

AMERICAN FORK CITY COUNCIL  
MAY 12, 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:

|                     |                       |
|---------------------|-----------------------|
| David Bunker        | City Administrator    |
| Wendelin Knobloch   | Associate Planner     |
| Terilyn Lurker      | City Recorder         |
| Anna Montoya        | Finance Officer       |
| Aaron Brems         | Fire Chief            |
| George Schade       | IT Director           |
| Cherylyn Egnor      | Legal Counsel         |
| Adam Olsen          | Senior Planner        |
| Darren Falslev      | Police Chief          |
| Scott Sensanbaugher | Public Works Director |

The American Fork City Council met in an electronic meeting on Tuesday, May 12, 2020, commencing at 7:00 p.m.

REGULAR SESSION

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

Mayor Frost welcomed everyone to the electronic meeting. The Pledge of Allegiance was recited followed by an invocation offered by Councilmember Barnes. Roll call was taken.

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

There were no public comments.

3. City Administrator's Report

Mr. Bunker explained that Staff was keeping track of the COVID-19 related expenses and would be seeking reimbursement from the County who had received funding from the State. He mentioned that the Fire Department would be conducting some fire hydrants maintenance to check for water flow, pressure, etc. He further mentioned that the Fire and Police departments held a parade for Nate Harris, a paraplegic individual who was injured in the war in Afghanistan. As it was his birthday, public safety personnel along with another 35 people with ATVs and Razers drove past his home. Mr. Bunker explained that the current week was National Police Week. The Police, he added, did a fabulous job and he wanted to thank them for all their hard work.

#### 4. Council Reports

Councilmember Christiansen stated she had nothing new to report as far as committee assignments were concerned. She mentioned that as she was reading through the budget, she had been reminded of the many accomplishments the departments had had. She thanked volunteers and people in the community for everything that they did.

Councilmember Shelton stated that the Council would be going over the dispatch agreement later during the meeting. He added he would provide his report then. He continued that he had nothing new to report regarding the North Point Solid Waste facility.

Councilmember Barnes updated the Council on the Memorial Day program. He explained that the program was being put together and added that it had been recorded so community members could view it electronically at a convenient time. He pointed that the ceremony would be available on Memorial Day morning. Finally, he thanked everyone for their efforts.

Councilmember Carroll stated that Steel Days would be held on the dates previously scheduled: July 6 to July 11, 2020. She explained that it would be pared back, and that the discussion was about which events could proceed and how they would be modified. She further reported that the Chamber of Commerce had had their first electronic board meeting. She explained that they talked about the ways in which businesses were carefully opening up. The Chamber president, she continued, had been contacting all the businesses to see how they were doing.

Councilmember Taylor explained that he was missing the Memorial Day program but appreciated the team putting together the virtual program. He continued that he found it interesting to witness the new perspective the pandemic had created. He discussed the golf course which had completed the pavilion and was partially funded with PARC Tax funds. He added that taking advantage of golfing and getting out in the open was therapeutic. He further mentioned that the Fox Hollow staff had taken great steps in terms of sanitizing and securing the space. Finally, he stated that he hoped the City could hold Steel Days as the community needed the celebration. He pointed that he was not being cavalier about the reality of the situation.

Councilmember Barnes stated that the Chamber had initially planned to hold a Golf Tournament prior to Memorial Day. It had been decided, however, that the tournament should be postponed until August. Councilmember Barnes further added that the board had had a long discussion regarding the tournament, but that Rick Roberts did not feel they could stay within the guidelines given and had made the unpopular decision to delay the tournament.

#### 5. Mayor's Report

Mayor Frost stated that he had been occupied with things related to the pandemic. He explained that he had had many meetings with other mayors and the Health Department, all trying to figure out how they were going to move from one phase to the next. He continued that the City would do what was best for all and continued that he wanted to be cautious but not too cautious. He mentioned that it had been touching to help in Nate Harris's birthday celebration with the 35 plus ATVs. He added that he had celebrated his first virtual wedding the Friday prior: his son's wedding. Mayor Frost added that they had made City Hall available to those who had weddings or funerals. He further mentioned that he had had a couple of cancellations and that his son's wedding had been the first one. He explained that they did have a couple more weddings

scheduled. Mayor Frost explained that the Thursday prior, Chick-Fil-A had handed out sandwiches to the entire City family (employees, spouses, and children) as they wanted staff to know they were appreciated.

### 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 14, 2020 city council minutes.
2. Approval of the April 21, 2020 work session minutes.
3. Approval of the authorization to release the Improvements Durability Retainer of \$4,296.50 for Heiner Office Building, located at 500 West Elm Street.
4. Approval of the authorization to release the Improvements Durability Retainer of \$15,203.86 for MITCHELL MEADOWS PLAT C, located at 900 West 1000 North.
5. Approval of the authorization to release the Improvements Construction Guarantee in the amount of \$831,458.70 and issue a Notice of Acceptance for the STONECREEK PLAT B construction of public improvements located at approx. 400 South 100 West.
6. Approval of the authorization to release the Improvements Durability Retainer of \$44,841.32 for VINTARO 1-C PHASE 1, located at 340,380 South 800 East.

