aaron Brems	Fire Chief
Eddie Hales	Battalion Chief
Kyle Maurer	Finance Officer
George Schade	IT Director
Tim Merrill	Legal Counsel
Adam Olsen	Senior Planner
Darren Falslev	Police Chief
Derric Rykert	Parks and Recreation Director
Scott Sensanbauger	Public Works Director

Representative Kay J. Christofferson, Representative-Elect Jon Hawkins, Craig Petersen, David Petersen, Ernie John, Heather Warner, Malyse Warner, Jason Birmingham, Rich Mikelson and several others.

Mayor Frost excused Council Member Taylor who would be a little late.

WORK SESSION

The purpose of City Work Sessions is to prepare the City Council for upcoming agenda items on future City Council Meetings. The Work Session is not an action item meeting. No one attending the meeting should rely on any discussion or any perceived consensus as action or authorization. These come only from the City Council Meeting.

The American Fork City Council will meet in a work session on Tuesday, December 4, 2018, in the City Administration Office Conference Room, located at 51 East Main Street, commencing at 4:00 p.m.

1. Discussion with State Representatives.

Mayor Frost welcomed Representative-Elect Jon Hawkins and Representative Kay J. Christofferson. He introduced them to American Fork's lobbyist Craig Petersen. Mr. Petersen was accompanied by his son and fellow lobbyist, David Petersen. Mayor Frost asked Representative Hawkins to introduce himself.

Mr. Hawkins stated that he represented District 57 which included a portion of American Fork. He lived in Pleasant Grove with his family and worked at a software company called Workfront in Lehi, where he managed a technical sales team.

The Mayor asked Representative Kay Christofferson to inform the Council on the issues that would be important in the upcoming legislative session.

Representative Christofferson detailed the items he believed would be the most significant.

1. Balancing the budget and ensuring the State used the tax dollars wisely. He noted there was a projected windfall of extra money to the budget due to the overall wellbeing of the State. He noted they would use a portion of the windfall for the prison development.
2. Transportation and corridors to handle the growth
3. UTA
4. Education - He stated that most of the funding went to education.
5. Rainy Day fund - He mentioned the recession in 2008 and 2009 and the desire to plan for such a time in the future.
6. Medicare funding

He stated that most of the bills were not yet public.

Mr. Hawkins's assignments were identified as Judiciary, Higher Education, Appropriations Committee, and Government Operations. Craig Petersen stated that having Mr. Hawkins on the Government Operations committee would be a good thing for the City as they dealt with utilities and general operations.

Mayor Frost asked them to discuss the new way sales tax would be distributed. Representative Christofferson stated that this was not brought up at the special session yesterday. The Governor wanted to consider a tax on services, as the economy focused more on products and services than manufacturing. Council Member Shelton asked if the Salt Lake Chamber of Commerce was responsible for encouraging this change. Representative Christofferson responded that he did not know. Mr. Peterson explained they had investigated what other states had done. He noted that various entities would exempt themselves from this tax, including lawyers, doctors, and realtors. A small group would be left taxable, which would not be worth it. He explained they would discuss removing sales tax from food.

Mayor Frost stated that the community relied on its sales tax base. There had been discussion about redesigning the formula and that would be detrimental to the City. Representative Christofferson said Utah County had a local option sales tax that they had not taken, and he asked what the Mayor's opinion was on the matter. Mayor Frost responded that he and other mayors had signed a petition hoping to compel the Commissioners to pass the local option sales tax.

Council Member Shelton asked how quickly the City could act on the option if the County decided not to implement the tax. It was stated it would be soon. Mayor Frost explained it would be a 50/50 split between UTA and the City if the County did not act on the option. Representative Christofferson asked if the Commissioners would present more names for the UTA Board, stating that Utah County seemed to have become Utah/Tooele County.

Mayor Frost stated that he was lobbying for that, and one of the candidates for that position was behaving badly: sending out emails, touring around, acting like the Governor, discussing social and emotional issues, and digging up past issues that did not correspond to his duties. Mayor Frost stated that he hoped the Commissioners would submit more names to the Governor.

Council Member Shelton asked if there was any action they could take to encourage a more representative government, because the current perception was that it was dysfunctional. He stated what the County was doing affected the perception of the current State Legislators. Matters for which they were lobbying might be looked upon in a negative light due to the behavior of the County. Representative Christofferson stated that there had been discussion about changing the three-member County Commissioner Board to a five-member County Commissioner Board. Mayor Frost asked the Council Members who would be in favor of changing to a five-member Commission. There was consensus that a five-member board would be more affective.

