

AMERICAN FORK CITY COUNCIL
APRIL 30, 2019
WORK SESSION MINUTES

Members Present:

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

*Participated electronically

Members Absent:

Barbara Christiansen	Council Member
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Staff Present:

David Bunker	City Administrator
Camden Bird	Admin Analyst
Wendelin Knobloch	Associate Planner
Terilyn Lurker	City Recorder
Aaron Brems	Fire Chief
Kyle Maurer	Finance Officer
George Schade	IT Director
Timothy Merrill	Legal Counsel
Adam Olsen	Senior Planner
Darren Falslev	Police Chief
Scott Sensanbauger	Public Works Director

Also present: John Woffinden, Christine Anderson, Geoff Dupaix, Eric Franson, Chris Christiansen, Jason Burningham, Grant Lefgren, and Mike Horan

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 met in a joint work session with the Planning Commission on Tuesday, April 30, 2019, in the City Administration Office Conference Room, located at 51 East Main Street, commencing at 7:00 p.m. The agenda shall be as follows:

1. Discussion on the Community Reinvestment Area (CRA) and Transit Oriented Development (TOD).

Mayor Frost explained that he met with the mayors of Lehi and Saratoga Springs to discuss the preferred Vineyard Connector alignment. Mayor Frost noted that the CRA and the TOD area

would be an important development for all cities; they would need to facilitate a lot of citizens through this area.

Mr. Olsen explained that last year they adopted the new TOD code and nearly every day they were getting phone calls about the TOD area. During the last Planning Commission meeting a district plan was discussed, and it was noted that more districts were coming in the near future. They were educating people on how this worked and the steps that needed to be taken.

Mr. Bunker asked if there were any issues with the plans being brought forward by the developers. Mr. Olsen stated that they had problems because the developers wanted approval of their site plans immediately, but that staff was instructing the developers to give them less detail at the front end of the process as required by the code. Mr. Bunker asked if the plans were consistent with the TOD code and what they envisioned, to which Mr. Olsen responded that from what staff had seen, is that it could be better.

Council Member Carroll asked if this would be a longer process for applicants, to which Mr. Olsen responded in the negative. Everything would be handled by staff after the approval of the district framework has been approved by the Planning Commission and City Council.

Mayor Frost asked what the Planning Commission thought about the process when they saw the first district plan. Commissioner Woffinden said they had to rely on staff to ensure the details were in there; it was a re-education process. Commissioner Dupaix added that they needed to better-established that framework; if the City did not have the right foundation it would confuse the entire project.

Council Member Carroll asked if our consultant was helping. Mr. Olsen said they had reached out at first one that went through but he has not been involved in the others.

Mr. Sensenbaugher said it took some time to understand what they wanted for the district framework. Connectivity was important for keeping the district framework cohesive, so there may be times that roads have to shift slightly to fit. He then explained that 200 South was a key road to the TOD. They were currently working with PEPG on the 200 South road and the design was about 60% complete. He noted that they were designing for build-out but only the core would be fully built out now.

The Mayor then turned the time over to Jason Burningham and Cody Hill to give an update on the CRA. Mr. Burningham explained this area was set up to be a reinvestment area and financial incentives were planned to motivate growth. He wanted to review the Patriot Station Community Reinvestment Area and the progress; this included about 500 acres of land. They were currently working with landowners and developers but they needed to approve an interlocal agreement with Utah County which would allow the growth to continue as there was a lot of land still in the county. They also needed to discuss the financing portion. He said they hoped to finalize the draft plan and budget by May which would let them begin by August; however, there were still discussions that needed to take place.

Mr. Burningham explained that there was one property owner that did not want to participate; the other property owners who did not want to develop right now understood the benefits of a CRA. He said they needed to continue negotiations with the property owner that did not want to

participate. The County Commissioner indicated they were not comfortable continuing unless this property was left out.

Mr. Burningham continued by explaining the tax increment funding. The budget would take a portion of the amount of property tax collected on the incremental amount for the incentives in the RDA and they would have 20 years to collect and use the funds. He then showed how much the districts and various entities would receive; they planned on getting a large return on their investment from the development of this area. Mr. Burningham concluded by explaining they were projecting \$37 million from taxing entities. It was important to note that the other entities would not be losing any tax revenue, but as the development took place they would obtain 50% of the increase in tax increase increment. Mr. Burningham also explained that there was a requirement that 10% of the tax increment had to go toward Affordable Housing.

Council Member Carroll asked how this would function with the certified tax rate. Mr. Burningham explained that the truth and taxation forced the hand of the local government. If the values rose, the certified tax rate would not stay the same. He noted that they did not include any inflation or any tax increase in these projections. The \$37 million was an estimate that would be collected over 20 years.

Council Member Shelton asked about the train station, and said he thought the developer was installing the station at their own cost. Mr. Burningham explained that the developer would be responsible for the cost, but the tax increment functioned as a vehicle for reimbursement.

Mr. Burningham stated they had an idea of where the money would be utilized within this area, mainly 200 South with the associated construction costs as well as a Community Gathering/Civic Space. The document itself notes that it could include these but not be limited to those items. the train station, public town square, theater, and plan and design.

Council Member Shelton said he thought the train station would be privately funded. Mr. Burningham thought the developer would pay for it but the tax increment would be used to reimburse those costs. The train station was critical because of the sense of gathering.

