

AMERICAN FORK CITY
COUNCIL MEETING MINUTES
JUNE 11, 2013

PUBLIC HEARING

The American Fork City Council met in a public hearing on Tuesday, June 11, 2013, in the American Fork City Hall, 31 North Church Street commencing at 7:15 p.m. Those present included Mayor James H. Hadfield and Councilmembers Heidi Rodeback, Brad Frost, Craig Nielsen, Robert Shelton, and Clark Taylor.

Staff present: Associate Planner Wendelin Knobloch
City Administrator Craig Whitehead
City Engineer Andy Spencer
City Planner Adam Olsen
City Recorder Richard Colborn
City Treasurer Melanie Marsh
Finance Director Cathy Jensen
Fire Chief Kriss Garcia
Library Director Sheena Parker
Parks & Recreation Director Derric Rykert
Police Chief Lance Call

Also present: Darrell Child, Carlton Bowen, and 7 additional persons

7:20 p.m. Receiving of public comment regarding the FYE June 30, 2014 City Budget

Carlton Bowen stated that he lived in the Val Vista area of American Fork.

1. He was concerned about the proposed road bond. While the City needed to maintain the roads they should do that without indebting its citizens and future generations through borrowing.
2. He was concerned about the increases in the budget particularly for adding new staff. It was stated that it was needed to comply with Obama Care. He expressed that he thought that everyone knew that Obama Care was unpopular. He thought that the City believed they were legally required to comply. He reminded the City Council that one of the very earliest Supreme Court cases was Marbury v. Madison which said the power to tax was the power to destroy and carved out an exemption for cities and municipalities and states. The way Obama Care was ruled constitutional by the Supreme Court was as a tax. He wanted to see American Fork City take a stand on this issue and rather than increasing the budget dramatically and adding staff, both of which were real actual fiscal costs and burden to the City and to the Community, he would rather not do that. If the Federal Government came after the City, the City would have a good argument.

Mr. Bowen continued that one has probably heard of municipal bonds. The interest on municipal bonds, which was the type of bond that American Fork City would be doing if they did do a bond, was not taxable at a Federal level. The reason for that was because of

this Supreme Court decision called Marbury v. Madison. Even today, that ruling was recognized and honored throughout our financial system and throughout our government and country.

Mayor Hadfield thanked Mr. Bowen for his comments.

There being no further comment, the hearing concluded at 7:24 p.m.

REGULAR SESSION

The American Fork City Council met in a regular session on Tuesday, June 11, 2013, in the American Fork City Hall, 31 North Church Street, commencing at 7:30 p.m. Those present included Mayor James H. Hadfield and Councilmembers Heidi Rodeback, Brad Frost, Craig Nielsen, Robert Shelton, and Clark Taylor.

Staff present: Associate Planner Wendelin Knobloch
City Administrator Craig Whitehead
City Engineer Andy Spencer
City Planner Adam Olsen
City Recorder Richard Colborn
City Treasurer Melanie Marsh
Finance Director Cathy Jensen
Fire Chief Kriss Garcia
IT Specialist George Schade
Library Director Sheena Parker
Parks & Recreation Director Derric Rykert
Police Chief Lance Call

Also present: Darrell Child, Carlton Bowen, and 11 additional persons.

Mayor Hadfield led the audience in the Pledge of Allegiance and Councilman Brad Frost offered a prayer.

Mayor Hadfield invited the Scouts in attendance to come forward and report their name, rank, and Troop.

Troop 879 Ben Sessions

Troop 936 Josh Lunt Taevyn Bitner Skylar Swanson

Mayor Hadfield invited them to come to the City when it was time for them to do an Eagle Project as American Fork had many things for volunteers to do.

TWENTY-MINUTE PUBLIC COMMENT PERIOD – LIMITED TO TWO MINUTES PER PERSON

There were no public comments.

CITY ADMINISTRATOR'S REPORT

Craig Whitehead noted that after a work session a few weeks ago, some new medical equipment including an automatic defibrillator was demonstrated at the Fire Department. He turned time to Chief Garcia for an update.

