

AMERICAN FORK CITY COUNCIL
JULY 14, 2020
REGULAR SESSION MINUTES

This meeting was held electronically.

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
Karen Kester	City Treasurer
Anna Montoya	Finance Officer
Aaron Brems	Fire Chief
George Schade	IT Director
Cherylyn Egner	Legal Counsel
Adam Olsen	Senior Planner
Scott Sensanbaugher	Public Works Director

The American Fork City Council met in a regular session on Tuesday, July 14, 2020, electronically, commencing at 7:00 p.m.

REGULAR SESSION

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

Mayor Bradley J. Frost welcomed those in attendance and explained that the meeting was being held electronically via Zoom. The Pledge of Allegiance was recited, and an invocation was offered by Council Member Barnes. Roll call was taken.

2. Reading of public comments.

The Council had received two comments from Mariam Bush, who asked what roads other than State Street were under construction. It was read that Ms. Bush had seen road work in Provo but not in American Fork, although in her opinion the roads in American were in worse condition. Ms. Bush also reported her concern about the damage done by fireworks to the environment and to properties and asked what would need to happen before fireworks would be regulated.

3. City Administrator's Report

City Administrator David Bunker thanked The Chamber of Commerce and the volunteers for their work at Steel Days and said that it had been a great week. He acknowledged that a lot of changes had been made, and that the plan for Steel Days had evolved multiple times over the course of the week. He said that he felt Steel Days had brought the community together, and that the event had been a big success. Mr. Bunker reported that there had been 130 pickleball teams who participated in the tournament, as well as 12 kickball teams and 102 spike ball teams. He reiterated that it had

been an amazing week, and that he had gotten positive feedback from members of the public who had attended. He thanked the parks department staff for the hard work they had done for the event. He also extended his thanks to the City Council for the part they had played in the parade. He reported that the little league tournament had finished that week, and that next week would be the Pony and Colt tournament. He announced their intention to move ahead with fall sports that year, dependent on how the COVID situation developed, and shared that they had one sports participant and one staff employee who had tested positive for COVID. He reported that they were working in conjunction with the Health Department to mitigate the spread and stated that they were taking the necessary precautions such as the use of hand sanitizer, masks, and gloves as well as adhering to social distancing standards.

Mr. Bunker gave an update on the MAG grants that had been receiving applications over the last several months. He reported that Public Works Director Scott Sensanbaugher had participated in virtual tours of the projects that had applied for funding. American Fork had two projects that they had asked to be considered that were both roundabout construction projects, one near Greenwood Elementary School and one on 200 South 300 West. Both projects had received extremely high scores and fell within the parameters to receive funding from the grant. Mr. Bunker thanked Public Works Director Scott Sensanbaugher and his team for the work they had done to secure the funding for American Fork. He added that the construction projects for the roundabouts would not be easy, because to develop an intersection will cause a significant disruption to traffic flow. He hoped that they would be able to mitigate the impact to the residents.

Mr. Bunker also reported that the Fire Department had applied for grants through Firehouse Subs, and that they had been granted \$15,000 to be used to purchase a UTV unit, which would enable them to respond to needs on the golf course in Cedar Hills and in the foothills. The unit would be stored in Cedar Hills and would give the Fire Department the ability to access otherwise inaccessible areas.

4. Council Reports

Council Member Rob Shelton said that he loved being a part of Steel Days. He said he has heard that were participants that came down from as far away as Cache Valley and thanked the Chamber of Commerce for ensuring that the event went smoothly. He reported that the Beautification Committee had had their garden tour and that the annual barbeque was scheduled for the following night.

Council Member Kevin Barnes also commented that Steel Days had been a great success. He said that the event had made American Fork stand out, since so many other cities had cancelled their events entirely. He added that the parade had been a lot of fun, and that many people had been appreciative that the parade had been able to happen. He offered his opinion that the Council should consider doing something similar to the event every other year. He noted that Chamber of Commerce had done a great job, and that there had been a lot of volunteers. He added that he had seen many people having a great time, both children and adults. He felt that the event had been a great way to cultivate community spirit.

Council Member Staci Carroll said that as she was an administrator for their Facebook page, she had been able to see the positive comments coming in from the public about the parade. She said that the public had understood that things could not be the same as in years past and had been grateful that the City was able to do anything at all. Council Member Carroll said she had been

glad to see that people were understanding since there had been some criticism from the public about holding the event. She said that she had not been able to attend any meetings since then but noted that the Chamber of Commerce had held a ribbon-cutting ceremony that day, but she had been unable to attend.