City Recorder Terilyn Lurker explained there were a few minor changes requested to the April 14, 2020, minutes.

**Councilmember Taylor moved to approve the common consent agenda with the noted changes to the April 14, 2020 minutes. Council Member Carroll seconded the motion. Voting was as follows:**

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

### ACTION ITEMS

1. Ratification of City payments (April 22, 2020 to May 5, 2020) and approval of purchase requests over \$25,000.

**Council Member Taylor moved to approve the City bills for payment and purchase requests over \$25,000. 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 |

2. Review and action on approval of the City's fiscal year ending June 30, 2021, tentative budget.

Mayor Frost stated that there had been discussions on the tentative budget and added that there could be changes prior to final adoption. He further asked if there were questions.

Councilmember Shelton stated that he had some questions he wanted to discuss. Finance Officer Anna Montoya explained that there would be a budget review/wrap up on June 2, 2020. She explained that any suggestions could be sent to her and noted that there was plenty of time to make changes.

Councilmember Carroll asked whether the Council could receive printed copies of the budget to allow better note taking.

**Council Member Carroll moved to approve the fiscal year ending June 30, 2021 tentative budget and set the public hearing the fiscal year ending June 30, 2021 final budget for Tuesday, June 23, 2020 at 7:00 pm. Council Member Barnes seconded. All in favor. Voting was as follows:**

|                  |                                                |
|------------------|------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                    |
| <b>MOVER:</b>    | Staci Carroll, Council Member                  |
| <b>SECONDER:</b> | Kevin Barnes, Council Member                   |
| <b>AYES:</b>     | Barnes, Carroll, Christiansen, Shelton, Taylor |

3. Review and action on a resolution approving a second amended interlocal agreement with Central Utah 911.

Councilmember Shelton stated that Pleasant Grove had joined as a contract member of dispatch and noted that it saved them quite a bit of money. He noted that the State was moving toward consolidating dispatch centers. This act, he continued, adopted Pleasant Grove as a full-fledged member. The second change, he explained, was that in the future, the dispatch agency could adopt and allow any city in without having to go back to the full councils. He explained he was not sure he was supportive of that as the Council wanted to make sure they kept the level of service. Furthermore, he thought there may be more agencies joining in the future. He explained that agencies that did not, at present, belong to the agreement were Orem, Lindon, Provo, Springville, and Mapleton.

Councilmember Carroll explained that she had the same thought as Councilmember Shelton: she did not like the idea of city councils being unable to approve new additions. She asked whether this could be passed without that specific portion.

Councilmember Shelton explained that some of the smaller agencies did not even attend the meeting. Getting all the agencies to attend the meeting and agreeing was challenging, therefore, at the board level, it might seem easier. He continued that he was torn as he could see both sides of the issue but also understood that the State was moving in the direction of consolidating dispatch centers and he did not think there would be a choice. Councilmember Shelton further stated they could never open their own dispatch: there had to be a neighboring dispatch, and the State was not issuing more dispatch permits. He added that if the Council did not agree, he was not sure what would happen. He further mentioned that the whole agreement had to be the same for every jurisdiction.

Councilmember Carroll stated she did not want to send the agreement back with a no but would like to send it back with a modification. Councilmember Shelton explained that it would have to go back to all cities but that if the Council disagreed, they should send it back as a no.

Councilmember Shelton stated that they did have the ability to call for a weighted vote. At the moment, he added, it was an all board members vote but if the Council had issues with bringing in another entity, the remaining groups would need to be lobbied.

Mayor Frost stated that he believed all council members sat on different boards and were therefore best informed about the happenings in these boards. He mentioned he felt comfortable with what had been laid out. Therefore, he continued, there was trust in Councilmember Shelton's feedback and opinion. He stated wanting to know whether Councilmember Shelton was comfortable with the changes. Councilmember Shelton stated that he hoped the City would have a weighted average. This would become a large dispatch agency, possibly the largest in the County or the State. However, he continued, he saw that the State would be more involved in the future and this was the course that would happen. He further mentioned that the Council stayed vigilant to make sure the level of service remained the same.

Mayor Frost explained that this was the best thing as far as 911 was concerned. He thanked Councilmember Shelton for his input and insight. Councilmember Shelton stated he would vote "yay" because of the weighted vote and the direction the State was headed. Councilmember Carroll thanked Councilmember Shelton for his work and input. Councilmember Shelton continued that Pleasant Grove would save about \$200,00.00 a year from joining the dispatch.