Council Member Shelton said the school district might not be in favor of the high-density housing because they would be responsible to build an extra school. He asked if they could buy property with the tax increment for public safety and a school. Mayor Frost said they set aside \$2.5 million for an education campus. Mr. Burningham said they did not want to be too specific and therefore be tied to projects for ten years. He noted this was a draft plan and was subject to change. Council Member Carroll thought they had wanted to be more appealing to the school district and had included an education campus. Mr. Burningham stated he did remember that discussion but had left that off but that there was room to add that component.

Council Member Shelton suggested the plans for the theater be flexible. Mr. Burningham said when this was discussed there was more definitive organization that wanted to build here, but that discussion was held a long time ago. It was noted they could take that component out and use it more for community.

Council Member Shelton stated they needed to make sure they included public safety in the plans. Mr. Burningham explained that the tax increment could not be used for a fire or police station. However, per State law it could be used to purchase the land.

Mr. Burningham explained there were 457 acres that were agricultural and therefore did not bring in much in property tax. There were 57 acres currently in the annexation process. Property owners of an additional 29 acres were interested but had not started the annexation process. There were 50 acres that were not interested.

Council Member Taylor said the CRA did not require any property owner to act. Mr. Burningham concurred, adding that it did give them a tool for reimbursement.

Mr. Burningham moved on to discuss the Capital Facilities Finance Plan. This helped them plan the priorities of the project areas. He used the Egg Farm as an example of what they used to incentivize the developer. With the Egg Farm EDA, they were getting more tax increment than they anticipated.

Mayor Frost stated it was important to include the educational campus in the RDA.

Mr. Bunker stated that the success of the CRA was based on the difference in value. If the City did not make the right decisions within the TOD the CRA budget would be damaged. Mr. Burningham agreed. He continued explaining that single family homes were great, but the taxes received from them did not pay for the costs spent on them; they needed to have diversification. He noted there were a lot of younger families that did not want to live in a single-family home.

Council Member Barnes said these projects would benefit the City; similar past projects had been successful and benefitted from the planning. Mr. Burningham noted the City had a good relationship with the school district. Part of their credibility was creating a good tax base for the school district. Council Member Taylor agreed and stated they needed to have a good plan to be successful.

2. Discussion on Park rules.

Camden Bird stated that the information before them was proposed by staff. He explained they did not want to create too many restrictions. Council Member Carroll said people that wanted to use the parks would not have access to the ordinance and resolution unless they looked for it; Mr. Bird answered that was correct, but there would be signs at the park. She continued that some items in the proposal were excessive, such as playing music. Mr. Bird responded this was a restriction for night time use and it required the users to abide by City's noise ordinances. Council Member Taylor said they needed to be specific. Mr. Merrill suggested they put "unreasonable or excessive noise" into the ordinance concerning music. Council Member Carroll agreed this was the best course of action.

Council Member Carroll also commented that restricting skiing and snowboarding was excessive because they allowed sledding, which was similar. Mr. Bird agreed to remove this from the rules.

Mr. Bird stated that Council Members Christiansen and Barnes suggested a few changes that were made.

Council Member Carroll asked about formal celebrations and speechmaking. Mr. Bird responded this was aimed to prevent political rallies or other large groups occupying the park for profit gain without a permit. Mr. Merrill said that due to first amendment rights, the City could only regulate the time and place of gatherings, not the content.

Commissioner Woffinden asked how they would enforce these rules. Commissioner Dupaix stated this would encourage people to self-enforce but they would have the ability to call on the City to intervene if necessary.

Council Member Carroll suggested they clarify some of the restrictions because the rules were too broad. Mr. Bunker explained that the rules were designed to prohibit people from monopolizing the park without permission. Mr. Merrill suggested adding that special events such as parades or speeches would require a special permit from the City, to which Mr. Bunker suggested they add in "monopolizing." Council Member Taylor suggested they keep these rules as presented and adjust them as needed. Mr. Bird asked if he should revise the rules to be more generic. The Council responded in the affirmative.

Council Member Taylor asked if Caveman Football paid a permit to use Evergreen Park, noting that they dominated that park. Mr. Bunker explained the rules would prohibit a group from controlling a park without permission. Mr. Bird stated that most organizations work with Derric Rykert.

Mayor Frost said American Fork residents should have priority to use their parks.

Council Member Barnes asked about carrying firearms. It was noted this was corrected and the language now stated discharging firearms was prohibited, not the carrying of firearms.

Council Member Barnes asked about the rules regarding camping or lodging overnight in the park. Mr. Merrill said this was to prevent homeless encampments from developing.

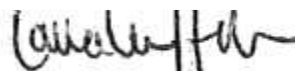
Council Member Taylor asked if there were separate rules for items like slip and slides. Mr. Bird stated they were not restricting that but there was a statement that gave the City the right to close the parks if there were problems.

Council Member Barnes asked if there were signs stating "use of the property at the individuals own risk" for the parks. Mr. Bird said they could add these to the signs, but the language was included in the park rules.

It was noted this would be brought back to the May 14th meeting for approval.

3. Adjournment

The work session ended at 8:45 p.m.



Lauralee Hill, Deputy Recorder