Council Member Clark Taylor expressed his appreciation for the gratitude that the public had shown to their police department during the parade. He said that he had received more positive texts and feedback from people about holding the parade and how it had cultivated a sense of pride for American Fork residents. He expressed how grateful he was for all of the hard work that had gone into making Steel Days a success.

5. Mayor's Report

Mayor Frost also voiced his gratitude for how well Steel Days had gone. He said that there had likely not been another event that had required as much planning as this one, and he felt that although they had had to make some hard decisions, that they had been the correct decisions and that in his opinion, the City had done a wonderful job overall. He said that he felt great pride for the City and had even gotten emotional during the parade. He said every event he had attended had been very well organized and that the public had maintained social distancing standards well. He also said that he had attended the ribbon-cutting ceremony at Art Dye Park, and that it gone well.

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 June 30, 2020, special session minutes.

This item was removed from the agenda.

ACTION ITEMS

1. Ratification of city payments (June 17, 2020 to July 7, 2020) and approval of purchase requests over \$25,000.

Council Member Taylor moved to approve city payments and purchase requests over \$25,000. 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

2. Review and action on the appointment of a City Treasurer.

Mayor Frost recalled that on May 12, 2020, Mr. Bunker had been appointed as an interim City Treasurer. Since then, they had hired Karen Kester, who was present at the meeting.

Karen Kester said that she had been in the role for about four weeks. Mayor Frost asked if anyone had any questions for her about her new role.

Mr. Bunker said that Ms. Kester had been doing a great job, and that he was happy to have her handle the treasury. He thanked her for her work so far.

Council Member Shelton welcomed Ms. Kester and said that it was important to make sure that the appropriate training took place. He said that it was an important job that required a lot of trust, and that the role included a lot of duties and tasks. He said that it seemed like Ms. Kester was qualified for the role and again urged that all regular training took place.

Council Member Carroll asked if the role as treasurer the sole responsibility for Ms. Kester was, or if she has a dual role. Finance Officer Anna Montoya explained that Ms. Kester's position was an accountant and that the appointment of City Treasurer would be in addition to her job as an accountant.

Mr. Bunker added that Ms. Kester would also help with accounts payable, and that she would be able to fill in roles from others in the finance department. He said that he was excited that she would be able to cover multiple tasks.

Council Member Shelton moved to approve the appointment of Karen Kester as City Treasurer. Council Member Taylor seconded the motion. Voting was as follows:

RESULT:

APPROVED [UNANIMOUS]

MOVER: Rob Shelton, Council Member

SECONDER: Clark Taylor, Council Member

AYES: Barnes, Carroll, Christiansen, Shelton, Taylor

3. Review and action on the Water Banking Agreement with Michael S. Loveridge.
Council Member Carroll moved to authorize the city to sign the water banking agreement for water rights with Michael S. Loveridge. Council Member Shelton seconded the motion. Voting was as follows:

RESULT:

APPROVED [UNANIMOUS]

MOVER: Staci Carroll, Council Member

SECONDER: Rob Shelton, Council Member

AYES: Barnes, Carroll, Christiansen, Shelton, Taylor

4. Review and action on a resolution certifying authorized users to access and/or transact with the Utah Public Treasurers Investment Fund (PTIF) accounts.

Mr. Bunker said that the Public Treasurers Investment Fund, or the PTIF, was the fund in which the city's balances were deposited into. The City used the fund for their Enterprise Funds and for the General Fund. The resolution was to authorize himself and Karen Kester access to that account and to make changes. Mr. Bunker said that he had been on the form previously, and it was now appropriate to add Ms. Kester to the form.

Council Member Shelton referenced a previous presentation that had discussed the possibility of outsourcing some to another investment firm and inquired if that had happened. Mr. Bunker said that that had not actually been executed, but that he and Finance Officer Anna Montoya had

recently sat down to discuss that possibility and intended to bring it before the Council. Mr. Bunker said that he felt it would be for the best to not have all their money in the PTIF.

Council Member Shelton said that he thought it would be great for the Council to have a financial dashboard that could be given out each quarter. He said he would like to have a sheet that had the highlights, so the Council members could get a sense of where things were at for the quarter. He said he had seen other cities do something similar, and that he would be happy to provide examples of what he was talking about.

