

AMERICAN FORK CITY COUNCIL
FEBRUARY 11, 2020
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:

Camden Bird	Community Services Director
Wendelin Knobloch	Associate Planner
Terilyn Lurker	City Recorder
Stephanie Finau	Deputy Recorder
Anna Montoya	Finance Director
Aaron Brems	Fire Chief
George Schade	IT Director
Cherylyn Egner	Legal Counsel
Adam Olsen	Senior Planner
Darren Falslev	Police Chief
Derric Rykert	Parks and Recreation Director
Scott Sensanbaugher	Public Works Director

Also present: Reyna Pedro and family, Stan and Cathy Street, Kenneth Frost, Kathy McKay, John Woffinden, Dave Pearson, and five additional citizens.

REGULAR SESSION

The American Fork City Council met in a regular session on Tuesday, February 11, 2020, in the American Fork City Hall, 31 North Church Street, commencing at 7:00 p.m.

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

Mayor Frost welcomed everyone to the meeting and those present recited the Pledge of Allegiance. The invocation was offered by Council Member Taylor and roll call was taken.

2. Presentation of the HERO Award to Reyna Pedro and declaring February 11, 2020 as Reyna Pedro Day.

Mayor Frost thanked the officers and staff for maintaining peace within the City. He stated that Officer Reyna Pedro had had an impact in the community, and as such, NAACP had honored her with a First Responder award in the State of Utah. He noted that Officer Pedro was the first female canine handling officer in American Fork. Officer Pedro and Zeus had helped foster a positive influence in the community, which included work with 6th graders. Officer Pedro taught her students respect and they looked up to her as role model. Mayor Frost noted that Officer Pedro was also awarded the annual community police award. She was always willing to serve and represented what was good in the City. He therefore declared February 11, 2020, as Officer Reyna Pedro Day in American Fork.

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

There were no public comments.

4. City Administrator's Report

City Administrator, David Bunker, was absent.

5. Council Reports

Council Member Christiansen had nothing to report.

Council Member Shelton congratulated Officer Pedro for her achievements. He also reported that the dispatch meeting was on Thursday. The Board would be moving forward with action that aligned with what was detailed within the letter of intent. If there was anything the Council Members would like him to represent at that meeting, he asked that they let him know.

Council Member Barnes stated that he met Officer Pedro the first week she was here. He recalled that at the time, she had just busted somebody for drugs. He said that she set the bar high. He expressed gratitude for her along with all the other officers and staff.

Council Member Carroll reiterated her thanks towards Officer Pedro and everyone at the Police Department. She also reported that last week was the annual award luncheon for the chamber of commerce. She highlighted two of the awards that were given out: 1) JCW's The Burger Boys received the Mayor Award; and 2) the Presidency Award went to David Bunker who had championed the chamber this past year. Council Member Carroll also noted that the chamber sponsored a luncheon with State legislators called "Pancakes and Politics."

Council Member Taylor congratulated Officer Pedro on representing herself, her family, and the City. He also thanked the Chief for putting together such a great team.

6. Mayor's Report

Mayor Frost stated that JCW's The Burger Boys had the best food around, and that their restaurant had become a popular gathering place in the community. He noted having spoken with a gentleman in town who use to play for the 49ers that wanted to hit up JCW's before he left out of town.

Mayor Frost also recognized Super Chicks, stating that he could not think of a restaurant that had opened with so much support. He welcomed them into the City.

Lastly, Mayor Frost recognized the passing of Grant Parker and the impact he had on the City.

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 January 21, 2020 work session minutes.
2. ~~Approval of the January 28, 2020 city council minutes.~~
3. Approval of the authorization to release the Improvements Construction Guarantee in the amount of \$735,743.20 and issue a Notice of Acceptance for the SAVAGE

- APARTMENTS PHASE 1A construction of public improvements located at 514 South 500 East.
4. Approval of the authorization to release the Improvements Construction Guarantee in the amount of \$452,618.54 and issue a Notice of Acceptance for the SAVAGE SUBDIVISION PHASE 1B construction of public improvements located at 514 South 500 East.
 5. Approval of release for the Landscaping guarantee bond in the amount of \$386,391.79 for SAVAGE SUBDIVISION PHASE 1B located at 514 South 500 East.