Chief Garcia explained that the Sunday after the demonstration to the City Council, medical crews showed up to a 50-year old patient in full arrest and pulseless. The new defibrillator was put into service. The patient was shocked three different times and brought back each time. They started chilling him down. They ended up using everything the Council saw that day. Within 90 minutes the patient was at another hospital where a stint was placed and the heart attack was over. The Fire Department thanked the Council for their support. These little things were important.

COUNCIL REPORTS

Councilman Nielsen thanked staff for their time especially Cathy Jensen and Craig Whitehead for their time, work and long hours on the budget. He appreciated their efforts.

Councilmember Rodeback echoed and affirmed what Councilman Nielsen said.

Councilman Taylor explained that he was very aware of the time and effort that went into the budget period and also the time that has gone into members of staff like Melanie Marsh who was working to make the Arts Council transition as smooth as possible. He also had a great amount of appreciation for Lori England and what she has done for the Arts in American Fork for a number of years. He appreciated those who have done so much.

Councilman Frost commented that with the new I-Pads he did not look in his box as often. The other morning he went to his box at about 6:30 a.m. and Cathy Jensen and Craig Whitehead were already at work. He always felt that as a Mayor and Council that the City had an incredible EMT group. A very important part of being a City leader was making sure that when there was a 911 call that the right people showed up with the right equipment. With Obama Care they really did not have a choice with the new hires. They had a great City staff.

Councilman Shelton gave thanks to the staff noting that this last year had been a year of restructuring and a lot of good. He mentioned concern of the time it was taking to complete the pavilion at Evergreen Park. This was the prime time for its use. He also asked that the City look at a cross walk on the north end of the High School across 600 East.

Mayor Hadfield asked for exactly where the proposed crosswalk would be and he would have staff look at that.

MAYOR'S REPORT

Mayor Hadfield reported on the highlights of the 2014 budget.

- No property tax proposed
- Hiring two additional narcotics officers

- Hiring seven new firefighters (to offset the Affordable Care Act)
- Lease/purchase of eight new police vehicles
- Establishment of a grant program for the Arts Council
- Sidewalk improvements throughout the community
- Make second payment on the sewer line TV truck. Mayor Hadfield explained that this allowed the City to take preventative measures that have resulted in zero sewer backups for the past couple of years.
- Command vehicle for the Fire Department
- Eliminated six full time positions
- Added \$30,000 to the Library Collections budget
- Looked at water rate increases as per the water rate study
- Elimination of debt service on the Broadband bond
- Refinanced debt service on the Parks bonds
- Provided for a merit increase for employees
- Provided for preliminary Road Bond engineering
- Provided for a City Website Design project

Mayor Hadfield noted conflicts with the regular dates for City Council meetings in July. After some discussion it was decided to move the July 9 City Council and Finance Committee meetings to Thursday, July 11 and move the July 23 meetings to July 30.

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 by the Mayor or a Councilmember and placed in the action items.)

1. Approval of the May 21, 2013 special work session minutes.
2. Approval of the May 23, 2013 work session minutes
3. Approval of the May 28, 2013 City Council minutes
4. Approval of the City bills for payment, manually prepared checks, and purchase requests over \$1,000.

Councilmember Taylor moved approval of the common consent items as presented. Councilmember Shelton seconded the motion. All were in favor.

ACTION ITEMS

REVIEW AND ACTION ON A RESOLUTION SETTING THE CERTIFIED TAX RATE FOR FYE JUNE 30, 2014 - Staff

Craig Whitehead reported that last year's Certified Tax Rate as set by the County was 0.002812. This year it has been reduced a little to 0.002750.

Mayor Hadfield asked if there were any questions on the Certified Tax Rate.

Councilman Shelton moved to adopt Resolution No. 2013-06-08R setting the Certified Tax Rate for FYE June 30, 2014 at 0.002750. Councilman Frost seconded the motion. All were in favor.

REVIEW AND ACTION ON A RESOLUTION APPROVING THE FYE JUNE 30, 2014 CITY BUDGET – Staff

Mayor Hadfield noted that there were a couple of substitute pages distributed and those pages would be the ones considered in the passage of this budget.

Councilmember Rodeback explained that they had several meetings on this and had made some tough choices. Good consensus was reached and she appreciated the additional consideration to the Library budget.

Councilman Frost expressed that he felt indebted to the City's business community for the great sales tax revenue, especially from the car dealers. American Fork was the beneficiary of a good foundation.

