

AMERICAN FORK CITY COUNCIL  
OCTOBER 8, 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
Lauralee Hill	Deputy 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
Derric Rykert	Parks and Recreation Director
Scott Sensanbauger	Public Works Director

Also present: Josette Walker, John Woffinden, Josh Walker, Carson Poppinger, Ryan Hunter, Dustin Cook, Katie Skinner, Grant Lefgren and several AF City firefighters including Trevor Dorton, Mike Beltran, Scott Willmore, Darren Cooper and Mike Savio.

Scout in Attendance: Bryce Freestone, Kapenai Dement, Jor Trini (Troop 830); Carver Standring, Ryan Seaver, Grayson Bryan, Zeke Saunders, Ryker Budd, Paul Ward (Troop 1123)

The American Fork City Council held a public hearing in conjunction with the regular session on Tuesday, October 8, 2019, in the American Fork City Hall, 31 North Church Street, commencing at 7:00 p.m.

PUBLIC HEARING

- Receiving public comment on the Special Bond Election regarding the American Fork Fire Station Bond.

Mayor Frost made introductory comments explaining the bond including the following, which will be on the ballot in November:

Should AF City be authorized to issue general obligation bonds in a principal amount not to exceed 8.5 million dollars and to mature in no more than 21 years from the date/dates of issuance for the purpose of paying all or a portion of the cost of purchasing real property and acquiring, constructing or equipping a new fire station and related improvements.

He noted that the City had prepared a statement in favor of the bond. No statements against the bond had been submitted to the City. He invited Lauralee Hill, Deputy Recorder, to come forward and read the document including this information.

Lauralee Hill read the statement.

### **Argument “FOR” the Fire Station Bond**

American Fork City is seeking to purchase land, provide site improvements, and construct a new fire station by financing the project with an \$8.5 million general obligation bond. The new station would be built in the northeast section of the community, providing quick response to both the east and west sides, via the soon-to-be-built Murdock Connector. These areas currently have a response time of 8-10 minutes. National service standards indicate emergency personnel should arrive to render assistance within 4-6 minutes of receiving a call. With the new station, 90% of the community would receive service within the recommended time. The station will be built in one year. It will include three equipment bays, a training room for public safety personnel, and an underground firing range for police to maintain critical skills. The bond will also include funding to purchase land for a future fire station to be built south of I-15.

The American Fork Fire & Rescue mission statement says “We believe in creating a safer everyday life...We back that up with our passionate people, premier performance, and an almost obsessive drive to innovate and improve.” These exceptional qualities need to be augmented with sufficient facilities to enable the firefighters to best serve. American Fork needs to build another fire station – **now** – to meet that objective and save lives and property.

Response time is critical. Statistics show that house fires double in size every 60 seconds, and 10% of heart muscle dies every minute during a heart attack. The current A.F. fire station is the busiest in Utah County, with 3,182 calls in 2018. The next busiest single fire station in the county responded to less than half that demand at 1,433 calls. One-third of calls dispatched were received when crews were already on a call. Concurrent calls for service add additional burden and stress on our public safety department, potentially decreasing effective service. The area anticipated to be served by the new station generates approximately 800-1000 calls per year, reducing the enormous burden on the current station. Over the last five years, calls have increased an average of 7% each year.

American Fork has one of the best fire protection ISO ratings in the state. This rating affects the amount homeowners pay for their fire insurance. However, there has been a warning that to keep this rating, another station should be constructed immediately.

Bond rates are currently low and this project can be done while actually **lowering the city’s debt**. The current police and courts building bond will have its final payment in 2020. The first payment for the new fire station is anticipated in early 2021. General obligation (G.O.)

bonds provide the lowest interest rates of any available financing options. To issue G.O bonds at today's historically low rates, the city is asking voters to approve this action.

The department's motto is "Always Ready." Please assist our fire department in honoring this motto by voting "YES" for the Fire Station General Obligation Bond.

Submitted by:

Mayor Bradley J. Frost

Council Member Barbara Christiansen

Ryan Hunter

Ernie John

Stan Street

Ms. Hill noted that no eligible voter submitted arguments against the bond.

Mayor Frost invited further public comments.

Carson Poppinger stated that he was a resident and business owner in American Fork. He stated that earlier this year his 17-year-old daughter required medical assistance and the fire department responded very quickly as the family's home was close to the fire station. He stated that he and his family had recently moved across town and farther from a station. He stated that he could see that the response time in his new neighborhood was significantly longer. He expressed support for the new fire station and also for the purchase of land for a future fire station near the boat harbor where the City is experiencing significant growth.