Mayor Frost explained the January 28, 2020 minutes were not ready and needed to be pulled from the common consent agenda. It was noted there was a minor correction to the January 21, 2020 minutes.

Council Member Carroll moved to approve the common consent agenda, with the exception of the January 28, 2020 minutes. Council Member Christiansen seconded the motion. Voting was as follows:

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

ACTION ITEMS

1. Ratification of City payments (January 21, 2020 to February 4, 2020) and approval of purchase requests over \$25,000.

Council Member Carroll moved to approve the City payments (January 21, 2020 to February 4, 2020) 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 on the appointment of Stan Street (Director), Kathy McKay, and Kenneth Frost to the Senior Center Board.

Mayor Frost noted that Kenneth Frost is his father.

Council Member Taylor moved to approve the appointment of Stan Street as Director of the Senior Center Board, as well as Kathy McKay and Kenneth Frost to the Senior Center Board. Council Member Barnes seconded the motion.

Council Member Shelton discussed the fellowship among those who participate with activities at the Senior Center. He recognized the difference the Senior Center Board made in peoples' lives. Without the Center, so many people would lose that sense of love and friendship.

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

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

3. Review and action on the Houle Annexation, consisting of 0.60 acres at approximately 935 East 50 South, including the ordinance of annexation, annexation agreement, and placement of the property in the R-1-9,000 zone.

Council Member Taylor moved to approve the Houle Annexation, consisting of 0.60 acres at approximately 935 East 50 South, including the Ordinance of Annexation (Ordinance No. 2020-02-06), annexation agreement, and placement of the property in the R-1-9,000 zone. Council Member Christiansen seconded the motion. Voting was as follows:

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

4. Review and action on a resolution amending the General Fee Schedule to include Short-term Rental Business License Fee.

Mayor Frost explained that the proposed fee was revenue-neutral and was intended to cover staff time.

Council Member Shelton asked if these fire inspections fell under the commercial or residential side of code. He also wanted to know if these fees were imposed on normal rentals that were long term (i.e., 30 days or more). He inquired as to what was specifically being inspected through this process.

Mat Sacco, Fire Marshall, explained that there were temporary setups that would need inspecting. He stated that this item warranted further discussion.

Council Member Clark asked if the inspections were needed in a residential area, to which Mr. Sacco responded not necessarily. Council Member Shelton asked if the fire code allowed citations to be issued if problems were found. Mr. Sacco noted that this was somewhat of a gray area; unless it was a life safety issue that was deemed critical, staff sought to respect others' space.

Council Member Shelton stated that if these inspections weren't necessary, he suggested that they either not do them or make them a one-time process. He was concerned with how these inspections would affect staff time.

Mayor Frost suggested having a set schedule for inspections based on the type of rental property. It was explained that hotels were different because they already had fire safety systems in place; however, staff did want to make sure that those establishments were complying with code. Inspections were more difficult in private homes because most homes didn't already have systems in place. Mayor Frost agreed that it would be a good idea to ensure that private rentals had fire extinguishers. Council Member Shelton suggested requiring this as part of the business licensing process.

Council Member Carroll asked if there was any way the City could make the fee less painful for those people who were coming in and following the law. Mr. Sacco explained that the impact fees

would need to be taken into consideration. If someone voluntary came in they were being compliant and were therefore concerned with following the law.

Council Member Shelton asked if the issue of an absentee landlord would be addressed at a future date, to which he was given an affirmative answer.

Council Member Shelton moved to approve Resolution No. 2020-02-02R amending the General Fee Schedule to include Short-term Rental Business License Fee in the amount of \$80. Council Member Taylor seconded the motion. Voting was as follows:

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

5. Review and action on subdivisions, commercial projects, condominiums, and PUDs 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 Dollar Tree, located at 648 East State Street in SC-1 Planned Shopping Center zone.

Council Member Barnes asked that of the three businesses that were at the subject location currently, which ones would be included with this change. Dave Pearson stated that the space on the left was a karate studio, the center space was an old barbeque shop and was now empty, and the other side was a sporting goods store that was also now empty.