Mayor Hadfield stated that he felt the same way. It would be very easy to explain to the citizens why their property taxes were raised 12 percent to accommodate seven new firefighters because of what the Affordable Care Act has dealt the City. He was an adventure type of soul, but not with City finances, and for that reason he was not ready to propose that the City challenge the government such that American Fork City be the first to be sued because it was not complying with the Affordable Care Act.

Mayor Hadfield echoed Councilman Frost's comments on the American Fork business community. He encouraged the Council to pass the budget as presented.

Councilman Shelton moved to adopt Resolution No. 2013-06-09R approving the budget for the Fiscal Year Ending June 30, 2014 and the filing of the appropriate reports with the State of Utah. Councilman Taylor seconded the motion.

Councilmember Rodeback observed that in this budget, as they have had every year since 2008, a \$500,000 road accrual fund. That was in no way sufficient to take care of the needs. It was estimated that four to eight times that much was needed. For as long as additional funding was not forthcoming the roads would continue to deteriorate. The City was facing significant escalating costs and inflation as well as labor costs. She supported the Council's decision to treat this thru a bond as it would help them get ahead of the inflationary curve.

Mayor Hadfield noted that every neighborhood in town has some road that needed to be addressed.

Councilman Taylor expressed that this had been a great exercise in community. Community meant a lot of different things to a lot of different people. This continued to be a coming together of the infrastructure of City government, business, citizens, and the City Council. That was the beauty of a small town. The staff worked hard for everyone's good. That was everyone's fault.

All were in favor of the motion.

REVIEW AND ACTION ON THE PROPERTY AND LIABILITY INSURANCE FOR FYE
JUNE 30, 2014 – Staff

Mayor Hadfield noted that Darrell Child from Olympus Insurance was present to answer questions.

Richard Colborn explained that this year's base premium was \$325,932 which was 3.48 percent above that of last year's premium of \$314,981. An increase in the excess liability from \$10 million to \$15 million was recommended at a premium increase of \$12,500. Also recommended was increased travel coverage for those traveling with the City's insured and also those that typically would not be covered by Standard Workers' Compensation such as volunteers and members of committees and boards. This would be a premium increase of \$2,000. Other options were looked but not recommended including Data Breach coverage at a premium of \$10,500. The recommended total premium for this year was \$340,432.

Councilman Shelton moved to approve the property and liability insurance for 2013-2014 in the amount of \$340,432 and authorize the Mayor to bind the coverage and to execute the documents.

Councilman Shelton appreciated Richard Colborn's work with the property and liability insurance. He appreciated Mr. Child's organization for the research and education and the service they provide.

Mayor Hadfield thought that Mr. Child would tell them that American Fork was proactive as far as cities went.

Darrell Child stated that they "benchmarked" cities and American Fork continues to receive superior benchmarks (1%), when the national average was three percent. The City's efforts have not gone unnoticed.

Councilman Taylor seconded the motion. All were in favor.

REVIEW AND ACTION ON AN AGREEMENT BETWEEN AMERICAN FORK CITY AND
THE UTAH TRANSIT AUTHORITY (UTA) FOR PLANNING IN THE VICINITY OF THE
AMERICAN FORK FRONTRUNNER STATION – Planning

Adam Olsen explained that this was a planning agreement for the Transit Oriented Development area by the FrontRunner Station. UTA and the City would each put up \$25,000.

Mayor Hadfield added that they would go out for a consultant July 1 and hoped to have recommendations back by December 1.

Councilmember Rodeback explained that the challenge with this study would be to find the mix that would work.

Mr. Olsen stated that they envisioned a mix of higher density with commercial and office use. The Planning Commission's vision for this area was one of mixed use to help people get to other

areas but to also bring people to American Fork. The City has also been working with the University of Utah who were doing their own study on this.

Mayor Hadfield reported that today he had met with architects and developers who were well known in the region and they showed interest in that area. The City was very open to good ideas.

Adam Olsen explained that when this was complete it would provide the City with the framework for that area.

Mayor Hadfield added that the City would need then to prepare Ordinances to accomplish the plan.

Councilmember Rodeback was thrilled to see this. The City was vulnerable without it.

Councilman Taylor commented that it was exciting in that this was talked about at the first retreat.