Council Member Taylor said the County had dispatched the City multiple times about their use of the recreation (PARC) tax. He said there was no attempt for them to be equitable and aid them in their goals. Mayor Frost stated they had contributed \$4.5 million in restaurant taxes over the past five years and have received back the minimum amount. Council Member Taylor said the County stated they would give them some funding if they built four, full-sized baseball fields. He said it was ridiculous and it was not working.

Mayor Frost asked if there could be a top down allocation mandate based on what was received from the cities. He noted that this would be a windfall for American Fork as it still had to maintain roads for people that came into the City. He stated that he would work with Mr. Petersen on this issue and asked how they could allocate the restaurant tax funds better.

Council Member Shelton said there was a cost associated with attracting businesses and maintaining services to those businesses, such as the police call volume to the retail area of the City. The City held the burden of the cost to develop retail areas and the distribution of the tax funds were not being dealt fairly by the County.

Water

Mayor Frost explained that there had been a significant process for protecting water in American Fork Canyon, including restrictions to protect the watershed. He said there were other restrictions they felt were unnecessary. Mayor Frost asked the legislators to remember that American Fork Canyon was different than Cottonwood Canyon.

Mr. David Peterson stated that he did not think American Fork Canyon would be included with the restrictions made in Salt Lake County. Mr. Craig Peterson said the canyons were geographically different. He said a few bills would have an impact on the City as they had some surplus water agreements outside the City's municipal boundaries.

Mayor Frost invited Jason Birmingham to join the table.

Mr. Christofferson asked if the City was feeling pressure to meter all water including the secondary water. Council Member Carroll responded in the affirmative.

Mr. Bunker said there was of a proposal to require all new developments to meter secondary water starting in 2019. He asked if by 2030 all secondary water throughout all cities had to be metered. Mr. Craig Peterson said this was a little premature. Several legislators were investigating a resolution encouraging residents to do some things that would conserve water. There was considerable discussion about metering water. Representative Christofferson suggested they consider water downstream if they conserved the water too effectively. He said they should consider water storage and taking water from the Colorado River.

Mayor Frost said they needed to use common sense to find solutions. He noted unfunded mandates were damaging. Mr. David Peterson said several municipalities were concerned about this as well.

Mayor Frost introduced Mr. Birmingham to discuss the Transportation Reinvestment Zone (TRZ). Mr. Birmingham explained the City was developing a Transit Oriented Development. They were working with UTA and developers to create mixed use development. American Fork was the first entity in the State to adopt a resolution to consider studying a TRZ, as part of Senate Bill 136. The intent was to include State and local agencies to enter into an agreement. They wanted more clarity on the bill to understand who could enter into an agreement. He noted funds were being spent on various projects and were not returning to the local communities where the funds were generated.

Representative Christofferson explained it was not too late to make suggestions to the committee. He explained Senator Harper was opening another bill to make these changes. Mr. Birmingham said this would be helpful. Mr. Craig Peterson said Senator Harper would be the chair of this committee. Mr. Birmingham said they did not want to create huge changes, rather they wanted to clarify the language in the bill.

Mr. Craig Peterson noted MAG was not recognized in the State statute; they were only recognized federally. Mr. Birmingham said these types of clarifications would be helpful, and they expected the bill to provide added benefits. He explained they had adopted a resolution as though they were following the steps outlined in the bill (11-13-227). They needed clarifying language to ensure they were following the bill correctly. Mr. Birmingham said there were five provisions and two or three changes needed to be made to ensure clarity for public agencies. He said the portion addressing the sales and property taxes were limiting.

Representative Christofferson said the next task force meeting was on the 17th. He said they should meet in the next few days with suggestions. Mr. Birmingham suggested expanding the incremental funding. Representative Christofferson added they should clarify the ability to participate. Mr. Birmingham said he appreciated the work the Senate had done with the transportation issues, as this was a big problem that needed to be addressed.

Questions and Concerns to the legislators

Council Member Shelton thanked the legislators for funding water boxes, the pipeline up the canyon, assistance with the Murdock Connector, and the fire station for American Fork. He asked for their thoughts on a grid system for Utah County transportation. Representative Christofferson stated that MAG was working to overlay a grid. UDOT was also making this a priority. Council Member Shelton commented that Utah County was falling behind on funding compared to other counties. Their growth merited more funding than they had currently received. Representative Christofferson noted Davis County was well represented and they would work to bring more funding to Utah County.

Council Member Carroll said the bills that were passed last year took a lot of power away from the cities. She asked that they keep this in mind as they wrote new legislation. Representative Christofferson asked for an example. Council Member Carroll responded there were new requirements on open meetings. Mr. Bunker added that there were zoning issues and loss of authority in certain areas. Representative Christofferson stated the Utah League of Cities and Towns worked hard to defend municipalities.

