

AMERICAN FORK CITY COUNCIL
APRIL 26, 2022
REGULAR SESSION MINUTES

Members Present:

Bradley J. Frost	Mayor
Kevin Barnes	Council Member
Staci Carroll	Council Member
Ryan Hunter	Council Member
Rob Shelton	Council Member
Clark Taylor	Council Member

Staff Present:

David Bunker	City Administrator
Patrick O'Brien	Community Development Director
Camden Bird	Community Services Director
Rebecca Andrus	City Engineer
Terilyn Lurker	City Recorder
Anna Montoya	Finance Officer
Aaron Brems	Fire Chief
George Schade	IT Director
Cherylyn Egner	Legal Counsel
Cameron Paul	Police Chief
Scott Sensanbaugher	Public Works Director

Also present: John Woffinden, Ryan Bybee, Tanmay Srivastava, McKay Butterfield, and Spencer Stevens

The American Fork City Council met in a regular session on Tuesday, April 26, 2022, in the American Fork City Hall, 31 North Church Street, commencing at 7:00 p.m.

REGULAR SESSION

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

Mayor Frost welcomed everyone to the meeting. Those present recited the Pledge of Allegiance and the invocation was offered by Council Member Taylor. Roll call was taken. It was noted Council Member Shelton would arrive shortly.

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

There were no public comments.

3. City Administrator's Report

Mr. Bunker announced the bubble is down at the pool. There is a new spin room at the fitness center.

4. Council Reports

Council Member Ryan Hunter had nothing to report.

Council Member Kevin Barnes had nothing to report.

Council Member Staci Carroll mentioned the Steel Days executive committee is meeting regularly. She is looking forward to some of the specifics that they've nailed down. Steel Days is scheduled for July 5th through July 9th.

Council Member Clark Taylor had nothing to report.

5. Mayor's Report

Mayor Frost invited the public to the Arbor Day event on Thursday at 11:00 a.m. at JC Ball Park. They will be planting two trees and three 5th grade classes will be in attendance.

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 March 1, 2022, work session minutes.
2. Approval of the authorization to release the Improvements Construction Guarantee and issue a Notice of Acceptance for the AF 10 construction of public improvements located at 800 West 620 South.
3. Ratification of city payments (April 6, 2022 to April 16, 2022) and approval of purchase requests over \$50,000.

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Clark Taylor, Council Member
SECONDER:	Ryan Hunter, Council Member
AYES:	Kevin Barnes, Staci Carroll, Ryan Hunter, Clark Taylor
ABSENT:	Rob Shelton

ACTION ITEMS

1. Review and action on approval of the 2022 Arbor Day Proclamation.

This Proclamation is a requirement to remain a Tree City USA, along with the events to be held on Thursday.

Council Member Taylor moved to approve the 2022 Arbor Day Proclamation. Council Member Barnes seconded the motion. Voting was as follows:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Clark Taylor, Council Member
SECONDER:	Kevin Barnes, Council Member
AYES:	Kevin Barnes, Staci Carroll, Ryan Hunter, Clark Taylor
ABSENT:	Rob Shelton

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.
 - a. Review and action on approval of a final plat for Timp Hollow Plat E located in the area of 1190 East 1000 North in the R1-12,000 residential zone.

This was tabled from the last meeting.

City Engineer Rebecca Andrus explained the question was asked if there was vesting due to a phasing plan. A plan was presented in 2017 but there was no determination if it was vested or not. Engineering assessed the ordinance with the question that if it were vested, would it have met the code at that time. They looked at the code that was approved from 2016 and found the minor street cross-section, the local street cross-section, planting strip, and sidewalk width were the same as they are now. Engineering's recommendation was to approve the plans as submitted with the ten-foot path instead of the eight-foot-path and cul-de-sac being dimensioned and percolation test.

