

AMERICAN FORK CITY COUNCIL
SEPTEMBER 10, 2019
REGULAR SESSION MINUTES

Members Present:

Bradley J. 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	Community Services Director
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 Sensanbaugher	Public Works Director

Also present: John Woffinden, George Brown, Ginger Romreil, Reggie Walker, Ken Berg, Xander Berg (Troop 1135), Johnathan Gigger (Troop 1135), Kayden White (Troop 1135) and ten additional people.

The American Fork City Council held a public hearing in conjunction with their regular session on Tuesday, September 10, 2019, in the American Fork City Hall, 31 North Church Street, commencing at 7:00 p.m.

PUBLIC HEARING

- Receiving public comment regarding the issuance of general obligation bonds for the purpose of paying for the costs of acquiring, constructing, and equipping a new fire station.

Mayor Frost explained the purpose of this public hearing was to receive public comment regarding the issuance of general obligation bonds for the purpose of paying for the costs of acquiring, constructing, and equipping a new fire station.

There were no public comments.

REGULAR SESSION

1. Pledge of Allegiance; Invocation by Council Member Barnes; roll call.
Mayor Frost welcomed everyone to the meeting. Council Member Barnes gave the invocation and roll call was taken.
2. Twenty-minute public comment period - limited to two minutes per person.
George Brown stated he was there to address the city's water rights. There is an adjudication process going on right now for the purpose of determining who had legitimate, appropriated water rights. In speaking with the American Fork Irrigation Company, they have indicated that they filled out the necessary paperwork for this process; however, the city owns the waters and not the irrigation company. Mr. Brown suggested the city talk to Robert Fillerup, an attorney in Orem who was familiar with water issues. In 1872 or 1873, American Fork City received title to water and land from Ulysses S. Grant. In 1896, the State of Utah Constitution was enacted and provided that cities could not sell their water rights. Mr. Brown explained the American Fork Irrigation Company was created in the early 1920s. He noted the water from the American Fork River is not appropriated water rights; the water came from President Grant. Water cannot be taken away from the city without compensation. Mr. Brown wanted the city to make sure they are on top of this to preserve those water rights and that this should be their number one priority.

Council Member Taylor stated this was discussed at a work session and they talked about having Mr. Brown on a committee because of the wealth of knowledge Mr. Brown has. Council Member Taylor agreed this was a critical issue and should be discussed at a future work session. Council Member Shelton agreed they should discuss this at a work session as this was squarely on their shoulders.

Reggie Walker, with Timpanogos Arts Foundation (TAF), wanted to take the opportunity to thank the city for the continued support of the arts, in general and specifically the TAF.

3. City Administrator's Report
David Bunker reported the Fitness Center has been having an issue with a swimming pool pump and the pool has been closed. The swimming pool will remain closed until the pump has been repaired, but until then Lehi and Pleasant Grove have been letting our patrons go to their pools at no cost.

Mr. Bunker also reported there was a meeting with Communities that Care. This program is a great avenue for anyone who wants to get involved with the youth of the city.

4. Council Reports
Council Member Christiansen had nothing to report but commented she was grateful to hear about the mutual aid for the Fitness Center.

Council Member Shelton noted he had the opportunity to attend the employee party. He was grateful for the employees and hoped they felt the appreciation of the City.

Council Member Barnes announced the Cemetery committee has finalized the Veterans Day program on November 11th at 11 a.m. at the Alpine Tabernacle, which will honor those who gave the ultimate sacrifice. He stated the Parks and Recreation committee will be holding their annual social and will also be discussing the future of trails.

Council Member Carroll stated the Chamber of Commerce have had multiple ribbon cuttings in the community. She was able to tour the Timpanogos Special Service District facilities; it was very enlightening and she learned much from the experience. She also reported that she attended a Walkables Community event a couple of weeks ago; it was nice for them to facilitate a conversation where they were all talking on the same level. She stated there were four things that made a community walkable: there had to be a useful reason to walk, it had to be safe, comfortable, and interesting.

Council Member Taylor had nothing to report.

5. Mayor's Report

Mayor Frost stated there have been a lot of businesses coming in lately. He also went to the employee party and a dinner with the Planning Commission; it was nice to visit with everyone.

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 April 13, 2019 City Council minutes.
2. ~~Approval of the April 27, 2019 City Council minutes.~~
3. Approval of the authorization to release the Improvements Durability Retainer of \$730.63 for Jockey Hollow Plat C, located at 720 East 830 North, American Fork.
4. Approval of the authorization to issue a Notice of Acceptance for the Krieger Storage Units construction of public improvements located at 326 South 860 East.

Council Member Shelton moved to approve the common consent agenda. Council Member Christiansen seconded the motion.

(It was noted the August 27, 2019, city council minutes had not been provided; approval would be on the next agenda.)

Voting was as follows:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Rob Shelton, Council Member
SECONDER:	Barbara Christiansen, Council Member
AYES:	Barnes, Carroll, Christiansen, Shelton, Taylor

ACTION ITEMS

1. Ratification of city payments (August 20, 2019 to September 3, 2019) and approval of purchase requests over \$25,000.

Council Member Carroll moved to approve ratification of city payments and approval of purchase requests over \$25,000. Council Member Taylor seconded the motion. Voting was as follows:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Staci Carroll, Council Member
SECONDER:	Clark Taylor, Council Member
AYES:	Barnes, Carroll, Christiansen, Shelton, Taylor

2. Review and action of a Reimbursement Agreement with Red Pine Construction for 900 West Phase 1.

Council Member Taylor moved to approve the reimbursement agreement for 900 West Phase 1. Council Member Barnes seconded the motion. Voting was as follows:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Clark Taylor, Council Member
SECONDER:	Kevin Barnes, Council Member
AYES:	Barnes, Carroll, Christiansen, Shelton, Taylor

3. Review and Action of a Reimbursement Agreement with Patterson Construction, Inc. for the 700 North project.

Council Member Shelton questioned if this reimbursement was part of an earlier reimbursement agreement they had discussed. Mr. Bunker explained they were two separate issues and were calculated accordingly.

Council Member Barnes moved to approve the reimbursement agreement with Patterson Construction, Inc. Council Member Taylor seconded the motion. Voting was as follows:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kevin Barnes, Council Member
SECONDER:	Clark Taylor, Council Member
AYES:	Barnes, Carroll, Christiansen, Shelton, Taylor

4. 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 adopting the final plat and site plan for the 860 Place Planned Community Development Project C, located in the area of 860 East 400 South in the Planned Community zone.

Council Member Taylor moved to approve the final plat and ordinance adopting the site plan of 860 Place Planned Community Development Project C 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 identified in the public record associated with the August 21, 2019, planning commission meeting. Council Member Shelton

seconded the motion.

Council Member Taylor commented it was amazing how the area has been developed and how different it was from the original plan.

Council Member Barnes noted his appreciation of the Planning Commission and stated he had great confidence in them.

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Clark Taylor, Council Member
SECONDER:	Rob Shelton, Council Member
AYES:	Barnes, Carroll, Christiansen, Shelton, Taylor

5. Adjournment

Council Member Taylor moved to adjourn the meeting. Council Member Carroll seconded the motion. All were in favor.

The meeting adjourned at 7:28 p.m.



Terilyn Lurker, City Recorder