Council Member Christiansen asked when the bills became public. Mr. Craig Peterson stated that they had to be numbered and titled but there were occasionally protected ones that were not revealed until a week into the session. Representative Christofferson stated that some bills were not completed when the session began. Mr. Craig Peterson stated the House and the Senate leadership are working to reduce boxcar bills.

Mr. Bunker said the cities were asked to provide affordable housing within their respective communities. He said the residents were asking why they were doing so much multiple family housing. Representative Christofferson explained that as the cost of land rose, they would be required to build up. Mr. Bunker said this taxed their resources and it was unfair to the cities that were providing the housing. Council Member Christiansen agreed and said it was also unfair to older residents that provided these things at low or no cost to the new residents. If the State required them to continue building affordable housing, then the State needed to provide tools like the TRZ.

Representative Christofferson asked what the State could do and what should be their role. Mayor Frost said it was difficult to define affordability. He noted there were tall vertical units with shared driveways that were selling for \$350,000. Mr. Craig Peterson noted most of the land in Utah was owned by the federal government.

Mr. Birmingham commented that affordable housing was a statewide issue. They were taking some of the sales tax from the cities to fund homeless shelters. Some communities were building affordable housing, and it had become the cities' burden to solve this issue.

Mr. Craig Peterson noted they passed legislation last year with a formula for affordable housing. If the cities did not meet the required amount, they would lose some of their sales tax, which was punitive rather than a partnership. Mr. Bunker said they needed incentives to build affordable housing.

Representative Christofferson asked for what types of incentives the State could provide, stating that he agreed with the philosophy. Council Member Barnes suggested they not give deadlines for affordable housing. Furthermore, incentives were needed to reach these goals. Mr. Birmingham said there were changes they could make in the TOD zone to support the affordable housing and noted that the housing shortage was not all in affordable housing.

Council Member Shelton asked if there was an agency for affordable housing. He noted there were a lot of federal tax credits and State tax credits and said they should bring all those incentives together in a package deal to developers. Representative Christofferson noted some cities had grant writers that applied for grants and credits. He asked if there was something like this at the

State level. Mr. Birmingham said several developers had asked for help. There were federal programs they could use but they needed assistance to apply for its use.

Council Member Shelton noted they had a lot of resources they just needed coordination to make them available.

2. Presentation by Communities that Care. (Requested by Terilyn Lurker, Recorder)

Chief Falslev introduced Heather Lewis and Malyse Warner with Communities that Care and stated that they would discuss drug and alcohol prevention. Ms. Lewis said she worked for Utah County department of Alcohol prevention and services. She said they provided these services through the school districts.

Mr. Warner explained they focused on youth prevention. They wanted to create a framework to prevent problems before they happened. She said American Fork leaders know the resources that were available better than they did. She then explained youth substance abuse was only the tip of the iceberg. She said there were other things going on in a child's life that contributed to the substance abuse. If they addressed the other problems, they would solve the behaviors associated with substance abuse. She referred to a handout to explain their concerns. She also noted the risks associated with substance abuse. There were five phases of the CTC process, noted as follows:

1. Get started. Key leaders accept the idea of youth prevention.
2. Getting organized - gathering key players from all 12 sectors in the community (business, health care, religious etc.).
3. Develop your own community profile – The Sharp Survey – (Student Health and Risk Prevention Survey). As children participate, they learn how to direct their resources. It has questions about substance use, mental health, suicide, depressive symptoms, and how safe they feel in their neighborhoods or schools.
4. Creating a plan
5. Implement and Evaluate - This is recurring and ongoing.

Ms. Warner asked for questions. Council Member Carroll asked if there was more to this process after collecting the data. Ms. Warner answered affirmatively and explained that there was a series of phases with checklists to complete each phase with necessary training provided.

Council Member Christiansen asked if they had resources for parents, to which Ms. Warner answered in the affirmative. She said children were struggling in the family domain. She said if the families were struggling the youth would struggle also.

Ms. Lewis stated that Ms. Warner was an expert. She explained she was employed by Utah County and contracted with cities. They had programs in Provo, Eagle Mountain, Saratoga Springs, and Payson/Genoa. She said that American Fork was too big to share a program with another City. The coordinator would be responsible for trainings, board recruitment, and organizing a task force. She noted there would be training available. Tooele had a pilot program and was seeing positive results. She explained that they had worked with the University of Washington to create this program. The State matched \$10,000 and they were working on a grant to help build the program.

Council Member Carroll asked if the board members were volunteers. Ms. Lewis responded this depended on the City; in Provo, they were paid to attend the meetings. Ms. Warner said it was a

mix of people that were invested in the community and some that were being paid. Council Member Carroll asked how much time a board member spent. Ms. Warner responded they typically spent an hour on one monthly meeting, with occasional extra meetings that ran a little longer than an hour. Council Member Carroll asked if the part time coordinator was employed by the City. Ms. Lewis answered in the affirmative and explained they would be reimbursed with a match.