**Council Member Shelton moved to adopt Resolution No. 2020-05-08R and authorize the mayor to sign the second amended interlocal agreement with Central Utah 911. Council Member Taylor seconded the motion. Voting was as follows:**

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

4. Review and action on an ordinance amending sections of the American Fork City code relating to the 620/700 South cross section.

Scott Sensanbaugher mentioned that 620/700 South was the Southern boundary of the TOD. For a long time, he continued, the City had this area on its master plan to have a cycle track on the road but there had been no detail. This ordinance, he added, created the details for that cycle track.

Councilmember Carroll asked whether this was south of the freeway. Scott Sensanbaugher mentioned that it was as the area was with 620 South bending to 700 South; it did not go under the freeway.

Councilmember Carroll pointed that there would be no parking on the road. She mentioned that there was a lot of empty space. She asked whether, with the empty space, there could be some parking created. Scott Sensanbaugher explained that the purpose behind the buffers was to ensure there was space between bikes and vehicles. He pointed that this particular road was meant to get drivers to and from, unlike other roads inside the TOD.

Councilmember Carroll asked if there were any example of such set ups. She pointed to all the extra space and continued that it was not walkable area. She asked whether the cycle track was raised and was told it was. She mentioned that it seemed there was a lot of space. Scott

Sensanbaugher stated that the City was looking to have a higher speed limit and continued that they saw a fair amount of cycles.

Councilmember Barnes stated that the Council had had that discussion. He mentioned that he agreed there was a lot of space but thought this was what the Council had agreed on when they had talked of 200 South.

Councilmember Carroll stated they were making a road with no parking and a wide shoulder. Scott Sensanbaugher mentioned that the shoulder would have a stripe between the travel lane and the shoulder.

Councilmember Christiansen asked for the purpose of the shoulder. Scott Sensanbaugher stated it provided more separation between cars and bicycles. David Bunker explained that he recalled one of the reasons for a buffer was in case someone parked on the road and opened their door. He asked whether the buffer could be lessened or done away with. Scott Sensanbaugher stated he still liked having the bikes from a drop-off. Councilmember Carroll explained that she believed the buffer would be needed if cars parked alongside the road, but since there was no space for parking, a buffer might not be needed.

Councilmember Shelton stated that if two feet were taken away, they could be taken from the shoulder as the goal was to give the bikes, not the cars, more room. Scott Sensanbaugher agreed with that. Councilmember Shelton stated he was afraid that if there were four feet there, people might be enticed to park.

Scott Sensanbaugher stated that the City had wanted to leave the same Right of Way width it had. He added that there would be no objections to the request of making things narrower. Councilmember Shelton stated that too large a shoulder might entice people to park. He pointed there was a curb and gutter with the curb being about one foot. He asked whether there would be signage indicating this was a no-parking zone. He pointed that the extra space could be put elsewhere. Councilmember Carroll explained that it would be acceptable to add it to the sidewalk or cycle track.

Councilmember Christiansen explained she preferred the idea of adding to the cycle track. A four-foot shoulder, she added, would encourage cyclists wanting to go at a different speed to go on the shoulder. Councilmember Barnes mentioned that serious cyclists wishing to go at a greater speed were going to use the road. Councilmember Carroll explained that he might be correct. She pointed that with five feet on a bike path, it would not be possible for two people to pass.

Councilmember Shelton asked whether the one-way cycle tracks would be marked with arrows. He was told that they would be. He further asked whether the curb and gutter would be painted red. Mr. Sensanbaugher stated that this was no longer typical as it became challenging to maintain. He mentioned there were no plans to sign the paths.

Councilmember Barnes stated he believed one-way bike paths would not work. He added that he knew there were studies and that he was not against traffic engineers but explained that one the one-way bike lanes there would be an equal amount of people going in the opposite direction. He stated that walking the trails as they currently were would show so: people did not follow the one-way requirement. He continued he did not think any of those things would make a difference, if

cars wished to park, they would. Changing the width would not make a difference as they did not follow rules.

Councilmember Carroll asked whether having both directions on each side of the road would make a difference. She further asked if narrowing the shoulder would make a difference.

Councilmember Shelton also voiced his dubiousness when it came to the outcome a one-way cycle track. He mentioned that he could be swayed, but that he had not found any evidence strong enough to do so. Councilmember Carroll stated that she had seen such tracks work in larger cities. Councilmember Shelton stated that Provo had installed some one-way tracks. He continued that this created a buffer between the TOD and other zones.

Councilmember Barnes asked about the size of the stretch of road being currently discussed. Scott Sensanbaugher answered he was not sure of the actual length of road but added it was more than a mile. He stated that 200 South did have a two-way cycle track in the middle and added that there was plenty of room. He continued that 900 South was already built. He stated he believed the City had already gone this proverbial path of one-way cycle track in the TOD and added that this was consistent with what had already been approved and built. He concluded he approved of the idea of narrowing the shoulders by two feet each.