Ryan Hunter came forward and commended the council for thinking long term. He applauded the council's foresight in purchasing land for the current proposed fire station and also for purchasing the second tract of land near the boat harbor to prepare for a future fire station. He mentioned that recently he was part of an incident in which the call that came in was the third call in a period of five minutes. He stated that our firefighters' ability to respond to such a high call volume is extraordinary.

There were no further public comments.

The public hearing ended at 7:10 p.m.

## REGULAR SESSION

1. Pledge of Allegiance; Invocation by Council Member Christiansen; roll call.

Mayor Frost led the Pledge of Allegiance and Council Member Christiansen offered an opening prayer. Roll call was taken.

Mayor Frost invited the cub scouts in the audience to stand and be recognized. He thanked them for their attendance.

2. Presentation of the "Best of Utah Firefighter Challenge" Award to American Fork firefighters Darren Cooper, Trevor Dorton, Mike Beltran, Scott Willmore, and Mike Savio.

Mayor Frost invited Darren Cooper, Trevor Dorton, Mike Beltran, Scott Willmore, and Mike Savio to come forward. He invited Dustin Cook of Servpro to present the award.

Dustin Cook explained that Servpro sponsored the Scott Firefighter Combat Challenge which consisted of an obstacle course created to test the mental endurance and physical strength of firefighters. He mentioned that firefighters from around the state participated and a team from American Fork City completed the course in one minute and thirty-nine seconds. The AF team had won first place in the competition.

One firefighter, speaking for the team, stated that they had enjoyed the challenge and were happy to serve the community.

Photographs of the City Council and the firefighters were taken and the award was presented.

3. Twenty-minute public comment period - limited to two minutes per person.

Mayor Frost invited public comments.

Katie Skinner, a Utah Valley University student, came forward to invite the Mayor, Council, and community to the Circles Utah Valley Initiative. She explained that Circles Utah Valley is dedicated to helping those living in poverty in the community by providing them with tools, skills, and resources and connecting them with local mentors. The upcoming event was scheduled for October 23, 2019 at 5:45 p.m. and was open to the public as a way to educate and give back to the community. She presented the Council with invitations and mentioned the existence of a Facebook page with further details.

4. City Administrator's Report

David Bunker stated that this is Fire Prevention Month. The community was invited to an Open House at the fire station on October 10th from 6 to 8 in the evening.

5. Council Reports

Council Member Christiansen stated that the library had once again earned the distinction of being a "quality library" from the State Library Association.

Council Member Shelton thanked the Chamber for sponsoring a "Meet the Candidates" night and mentioned that the library was hosting a similar event the following evening.

Council Member Barnes applauded the fire department on their award. He mentioned that one of the perks of being a council member was the opportunity to interact with the firefighters and call them friends. He also mentioned the outstanding police department and their willingness to extend help and service to the citizens of American Fork.

He further noted that the Cemetery Committee was firming up the program for the Veteran's Day Program on November 11<sup>th</sup>. He stated that all of the AF elementary schools planned to bring

their 5th graders to the program. The program was scheduled to be held in the American Fork Tabernacle at 11 a.m.

Council Member Carroll mentioned her attendance at a learning lunch with the Chamber of Commerce. Pete Codella of GOED was the speaker and discussed digital marketing. She stated that this monthly event is very well attended and she congratulated the Chamber on their successful efforts sponsoring the event.

She also mentioned that Nov 13<sup>th</sup> is the Utah County Business Summit which involves every Chamber of Commerce in Utah County but focuses most specifically on the north part of Utah County. She stated that there were many scheduled speakers including Brandon Fugal, Derek Miller, Sam Penrod and Rulon Gardner among others and this opportunity was great for networking. She stated that she could provide the location to anyone who had interest.

Council Member Taylor reiterated the pride the council feels in the stellar fire department and stated that he feels very safe as a member of the community knowing that the first responders in American Fork are so caring and capable. He commended Chief Falslev and Chief Brems for their leadership and for their outstanding teams.

#### 6. Mayor's Report

Mayor Frost stated that he recently attended the Chamber of Commerce luncheon for Mayors. He was excited about the many opportunities he had learned about that were coming that would affect American Fork.

He also mentioned his attendance at a ribbon cutting for Clegg Auto and wished them well.