Mayor Frost asked if they could send a representative from the City to understand this process. Ms. Lewis answered in the affirmative and said she would send them an invite. Additionally, there was a County coalition they could also visit. Ms. Warner said they wanted to increase their coalitions and they should speak with the other mayors and city managers.

Council Member Barnes asked how the law enforcement fit into their program. Ms. Warner responded they had a Utah County Sheriff that supported them by participating in their meetings.

Council Member Carroll asked if they did anything with red and white ribbon week. Ms. Lewis said they wanted to work more with the schools and thought they could add to their programs. It was noted that as they looked through the data, the coordinator could help find the best way to fund programs in the City. Ms. Lewis said every coalition in the County had found funding for the program they wanted to implement.

Mayor proposed tabling the final two items to the work session scheduled for next Tuesday.

3. Presentation by the Timpanogos Special Service District.

Mayor Frost introduced Rich Mikelson, District Manager of Timpanogos Special Service District. Mr. Mikelson said he had worked in waste management for many years. He said they had processed 18 million gallons per day from 10 localities. He presented a cloudy, disgusting bottle and said that they remove 98% of pollutants from water. The sludge removed from the process was taken to a landfill and made into compost. The composting process would end Jan 1st, 2021. Starting then there would be no composting in order to reduce odors at the facility. They would stop taking green waste May of 2020, and no more green waste would be needed to create the composting. The operational costs were about 27% whereas the national average was 45%. The chemical and power costs were also significantly lower. This would change due to phosphorous levels and other potential levels in Utah Lake. The sewer plant was operating efficiently. He noted they had not had any violations and were meeting all their requirements.

Council Member Shelton commented that the algae blooms in Utah Lake were a problem but other lakes without sewer facilities on them had algae blooms. Mr. Mikelson explained that if a lake had less than 25 parts per billion a lake would be pristine. He explained that in order to return to normalcy they needed to research what Utah Lake should look like. The lake was not necessarily a pristine, clear lake, and the ecology might not support this type of lake. He said the Council needed to be aware of what the Utah Lake Commission was doing as there was a lot of money going into the study of the lake. The phosphorus was a big problem and they needed more studies done in order to repair the problem.

Mayor Frost asked how many gallons were being ejected into Utah lake. Mr. Mikelson estimated that 50 million gallons per day were going into the lake. He said they had adjusted to prevent the

amount of phosphorous entering the lake. Mr. Mikelson explained there were different kinds of algae. Green Algae was not harmful whereas the HAV was the harmful algae.

Council Member Taylor asked about drinkable water. Mr. Mikelson explained they needed to take several more expensive steps before the water would be drinkable. Council Member Taylor asked if the water could be used as secondary water. Mr. Mikelson said they would need to put it through a filter and chlorinate the water.

Mr. Mikelson said it was American Fork's water until it hit the district line. Then it would belong to Utah County. He said Provo was funding a new plant to make the water cleaner to bypass the DWQ. He said Utah Lake would shrink as DWQ placed restrictions on water.

Council Member Shelton asked about rate increases in the next four to five years. Mr. Mikelson responded the board would decide if the rates should change. They wanted to have a year's worth of funding in case of emergency. He said the board also wanted to spend \$10 million a year to prevent pipes from corroding and replacing other equipment. He noted there were 23 other projects that would cost about \$8 million.

Council Member Shelton asked how long the studies would take. Mr. Mikelson responded that he did not know. He said Provo was putting in a new facility for the Utah Lake Study. He explained they wanted to find out what the DWQ required and they would drag out their study until the DWQ revealed their requirements. He added that it would cost a lot of money to get the amount of phosphorus down to .1 parts per billion. He said they had to look for options to where they could haul the sludge. He noted there were other options they were exploring to remove the waste.

Council Member Shelton said he wanted to have a tour of their facility. Mr. Mikelson responded they were happy to provide tours of the plant for them, for scouts, and for school-aged children. In one day, in 18 hours, the water comes in dirty and goes out with the solids removed. With a lagoon system it takes 30 days. Mr. Mikelson stated that he would coordinate a tour for the Council.

The Mayor suggested tabling items 4 and 5 until the next work session scheduled for December 11, 2018, prior to the City Council Meeting. This work session was slated to begin at 7:00 p.m. and the Mayor suggested moving it up to 6:30 p.m. to accommodate the extra items.

4. Adjournment

The work session adjourned at 6:20 p.m.

A handwritten signature in black ink, appearing to read "Lauralee Hill", written in a cursive style.

Lauralee Hill, Deputy Recorder