Mr. Ryan Bybee with Cadence Homes said they submitted the preliminary plat in 2017 and since then they've submitted four final plats. They have not once be required to resubmitted a preliminary plat but this time they were required to resubmit a preliminary along with the final plat. He further explained that as far as the code is concerned on the right-of way, they matched Patterson's and Pleasant Grove's right-of-way. He was trying to do was something that seemed to make sense and by requiring a ten foot trail this development would not match up with what was currently there. He felt it would look incongruent at best and didn't make sense to him. He noted all the cul-de-sacs in the project are built as submitted and as designed. What he is looking for is on 1100 North, they match what's been built: a three-foot park strip and an eight-foot sidewalk. It also won't take three feet out of the back of those lots. One suggestion Cadence Homes offered was if the right-of-way needs to be there, then allow the right-of-way to be three feet on the other side of the fence, so it doesn't look and act differently in the future. They want to build this quickly because they're anxious to finish this project. The only reason this phase wasn't developed with the first phase was the LDS church asked if they could hold off because they might put a church site there. The LDS church has since acquired different property.

Council Member Carroll asked if the other subdivisions that Cadence built met the code at that time. Legal Counsel Cherylyn Egner replied there may have been an oversight on those cross-sections at that time. Ms. Andrus explained staff pulled the cross-sections at the time the property

was annexed into the city and found the cross-section was the same as it is now. It was acknowledged that was no fault of Cadence Homes.

Council Member Carroll asked how long the frontage is and was told it was about 350 feet. She questioned if Mr. Bybee agreed to abide by the other stipulations if they could get a fence where they requested, and Mr. Bybee said yes.

Ms. Egner said she knew the concern with the developer was 1100 North, but with regards to the cul-de-sac, the way she looked at the phasing plan and the way it came in as part of the annexation there was an argument they are vested in ordinances of the time.

Council Member Barnes said he was confused on the eight-and ten-foot width of the trail. Ms. Andrus said 1100 North was a minor collector, and there was no cross section for a trail that had less than a 10-foot trail on a minor collector. She explained that it would be curb, three feet, 10-foot trail, right-of-way. On the east side, there was the eight-foot trail that was built as the first part of the overall Timp Hollow development. The west side is undeveloped property and they would be required to stall a 10-foot trail.

Council Member Carroll felt they needed to keep it eight feet. Council Member Barnes agreed. Council Member Clark Taylor agreed and felt it needed to be consistent; it would look peculiar and wouldn't benefit anyone if they required ten feet. Council Member Taylor didn't know what they needed to do to accomplish this. Council Member Ryan Hunter said he would love for it to be consistent.

Mr. Hunter mentioned there are other developments when the Council required developers to put in larger sidewalks, larger curbs, etc., even when it doesn't match up with what existed in the neighborhood. Mayor Frost said the alternative was to consider a code change, but he didn't think the developer wanted to wait for that.

Mr. Bybee said they could give approval that night and then consider a code text amendment change. He said this was the last phase of this project and precedent had already been set for this and for Patterson's development.

Council Member Carroll mentioned they had talked about giving Public Works leeway on minor alterations on the requirements. Ms. Egner said this was never formalized. Some felt uncomfortable giving that much discretion to an employee and that's why they've never moved it forward. She indicated she would be happy to prepare something and bring that forward to the council.

Council Member Taylor said he felt they were better served with an eight-foot trail even though code states differently. He felt like the City was smart enough to understand they caused the issue. Mr. Hunter and Mr. Barnes agreed.

Mayor Frost said they had one of two decisions: they pass as-is and then come back and add in language that gives discretion to staff, or they approve the sidewalk. Ms. Egner recommended approving as-is and then a code text amendment later given the discussion of Council.

Public Works Director Scott Sensenbaugher said from an engineering standpoint and the commonsense standpoint, narrowing the sidewalk was okay. He would ask they make sure the road section matches the current code, regardless of what they do with the sidewalk. Mr. Bybee was okay with that.

Council Member Shelton arrived at 7:30 p.m.

Mayor Frost asked when the sidewalk be installed, and Mr. Bybee thought be about eight weeks. Mayor Frost said the code text amendment would have to go to Planning Commission and then back to City Council. He asked if eight weeks was enough time for staff. Ms. Egner said yes.