Finally, he mentioned that the highlight of his week was his attendance as a guest speaker at a local quilting club where he gave two awards. He was humbled by the women who were part of this group that has been meeting for thirty years and lauded their significant donation of hundreds of quilts to the community. These quilts were donated to the hospital, the fire department and the police department for distribution to children and individuals in crisis.

#### 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 September 17, 2019 work session minutes.
2. Consideration regarding authorization to release the Improvements Construction Guarantee in the amount of \$12,505.22 and issue a Notice of Acceptance for the AFCC Plat K - Burlington construction of public improvements located at 268 North 750 West.

**Council Member Taylor moved to approve the common consent agenda. Council Member Christiansen seconded the motion. Voting was as follows:**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Clark Taylor, Council Member
<b>SECONDER:</b>	Barbara Christiansen, Council Member
<b>AYES:</b>	Barnes, Carroll, Christiansen, Shelton, Taylor

## ACTION ITEMS

1. Ratification of city payments (September 17, 2019 to October 1, 2019) and approval of purchase requests over \$25,000.

**Council Member Shelton moved to ratify City payments (September 17, 2019 to October 1, 2019) and approve the purchase requests over \$25,000. Council Member Taylor seconded the motion. Voting was as follows:**

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

2. 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.

2a. Review and action on an ordinance approving a district framework plan for the NBFF TOD Project located in the area of 500 South 1000 West in the TOD zone.

Mayor stated that the applicant was present and invited questions.

Council Member Carroll wondered why the applicant was asking for a change in the block type. She was concerned about the increase in density in the proposed block.

The applicant was invited to come forward and justify the change.

Grant Lefgren came forward and identified himself as the applicant. He stated that while performing their review they recognized that for the sake of continuity between blocks to the east and to the west of the block in question a change in block type was desirable. He also explained that a block type 4 rather than a block type 3 on this particular block would mesh up and conform with other block types to the west and to the east. He showed 900 South and pointed out that it curves down. Due to this curving, there was not enough acreage to meet the minimum requirement which was a reason for the requested change.

Council Member Carroll stated that in general she is concerned about requests to the Council asking for allowances with regard to changing density requirements within blocks. She stated that for more than a year she has explained to residents that high densities would exist close to the train station and lower densities moving away from the station. She urged the council to show discretion in “inching up” densities in the TOD.

Council Member Shelton asked for further clarification.

Mr. Lefgren stated that when he first submitted his request for a change there were questions from staff about the same things. He stated that he and his team had revised the application to better show the need for consistency with the surrounding approved district framework plans.

Council Member Carroll asked if the Planning Commission had any comments about this topic.

Adam Olsen responded that the Planning Commission hadn't had reservations but that they had addressed the issue of making sure the roads were connecting and that a grid system was still in

place. He demonstrated on a map why the proposed measure had received approval from the Planning Commission.

Council Member Carroll stated that by making this change, they weren't using the block type that was approved to go on the edge.

Mr. Olsen stated that a block type 3 was acceptable in the code in certain instances.

Grant Lefgren stated that 1100 to the west was segregating the Garden District and they felt that it would be more appropriate to line up with what had already been approved.

**Council Member Taylor moved to adopt Ordinance 2019-10-64 approving a district framework plan for the NBFF TOD project located in the area of 500 South 1000 West in the TOD zone. Council Member Barnes seconded the motion. Voting was as follows:**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Clark Taylor, Council Member
<b>SECONDER:</b>	Kevin Barnes, Council Member
<b>AYES:</b>	Barnes, Carroll, Christiansen, Shelton, Taylor

2b. Review and action on a final plat for Beehive Clothing Plat A located at 398 East 1100 South in the PI-1 Planned Industrial zone.

Adam Olsen came forward to answer questions. He stated that the Planning Commission gave their unanimous recommendation in favor of this action. He said that the property owner wanted to keep the northeast corner and sell the rest of the property making this a two lot subdivision. He stated that the Planning Commission would be reviewing the second lot in their upcoming meeting.

Council Member Barnes asked if lot number two was already sold and learned that the potential buyer wanted the lot to be divided before purchasing.

**Council Member Taylor moved to approve the final plat of Beehive Clothing Plat A subdivision located in the area of 398 East 1100 South in the PI-1 Planned Industrial 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 public record associated with the October 2, 2019 planning commission meeting. Council Member Christiansen seconded the motion. Voting was as follows:**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Clark Taylor, Council Member
<b>SECONDER:</b>	Barbara Christiansen, Council Member
<b>AYES:</b>	Barnes, Carroll, Christiansen, Shelton, Taylor

3. Review and action on a resolution approving the Voter Participation Area map as prepared by the Utah County Elections office.