Council Member Taylor moved to approve Resolution No. 2020-07-18R authorizing David Bunker and Karen Kester to make changes to American Fork City's investments with the Public Treasurer's Investment Fund (PTIF). 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

5. Escrow Bond Agreement with Bank of Utah & AFEW1, LLC. for Edgewater North Subdivision.

Mr. Sensanbaugher explained that an escrow bond agreement was a financial guarantee for the Edgewater North Subdivision. He explained that their code allowed for developers to choose the escrow bond agreement. Public Works Director Scott Sensanbaugher said that he had worked with AFEW1, LLC in the past and that they were reliable, so he therefore recommended that the Council accept the agreement for the Edgewater North Subdivision.

Council Member Taylor moved to approve the escrow bond agreement with Bank of Utah and AFEW1, LLC. for Edgewater North subdivision. Council Member Shelton seconded the motion. Voting was as follows:

RESULT:

APPROVED [UNANIMOUS]

MOVER: Clark Taylor, Council Member

SECONDER: Rob Shelton, Council Member

AYES: Barnes, Carroll, Christiansen, Shelton, Taylor

6. Escrow Bond Agreement with Bank of Utah & AFEW1, LLC. for The Yard Subdivision.
Council Member Taylor moved to approve the escrow bond agreement with Bank of Utah and AFEW1, LLC. for The Yard subdivision. 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

6. Review and action on a resolution approving an amendment to the land use element of the general plan located at 280 North North-County-Boulevard, from the Residential Low Density to the Professional Office designation.

Council Member Taylor moved to adopt Resolution No. 2020-07-19R approving the amendment to the land use element of the general plan located at 280 North North-County-Boulevard, from the Residential Low Density to the Professional Office designation. Council Member Carroll seconded the motion.

Council Member Kevin Barnes said that on the diagram map on page 28 of the packets that had been handed out, it showed that there was one house to the north still in the residential low density. He asked if that one was not already in, and Senior Planner Adam Olsen explained the zone was professional office and that it had been annexed and changed previously. He said that the map could be changed to reflect the updates of what had been moved to the professional office zone.

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

RESULT:

APPROVED [UNANIMOUS]

MOVER: Clark Taylor, Council Member

SECONDER: Staci Carroll, Council Member

AYES: Barnes, Carroll, Christiansen, Shelton, Taylor

7. Review and action on an ordinance approving a zone map amendment located at 280 North North-County-Boulevard from the R-1-12,000 Residential to the PO-1 Professional Office zone.

Council Member Taylor moved to adopt Ordinance No. 2020-07-34 approving a zone map amendment located at 280 North North-County-Boulevard from the R-1-12,000 Residential to the PO-1 Professional Office zone. Council Member Carroll and Council Member Barnes seconded the motion. Voting was as follows:

RESULT:

ADOPTED [UNANIMOUS]

MOVER: Clark Taylor, Council Member

SECONDER: Kevin Barnes, Staci Carroll

AYES: Barnes, Carroll, Christiansen, Shelton, Taylor

8. Review and action on a resolution amending the written procedures governing electronic meetings.

Council Member Carroll asked if this was being changed indefinitely. Legal Counsel Cherylyn Egner said that the governor had issued an executive order due to COVID but that recently state

law changed to allow this for COVID-19 as well as other emergencies, such as an earthquake that could make the City Hall unusable.

Council Member Shelton clarified that any City Council member could participate electronically as long as 48 hours of notice was given to the chair. Legal Counsel Cherylyn Egner replied that the reasoning behind the notice requirement was to allow time for the agenda to be amended to reflect the change. For instance, if the agenda went out on a Thursday, it would have to be re-noticed. She added that there was a financial consideration, and that 24 hours would be the minimum amount of time needed to change the agenda.

Council Member Shelton moved to adopt Resolution No. 2020-07-20R amending the written procedures governing electronic meetings. 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

9. Review and action on an ordinance adopting amendments to Section 17.5.133 of the American Fork City Development Code entitled “Off-Street Parking Standards”.