Council Member Taylor moved to approve the Timp Hollow Plat E subdivision located in the area of 1190 East 1000 North in the R1-12,000 residential zone and 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 subject to all conditions identified in the public record associated with the March 16, 2022, planning commission meeting and conditional upon the applicant following up with engineering to meet design qualifications and missing items, noting there will be a follow up code amendment allowing for amendments to existing roads. Council Member Hunter seconded the motion. Voting was as follows:

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Clark Taylor, Council Member
SECONDER:	Ryan Hunter, Council Member
AYES:	Barnes, Carroll, Hunter, Shelton, Taylor

- b. Review and action on an appeal of the American Fork City Planning Commission's action regarding the land use map amendment from the Resort, Very-Low-Density Residential, General Commercial and Shoreline Protection designations to the Design Industrial designation, located in the area of 1100 South and the Utah Lake Shoreline east and west of 100 West.

This item was pulled from the agenda at the request of the applicant and would be on an upcoming agenda.

- c. Review and action on an appeal of the American Fork City Planning Commission's action regarding the zone map amendment from the PR-2.0 Planned Residential to the PI-1 Planned Industrial zone, located in the area of 1100 South and 100 West.

This item was pulled from the agenda at the request of the applicant and would be on an upcoming agenda.

3. Review and action on an agreement to extend Auto Mall Drive.

This item was pulled from the agenda.

4. Review and action on the appointment of an interim City Treasurer.

Mayor Frost acknowledged the interim role would be temporary until the new treasurer is hired.

Council Member Taylor moved to approve the appointment of Amanda Durrant as interim city treasurer. Council Member Carroll seconded the motion.

Council Member Rob Shelton said they needed to offer more training and that the City needed to revisit the policy.

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, Hunter, Shelton, Taylor

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

Mayor Frost said this resolution was due to having an interim treasurer.

Council Member Hunter moved to approve Resolution No. 2022-04-08R authorizing David Bunker, City Administrator, and Amanda Durrant, Payroll Coordinator, to be authorized users of the City's PTIF account. Council Member Taylor seconded the motion.

Council Member Barnes asked if they make transfers individually or together. Finance Officer Anna Montoya replied that they do it individually, but she reviews everything before a transfer is done and the Finance Director has to approve it.

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ryan Hunter, Council Member
SECONDER:	Clark Taylor, Council Member
AYES:	Barnes, Carroll, Hunter, Shelton, Taylor

6. Review and action on an ordinance amending Section 17.05.133(E) of the municipal code of American Fork City regarding Off-Street Parking Standards.

Community Development Director Patrick O'Brien explained this was discussed previously. This action amends the map only for allowing on-street parking and he pointed out the boundaries. This would help a number of projects meet their off-street parking requirement by utilizing on-street parking. A change in language was made at the planning council meeting that was at the discretion of the Development Services Director and staff felt it was an acceptable addition.

Council Member Barnes clarified that this was squaring up what was discussed before. Mr. O'Brien responded that it gets rid of the provision in the code that had no parking requirement for certain properties to the west of here. They would be able to utilize on-street parking.

Council Member Carroll asked if they needed to make any stipulations as that was not a city road. Ms. Egner replied no, but to keep in mind it is a state road so if UDOT took away parking on Main Street they could eliminate Main Street parking and those would be grandfathered in.

Council Member Shelton asked if it was worth pulling out the state roads from the map as he believes UDOT has plans to widen 100 East and Main Street. He asked staff if they had any updates from UDOT on their intent and plans and was told the plans and timeframe were unknown at this time. He would rather not count it on the state roads. Council Member Barnes agreed with Council Member Shelton but he was hesitant to decide based on UDOT making their decision. He was fine with it as it was now. Either way, he thought they could correct it later.

Mr. Bunker acknowledged that if they redeveloped Main Street and changed the use, they would have to figure out how to meet the parking.

Council Member Barnes moved to adopt Ordinance No. 2021-04-18 amending Section 17.05.133(E) regarding Off-Street Parking Standards. Council Member Taylor seconded the motion. Voting was as follows:

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

7. Adjournment.

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

The meeting adjourned at 7:45 p.m.



Terilyn Lurker
City Recorder