

AMERICAN FORK CITY COUNCIL
AUGUST 9, 2022
REGULAR SESSION MINUTES

Members Present:

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

Members Absent:

Rob Shelton	Council Member
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Staff Present:

David Bunker	City Administrator
Patrick O'Brien	Development Services Director
Camden Bird	Assistant City Administrator
Rebecca Andrus	City Engineer
Terilyn Lurker	City Recorder
Aaron Brems	Fire Chief
George Schade	IT Director
Cherylyn Egner	Legal Counsel
Cameron Paul	Police Chief
Adam Ellison	Police Program Manager
Brook Anderson	Communities that Care Coordinator

Also present: John Woffinden, Christine Anderson, Carolyn Lloyd, Norman and Teresa Chadwick, Ken Berg, and two additional citizens.

The American Fork City Council met in a regular session on Tuesday, August 9, 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 Hunter; roll call.

Mayor Frost welcomed everyone to the meeting. Those present recited the Pledge of Allegiance and an invocation was offered by Council Member Hunter. Roll Call was taken and Council Member Shelton was excused.

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

Carolyn Lloyd was present regarding the action item on the 620 South/700 South Road Cross

Section. She was aware the council had read her comments at the planning commission meeting but wanted to express her concern on the protected bike lane that is to be in front of her home. She appreciated the planning commission's comments and the consideration the council would give her to allow her to park in front of her property. Ms. Lloyd noted in the planning commission minutes her comment was that she wanted the bike lane on the south side; that was incorrect as she wanted the bike lane on the north side.

3. City Administrator's Report

David Bunker reported the annual Day of Service was scheduled for September 10th where several projects will be organized in coordination with the local Church of Jesus Christ of Latter-Day Saints Stakes. He invited the public to participate. Mr. Bunker announced Saturday, October 8th, as Petapalooza at Art Dye Park. Citizens are invited to take their pets to the park from 10 a.m. to 4 p.m. for different activities for pets.

4. Council Reports

Council Member Taylor had nothing to report.

Council Member Carroll had nothing to report.

Council Member Barnes had nothing to report. He did question who the contact would be for the Day of Service, to which he was told the city contact would be Camden Bird.

Council Member Hunter had nothing to report.

5. Mayor's Report

Mayor Frost reported he attended the Night Out Against Crime put on by the Police Department. He appreciated the time and effort staff put into this event, which was well attended. He commented the event, which was held at Robinson Park on August 4th, was a wonderful event with good food and good people.

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 July 12, 2022, city council minutes.~~
2. ~~Approval of the July 19, 2022, work session minutes.~~
3. Approval of the authorization to release the Improvements Durability Retainer of \$10,427.52 for Covington Cove, located at 611 North 300 East.
4. Approval of the authorization to release the Improvements Durability Retainer of \$7,679.90 for Truck Ranch, located at 525 East Automall Drive.

5. Approval of the authorization to release the Improvements Construction Guarantee in the amount of \$939,423.12 and issue a Notice of Acceptance for the Hansen Ranch Phase 4 construction of public improvements located at 1100 East 400 North.
6. Ratification of city payments (July 20, 2022, to August 2, 2022) and approval of purchase requests over \$50,000.

Mayor Frost noted the minutes would be removed from the common consent agenda.

Council Member Taylor moved to approve items number 3, 4, 5 and 6 of the common consent agenda. 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

ACTION ITEMS

1. 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 an amended plat for Lakeshore Landing Block 1 Plat B located in the area of 900 West 480 South in the TOD zone.

Council Member Carroll stated there was no information regarding which types of alleys were required to be widened. She understood this project was vested under the code where the widths were narrower. She questioned the need for fire trucks driving along these alleys if they had access to the front of the buildings. She also asked them to be cognizant of the width of alleys as they are driveways and not roads.

Mr. Bunker stated that this would apply to any alley way that needed fire access; they would have a minimum width of 26 feet. The city did adopt a new cross section for alley ways in 2021 and that requires 32 feet of pavement regardless of type. He noted these plats were vested in the old code that allowed for 16 foot or 20 foot depending on setback; they don't meet fire code and were being amended to give them enough width for fire access. Aaron Brems, Fire Chief, stated that if there was access to the front of the units, they would not need the wider alley. He did note that if the structure is three stories or higher, they would need to have the wider width in the alley to allow for aerial access.

Council Member Taylor moved to approve the amended plat for Lakeshore Landing Block 1 Plat B located in the area of 900 West 480 South in the TOD zone and authorize the mayor and city council to sign the plat and accept the dedications with instructions to the city recorder to withhold recording the plat subject to all conditions identified in the public record for the July 20, 2022, planning commission meeting. Council Member Carroll seconded the motion. Voting was as follows:

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

- b. Review and action on approval of an amended plat for Lakeshore Landing Block 2 Plat D located in the area of 900 West 480 South in the TOD zone.