Council Member Taylor moved to approve Ordinance No. 2020-02-07 approving a commercial site plan for Dollar Tree with instructions to the City Recorder to withhold publication of the ordinance subject to all conditions identified in the public record associated with the January 22, 2020 Planning Commission meeting. Council Member Barnes seconded the motion. Voting was as follows:

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

6. Review and action on an ordinance amending Title 15 of the American Fork City Code entitled "Building and Construction."

Mayor Frost stated that according to the information in the packet, this was a bi-annual action to ensure the City's code was up-to-date; essentially, this was a housecleaning item.

Council Member Taylor moved to approve Ordinance No. 2020-02-08 amending Title 15 of the American Fork City Code entitled "Buildings and Construction" specifically adopting 2018 International Building Code, 2017 National Electrical Code, 2018 International Plumbing Code, 2018 Mechanical Code, 2018 International Fire Code, 2018 International Energy Conservation Code, 2015 International Residential Code, and the 2018 International Fuel Gas Code. Council Member Christiansen seconded the motion. Voting was as follows:

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

7. Review and action on an ordinance approving an amended TOD Neighborhood Collector cross section.

Mayor Frost stated that a lot of good work was accomplished during the most recent Work Session. Adam Olsen, Senior Planner, noted that the Planning Commission forwarded a recommendation for approval. Scott Sensenbaugher, Public Works Director, explained that there were only one or two Commissioners that had questions about the lanes dropping from 12 to 10. The group had discussed that the reason for this change was to help control the speed in the narrower lanes. After some discussion on the matter, the Commission ultimately decided to forward a recommendation of approval.

Council Member Carroll recalled that during the Work Session the Council had discussed vegetation on the verge. Mr. Sensenbaugher said this was correct, and explained that the group could approve this action with that stipulation.

Council Member Taylor moved to adopt Ordinance No. 2020-02-09 approving an amended TOD Neighborhood Collector cross section noting the verge being landscaped. Council Member Shelton seconded 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

8. Review and action on approval of a contract with Innovative Design Concepts to design and construct a float for American Fork City.

Camden Bird explained that staff decided to go with a trailer for this project and noted that the City had received three bids back. Staff decided to do a three-year program, with year two would be for touch ups as needed. As with other cities, they kept the same design but changed the paint. Staff would finalize all design plans and would keep working on this until the end of the month.

Council Member Taylor asked if in the past a driver was needed or if that mattered. Camden Bird explained that most allowed towing, though he was not sure about Days of '47. He noted that they needed to design a float based off of the theme. Council Member Taylor added that they needed to use fringe on the bottom of the float.

Mayor Frost suggested reaching out to local businesses. Council Member Carroll asked how much floats cost three years ago, to which Camden Bird responded \$13,000 to \$15,000. He noted that the City still needed to break down the existing float and build the core unit back up again. There was subsequent discussion on the theme and design of the float, as well as the overall project budget.

Council Member Taylor moved to approve a contract with Innovative Design Concepts for float design and build work for the American Fork City 2020 through 2022 float seasons. Council Member Carroll seconded the motion. Voting was as follows:

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

9. Consideration and action to enter into a closed session to discuss the character or professional competence of individuals, to discuss pending or reasonably imminent litigation, to discuss the purchase, lease or sale of real property, or to discuss other items described in Utah State Code 52-4-204 and 52-4-205.

Council Member Shelton moved to adjourn into a closed session to a downstairs work room at 7:51 p.m. Council Member Taylor seconded the motion.

Mayor Frost explained they would meet in a down stairs workroom and after the closed session was held, they would reconvene and adjourn from the work room.

Voting was as follows:

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

The City Council entered into a closed session to discuss pending or reasonably imminent litigation and land acquisition at 7:58 p.m. Those present included Mayor Frost, Council Member Barnes, Council Member Carroll, Council Member Christiansen, Council Member Shelton and Council Member Taylor. Also present were City Administrator David Bunker, City Civil Attorney Cherylyn Egner, and City Recorder Terilyn Lurker.

Pending or reasonably imminent litigation and land acquisition was discussed and audio recorded as required by law.

Council Member Barnes moved to return to the regular session at 8:27 p.m. Council Member Christiansen seconded the motion. All were in favor.

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

11. Adjournment

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

The meeting adjourned at 8:27 p.m.



Terilyn Lurker, City Recorder