Councilman Frost asked the expectation of UTA.

Mayor Hadfield responded that they wanted riders.

Councilmember Rodeback expressed that UTA was committed to alternative transportation. That depended on community design. She had lived in communities where she could walk everywhere and she loved it. American Fork was not that.

Councilman Shelton was excited about this and the U of U study as well. He was excited because it continued to show how American Fork was a leader in Economic Development in our valley.

Mayor Hadfield hoped that when this plan was adopted that it would include a Kiss and Ride drop off and a tunnel to the south side.

Councilman Nielsen moved to authorize the Mayor to sign the American Fork Frontrunner Station Area Planning Agreement with UTA. Councilman Shelton seconded the motion. All were in favor.

REVIEW AND ACTION ON AN ORDINANCE ADOPTING AN AMENDMENT TO SECTION 17.5.105 ENTITLED "AREA OF ACCESSORY BUILDINGS" OF THE AMERICAN FORK CITY DEVELOPMENT CODE - Planning

Adam Olsen explained that this attempted to solidify the requirements for accessory structures. The Planning Commission felt it important that the size of the accessory structure be limited to a size not larger than an area two times the size of the footprint (foundation) of the primary structure, or cover more than twenty-five percent of the total rear yard area of a lot, whichever is less. The Planning Commission recommended approval.

Councilman Frost moved to adopt Ordinance No. 2013-06-21 approving an amendment to Section 17.5.105 entitled “Area of Accessory Buildings” of the American Fork City Development Code. Councilman Taylor seconded the motion. All were in favor.

REVIEW AND ACTION ON AN ORDINANCE AMENDING THE ZONING MAP FROM THE RA-5 RESIDENTIAL AGRICULTURAL ZONE TO THE R-1-12,000 RESIDENTIAL ZONE LOCATED IN THE VICINITY OF 950 WEST 1000 NORTH – LaRae Eddington

Mayor Hadfield explained that this property was in the RA-5 zone because when it was annexed the RA-5 did not require a site plan and was a holding zone.

Adam Olsen reported that Henry Walker homes has acquired the property and the parcel to the west known as the Chertudi Annexation and propose a housing project of low density about three units per acre. The Planning Commission recommended approval

Councilman Taylor moved to adopt Ordinance No. 2013-06-22 approving the zone map amendment from the RA-5 Residential Agricultural zone to the R-1-12,000 Residential zone located in the vicinity of 950 West 1000 North. Councilman Shelton seconded the motion. All were in favor.

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 of Granite View Estates PUD Plat B, consisting of 4 units, located at approximately 810 East 50 South in the R-3-7,500 Residential Zone – Scott Mitchell

Mayor Hadfield stated that this was the last piece of property that would allow a four-unit structure to be built on Granite View Estates.

Adam Olsen noted that the annexation had recently been completed.

Councilmember Rodeback move to adopt Ordinance No. 2013-06-23 approving the final plat for Granite View Estates PUD Plat B, consisting of 4 units, located at approximately 810 East 50 South in the R-3-7,500 Residential Zone and to authorize the Mayor and 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: 1) Posting of a performance guarantee to ensure the timely construction of required public improvements, and 2) Verification and conveyance of water right requirement. Councilman Frost seconded the motion. All were in favor.

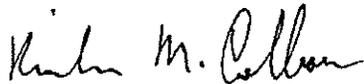
- b. Review and action on the Final Plat of Granite View Estates Subdivision Plat C, consisting of 1 lot, located at approximately 830 East 50 South in the R-3-7,500 Residential zone – Scott Mitchell

Adam Olsen stated that this would be one lot with a single family dwelling.

Councilmember Rodeback moved to approve the final plat of Granite View Estates Subdivision Plat C, consisting of 1 lot, located at approximately 830 East 50 South in the R-3-7,500 Residential zone with instructions to the City Recorder to withhold recording of the plat subject to: 1) Posting of a performance guarantee to ensure the timely construction of required public improvements, and 2) Verification and conveyance of water right requirement. Councilman Shelton seconded the motion. All were in favor.

ADJOURNMENT

Councilman Shelton moved adjournment at 8:22 p.m. Councilman Taylor seconded the motion. All were in favor.



Richard M. Colborn
City Recorder