Council Member Taylor moved to approve the amended plat for Lakeshore Landing Block 2 Plat D located in the area of 900 West 480 South in the TOD zone and authorize the mayor and city council to sign the plat and accept the dedications with instructions to the city recorder to withhold recording the plat subject to all conditions identified in the public record for the July 20, 2022, planning commission meeting. Council Member Carroll seconded the motion. Voting was as follows:

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

- c. Review and action on approval of an amended plat for Lakeshore Landing Block 3 Plat F located in the area of 900 West 480 South in the TOD zone.

Council Member Carroll moved to approve the amended plat for Lakeshore Landing Block 3 Plat F located in the area of 900 West 480 South in the TOD zone and authorize the mayor and city council to sign the plat and accept the dedications with instructions to the city recorder to withhold recording the plat subject to all conditions identified in the public record for the July 20, 2022, planning commission meeting. Council Member Barnes seconded the motion. Voting was as follows:

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

- d. Review and action on approval of a final plat for Storrs Court Subdivision located in the area of 162 West 400 South in the R2-7,500 zone.

Council Member Barnes moved to approve the final plat for Storrs Court Subdivision located in the area of 162 West 400 South in the R2-7,500 Residential zone and authorize the mayor and city council to sign the plat and accept the dedications with instructions to the city recorder to withhold recording the plat subject to all conditions identified in the public record for the July 20, 2022, planning commission meeting. Council Member Taylor seconded the motion. Voting was as follows:

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

2. Review and Action on approval of a contract for the CDBG Phase 9 waterline project.

Council Member Taylor moved to approve the City accept the bid submitted by K. W. Robinson Construction Inc. for construction of the CDBG 9 Orchard-400 E Road and Culinary Water Improvements in the amount of \$1,370,626.65 and approve the construction contract as presented and authorize the City sign the associated documents. Council Member Hunter seconded the motion.

Council Member Barnes noted the funds come from the federal government. Mayor Frost pointed out there were matching funds required.

Mayor Frost called for a vote on 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

3. Review and action on a resolution approving an interlocal cooperative agreement with Utah County for substance misuse prevention services and Communities that Care prevention model.

Mayor Frost noted that American Fork has participated in this program since 2019 and he feels Brook Anderson, the CTC Coordinator, was a great steward of working with the community.

Council Member Carroll commented that Ms. Anderson was a great resource for the community, and she was excited for this program.

Council Member Carroll moved to adopt Resolution No. 2022-08-30R authorizing the mayor to sign the interlocal agreement with Utah County for substance misuse prevention services and the Communities that Care prevention model. Council Member Hunter seconded the motion. Voting was as follows:

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

4. Review and action on an ordinance amending Section 15.02.1525 of the municipal code titled "620 South/700 South Road Cross Section".

Mr. Bunker gave a brief history of this road cross section, which was a collector road. He explained this road is critical for getting citizens east to west, and on the master plan is shown to continue to 100 East in the future. He explained the city has gone through several iterations of cross sections for this road where they have tried to balance the need for vehicular traffic, pedestrian, biking, parking, as well as how much right-of-way they are using. He explained the developments started closer to Storrs Avenue with an existing cross section where the pavement was wide enough to have all the components they wanted in the cross section with the bike lane on the asphalt. Then, there was further discussion that the cross section was too wide, so a new, narrower cross section was approved where the bike lane was moved behind the curb and gutter. Then, they approved a cross section where the bike path is back to the asphalt behind a raised curb in the asphalt. The raised curb is not mountable so cars cannot go over that.

Mr. Bunker continued that 700 South will curve into 620 South. There is a section on the west side that has already been constructed with the narrower asphalt and protected bike path. With this cross section they do not have the room for multiple travel lanes, bike lanes, *and* parking because the width was reduced. Recently, staff received direction from council to look at options that did not have the protected bike lanes in the asphalt. Also, with the protected bike lanes and narrower asphalt, there is no place for cars to pull over to get out of the way of emergency vehicles.

Rebecca Andrus, City Engineer, stated the cross section before the council was what staff was directed to prepare. There was a lot of discussion at the planning commission that was included in the minutes. They did have some concerns. Ms. Andrus noted there is one existing homeowner who may subdivide in the future with multiple accesses, and a concern was the up and down a bicyclist would go over as the bike path dipped for driveways.

Mr. Bunker restated this cross section has the raised bike path behind the curb and gutter, which would be colored green. At the driveways, the bike path would dip for the drive approaches. It was noted there would only be a handful of properties affected by this, the Lloyd property being one of them. When asked if access would be restricted to any existing homes, the response was

the property owners would not be denied access if that was their only way to access their property until the property is developed.