Senior Planner Adam Olsen stated that the ordinance had first gone before the Planning Commission as a discussion item, and there had been an inconsistency in the parking standards. The Planning Commission had come to the decision to stick with 2.25 spaces per unit, and to take out the residential parking ratio requirements from this table. Mr. Olsen referenced the table which been amended to take out the residential uses in red and stated that it was because those were addressed elsewhere in the parking standards. He explained that the issue had been causing confusion among developers and so the recommendation of the Planning Commission was to leave it at 2.25 spaces per unit for multi-family homes. He added that the Planning Commission had left it open for a developer to come before the City Council if they had a project that they felt could be at a lower standard than the 2.25. He said that it was a clean-up item of an inconsistency that was in the code.

Council Member Shelton asked if single family parking standards were not listed. Senior Planner Adam Olsen responded that they were included in the city’s code, and they were just not listed in the table. He said that because the single-family requirement had not changed, they had chosen not to include it in the table. He said that was the reason they had passed the issue off to the Planning Commission was so the Planning Commission could decide if they wanted to leave it in the table or take it out. The Planning Commission had said parking was an important enough issue that they wanted the requirements to be in the higher standard.

Council Member Barnes clarified that the requirements that had been described were functionally the same as what was already in place in the code, and asked if there was wording in the code that stated that people could appeal to the Planning Commission. Mr. Olsen said that the wording had not changed. He added that typically, most projects provided 2.25 spaces per unit, and there was actually an upcoming project that would come before the Council in two weeks that would provide slightly more than 2.25 spaces for the residents.

Council Member Shelton said that the code allowed for one parking stall per accessory dwelling and clarified that currently the only kind of accessory buildings they had were accessory apartments. Mr. Olsen said that was correct, and that it could be deleted because it was also referenced in another section. Council Member Shelton said it would be good to have it removed from the table, and Mr. Olsen said that that could be accomplished through the motion. Council Member Shelton also asked if it was better to refer to the structures as accessory buildings or accessory apartments, and what the distinction was. Mr. Olsen explained that the ordinance that addressed accessory apartments stipulated that they do need to be a part of the main building and could not be a separate structure.

Council Member Carroll asked where the table had come from. Mr. Olsen said it had come from the planning standards book. He elaborated that the purpose of the table was to identify additional commercial uses that were vague, so that they would be able to refer to the table when developers came to them with a commercial use for land. He said that an unintended consequence of transferring the table over was that it gave a slight variation to residential standards in regard to multiple family units which deviated from what was written in their code. The code stated only that there were 2.25 parking spaces allocated per unit, but the table broke it down further into one bedroom, two bedrooms, and studio. Mr. Olsen said it was not looked at closely several years ago when it was transferred, and so there were several inconsistencies. He said that he wanted to get the inconsistencies cleaned up, and he had brought the issue to the Planning Commission to get their input on which direction that they wanted to go in. He reported that the Planning Commission had felt that they should stay no lower than 2.25 to avoid issues with being under parked.

Council Member Staci said that this was a planning and urban standard, and that they did not have to adopt the standard, but that if someone had a smaller unit it would make sense to allocate less parking to them. She said it was fairly universal to have a lower parking standard for residents who had smaller units. She pointed out that if someone had a one-bedroom apartment, allocating 2.25 parking spaces to them would be a lot given the size of their unit. She said that she knew other Council Members felt differently than her, and that while she respected the need for adequate parking, she felt it was bad for the city to have large parking lots that were not necessary.

Council Member Christiansen asked if this was the section that discussed movie screens. Mr. Olsen replied that it might be, and that there were a number listed in there. Council Member Barbara Christiansen said that she had noticed a section in regard to movie theaters that showed 50 to 10 screens, and she thought it should be 5 to 10. Mr. Olsen said it might have been an error when it was transferred over.

Mr. Olsen said that making a motion of approval would eliminate the sections that were struck through and would include Council Member Shelton's suggestion that the section about accessory dwellings be removed.

Council Member Shelton moved to approve Ordinance No. 2020-07-35 adopting amendments to Section 17.5.133 of the American Fork City Code entitled "Off-Street Parking Standards" with the addition of removal of accessory units as well from the table. Council Member Taylor seconded the motion. Voting was as follows:

RESULT:

ADOPTED [4 TO 1]

MOVER: Rob Shelton, Council Member

SECONDER: Clark Taylor, Council Member

AYES: Kevin Barnes, Barbara Christiansen, Rob Shelton, Clark Taylor

NAYS: Staci Carroll

10. Adjournment.

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

The meeting ended at 8:00 p.m.



Terilyn Lurker, City Recorder