Council Member Shelton asked what data was used.

Mr. Bunker stated that it was data received from the county. He stated that this map would be used for 2020. It would be revised in 2022 after the 2020 census data was compiled. It would be revised again in 2032 after the 2030 Census data was compiled.

Council Member Shelton was concerned that Quadrant 4 contained all of the highest densities allowed in American Fork and he wasn't sure if this was representative of what the true population numbers would be. He stated that he was worried about using the 2010 census data.

Tim Merrill stated that these deadlines were minimum. He stated that redrawing the lines to delineate quadrants could be done at any time and the city wasn't required to rely solely on county data and could also use data collected by American Fork city as well.

Council Member Shelton stated that once the city is at full build out a ten-year plan to evaluate boundary lines seems reasonable but that during the expansion phase he'd prefer to see the boundaries evaluated with greater regularity.

Mayor Frost stated that maybe every few years it would be appropriate to evaluate the quadrants and make changes as needed.

Mayor Frost called for a motion.

**Council Member Carroll moved to adopt Resolution 2019-10-40R approving the Voter Participation area map as prepared by the Utah County Elections office. Council Member Taylor seconded the motion. Voting was as follows:**

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

4. Approval of Subscription Agreement with Blue Pine Media LLC for Business Licensing

Council Member Shelton stated that he was ecstatic over this. He asked if our home-based business forms had been corrected.

Kyle Maurer stated that staff was looking at the forms right now and was working with legal to make sure the city was in compliance.

Council Member Shelton stated that he would like legal definition on what the phrase "burden to the city" meant. He stated that he wasn't sure what that meant for home-based businesses. He finally asked if the application process was all online.

Mr. Maurer stated that there would be a built-in work flow in the city and all departments would be required to approve applications.

Council Member Barnes asked for further clarification.

Mr. Maurer stated that there were multiple ways to set the software up but that the plan was for all departments to receive the application at once and work on it simultaneously.

Shelton asked about establishing deadlines for departmental review so as not to hold up the business applicants.

Mr. Maurer stated that notifications would be given if a department was holding up the process.

**Council Member Shelton moved to approve the subscription agreement with Blue Pine Media, LLC in the amount of \$11,400. Council Member Barnes seconded the motion. Voting was as follows:**



<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rob Shelton, Council Member
<b>SECONDER:</b>	Kevin Barnes, Council Member
<b>AYES:</b>	Barnes, Carroll, Christiansen, Shelton, Taylor

5. Resolution Adopting a City Investment Policy

Mayor Frost stated that they'd had a very productive work session on this topic.

Referring to section 3, Council Member Shelton stated that it was crucial to provide annual training for the treasurer and proposed inserting such a change to the investment policy.

Council Member Shelton next stated that where it talks about ethics and conflicts of interest his intent was to put this item in section 8 where it talks about financial institution investment advisers. He clarified that a broker-dealer with a suitability standard lower than the fiduciary standard can be found on the list approved by the state. He suggested keeping to a higher standard fiduciary who must act in the best interest of the city.

Council Member Carroll asked how that would change things.

Council Member Shelton stated that different licenses were available. A broker-dealer can refer to an investment as “suitable” while still not acting in the best interest of the client. A fiduciary is required to act in the best interest of the client at all times.

Mr. Merrill stated that a fiduciary has not only got the “duty of care” but also the “duty of loyalty” and must always act in the best interest of the client. A breach of fiduciary duty claim can be filed if an advisor acts against the city's best interest.

**Council Member Shelton moved to adopt Resolution 2019-10-41R authorizing and establishing an investment policy for American Fork City with the following changes:**

- Section 3 following the sentence “The City Treasurer is responsible for investment decisions and activities” to include the sentence, “The City Treasurer shall be provided annual training to help understand their responsibilities.”
- Section 7 – removing “registered investment advisor is required to act in a fiduciary capacity”.
- Section 8 - addition at the end to include “and must be registered investment advisors that are required to act in a fiduciary capacity.”

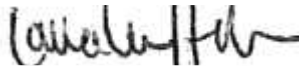
**Council Member Taylor seconded the motion. Voting was as follows:**

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

6. Adjournment

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

The meeting adjourned at 7:58 p.m.

A handwritten signature in black ink, appearing to read "Lauralee Hill", with a stylized, flowing script.

Lauralee Hill, Deputy Recorder