Council Member Taylor commented that he has read through the planning commission minutes and knows the discussion that took place. The reason they were here was the Lloyds were told there would be on-street parking but now there is not; that was what they were trying to resolve. He hoped there was a way to allow them to have on-street parking for the Lloyds. Ms. Andrus stated a recent code change included provisions that would allow for a short section to deviate from the cross section if there were existing conditions and if the council approved the deviation.

Cherylyn Egner, Legal Counsel, stated they cannot treat one parcel different unless it was very clear why it was being treated differently. If they are looking for allowing on-street parking for only 300 feet, that will create issues for the next developer. The code Ms. Andrus was referring to was to fill the gaps and allow staff to bring to council a request for a change to the requirement for a reason they could clearly articulate as to why it should be changed. If they were to say the cross section would be changed for only a few houses, it would be problematic. They need to adopt something that can be applied throughout.

Council Member Taylor understood that but saw this was a different situation with an existing house. He saw perhaps an alteration in the bike path to allow for an existing resident to have on street parking. He felt like he was articulating the fact that the current homeowner was already there. He felt like this was simple: they can either give the Lloyds parking or implement this cross section. He would like to find a parking solution.

Council Member Carroll asked if they want the bike lane raised up or in the road? Council Member Taylor felt that was a simple change, and if they put it on the asphalt then there would be room to park. There was a discussion on the width required for on-street parking, which would be nine feet. However, if they have a bike lane, they would need additional space to provide for a buffer.

Christine Anderson, Planning Commission member, commented that she put a lot of thought into this during the planning commission meeting as well as since that time. Originally, she was concerned with the bike lane on top of the curb because of the divots in the driveways; she felt that would be a dealbreaker for a bicyclist. She felt the bike lane should be on the asphalt. If they are worried about children's safety, children can use the sidewalk. Ms. Anderson stated they had a lot of discussion at the planning commission meeting and went through many options. She stated that one of the main things that is important is consistency along the road. Her heart was toward the residents because she wanted them to keep their on-street parking, but after thinking about it she feels it is more important to be consistent. People were not guaranteed right to have on-street parking. She hoped they could find other options for parking off the street.

Council Member Taylor stated that he appreciated Ms. Anderson's comments. He did not think a

biker would ride in the bike lane. The dips do not bother him, neither does having the bike lane in the road. If he were to articulate this to make an exception, it would be that they have a resident in the city who was asking for on-street parking; he did not feel it would be arbitrary and capricious. He was trying to solve a situation.

Mr. Bunker stated the annexation of the Lloyd property took place when they already had a cross section that did not allow for on-street parking. He was not aware of a written agreement with the Lloyds. They participated in the development of their property with a subdivision and gave right-of-way for 620 South as part of that development. He was not aware of an agreement that the city would guarantee on-street parking.

Council Member Hunter commented he felt that had a significant bearing on this for him. Mayor Frost agreed.

Mr. Bunker stated that when other parcels annex they need to be clear that on-street parking would be limited.

Council Member Carroll addressed Ms. Anderson and explained there would only be a handful of driveways that would be affected by the divots. She still would like to have a protected bike lane.

Council Member Carroll moved to adopt Ordinance No. 2022-08-34 amending Section 15.02.1525 of the municipal code titled "620 South/700 South Road Cross Section", noting it was the cross section included in the packet.

Council Member Hunter asked if this cross section worked for public safety. Fire Chief Brems indicated it did work for emergency apparatus.

Mayor Frost asked if this resolved the storm drain issues, to which Ms. Andrus replied there was not a drainage concern.

Council Member Carroll restated the motion to move to adopt Ordinance No. 2022-08-34 amending Section 15.02.1525 of the municipal code titled "620 South/700 South Road Cross Section", specifying the cross section being approved was in the packet. Council Member Hunter seconded the motion.

Council Member Taylor clarified they are eliminating the opportunity to park on-street and asked if they felt it was better to have an additional driveway to park cars rather than parking on the street. Mayor Frost felt that at least two people felt comfortable with that.

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

RESULT:	APPROVED
MOVER:	Staci Carroll, Council Member
SECONDER:	Ryan Hunter, Council Member
AYES:	Staci Carroll, Ryan Hunter, Mayor Frost
NAYS:	Kevin Barnes, Clark Taylor
ABSENT:	Rob Shelton

Council Member Barnes felt they needed to address the parking for the residents.

As there was a tie in the voting, Mayor Frost broke the tie by voting aye. The motion passed.

5. Adjournment.

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

The meeting adjourned at 8:04 pm.



Stephanie Finau
Deputy Recorder