Councilmember Barnes stated that he was ready to approve the ordinance the way it was. He continued that having one-way bike paths would not make a difference but added that he liked the symmetry of the planned layout. He asked whether the changes were significant enough to require a work session. Councilmember Barnes he did not believe such a work session was necessary.

**Council Member Taylor moved to adopt Ordinance No. 2020-05-25 approving the creation of Section 15.01.1525 relating to the 620/700 South cross section. Council Member Barnes seconded. Voting was as follows:**

|                  |                                                               |
|------------------|---------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [4 TO 1]</b>                                      |
| <b>MOVER:</b>    | Clark Taylor, Council Member                                  |
| <b>SECONDER:</b> | Kevin Barnes, Council Member                                  |
| <b>AYES:</b>     | Kevin Barnes, Barbara Christiansen, Rob Shelton, Clark Taylor |
| <b>NAYS:</b>     | Staci Carroll                                                 |

5. Review and action on a Construction Contract for the FY 2020/2021 Pavement Rehabilitation Project.

Scott Sensanbaugher explained the project would redo roads. He added that Staff had bid out this project: Kilgore had come in as the low bidder. He continued that Staff had looked over the bid and was now ready to begin.

Councilmember Barnes asked what the project comprised. Scott Sensanbaugher explained it was a mix of overlays and full-depth stripping, though most were full depth reclamations.

Scott Sensanbaugher explained that these were some very visible roads in the community and pointed that they would be done this current year.

**Council Member Barnes moved to accept the bid submitted by Kilgore Contracting for construction of the FY 2020/2021 Pavement Rehabilitation Project in the amount of**

**\$2,326,246.15 and approve the construction contract as presented. Council Member Taylor seconded the motion.**

Councilmember Shelton explained that he was glad to see this 8% lower than the engineer bid. He had hoped the City could take advantage of that. He explained having heard of construction companies and knew they were looking for city jobs because of the current situation.

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

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

6. Review and action on the appointment of an Interim City Treasurer.

Mayor Frost stated that the City Treasurer had given notice she was retiring before the next Council meeting. He explained that the City was looking at a new hire to take over the capacity of full-time treasurer. Mayor Frost stated that David Bunker was being suggested as the interim City Treasurer for two to four weeks.

Councilmember Shelton asked how this would impact checks and balances. Mayor Frost stated they had discussed this in detail with Mr. Bunker. Mr. Bunker stated that another option was to have Anna Montoya act as the interim treasurer as she had access. The idea, he continued, was that the person who managed the fund balances and looked at funds was not the same person as the one transferring money; these would be separate duties. Mr. Bunker explained that he would be able to keep these things separate. He added that he was the treasurer in Cedar Hills as well and pointed out the person moving the money could not have access to the checks.

Councilmember Shelton explained that this issue came with the cash, as had been the case in the past, when the treasurer was responsible for deposits. He mentioned that his only concern was to ensure that there were checks and balances. Mr. Bunker stated that he did not believe there was an issue as there was separation.

Councilmember Carroll asked how difficult it would be to train someone to do this. Mr. Bunker answered that it was not difficult but explained that the issue was in finding someone who had time to do the task. He added that the task was an interim one and a new employee would be hired to take over.

Councilmember Barnes asked whether there was a time frame on the motion. Mayor Frost explained that it was pending a hire and that they were in the process of reviewing applications: it was just a matter of getting the new applicant.

Councilmember Barnes asked whether this position was going to serve as an assistant to the Mayor and to Mr. Bunker. Mr. Bunker explained that the person was going to be an accountant and added that there would be enough work for that person to do as they would also be doing other accounting duties.

Mayor Frost asked how much time Mr. Bunker anticipated being the interim. Mr. Bunker explained that there was not a tremendous amount of work; possibly one to two hours a week. He

did not anticipate this being too stressful and mentioned that this would provide an extra motivation to hire the right person.

**Council Member Taylor moved to approve the appointment of David Bunker as the interim City Treasurer. Council Member Carroll seconded the motion. Voting was as follows:**

|                  |                                                                 |
|------------------|-----------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [4 TO 1]</b>                                         |
| <b>MOVER:</b>    | Clark Taylor, Council Member                                    |
| <b>SECONDER:</b> | Staci Carroll, Council Member                                   |
| <b>AYES:</b>     | Kevin Barnes, Staci Carroll, Barbara Christiansen, Clark Taylor |
| <b>NAYS:</b>     | Rob Shelton                                                     |

7. Adjournment

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

The meeting adjourned at 9:00 p.m.



Terilyn Lurker, City Recorder