

AMERICAN FORK CITY COUNCIL
AUGUST 16, 2022
WORK SESSION AGENDA

Members Present:

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

Members Absent:

Clark Taylor	Council Member
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Staff Present:

David Bunker	City Administrator
Camden Bird	Assistant City Administrator
Stephanie Finau	Deputy Recorder
Cherylyn Egner	Legal Counsel
Aaron Brems	Fire Chief
Mat Sacco	Fire Marshall
Stuart Fore	Lieutenant AFD
George Schade	IT Director
Patrick O'Brian	Development Services Director
Rebecca Andrus	City Engineer
Ben Hunter	Engineer
Travis Ekelenburg	Senior Planner
Cody Opperman	City Planner
Derric Rykert	Community Services Director

Also present: Rob Martin (Planning Commission), Ron Bird (Planning Commission), Jenny Peay (Planning Commission), and 2 representatives from Anderson Development

The American Fork City Council met in a work session on Tuesday, August 16, 2022, in the City Administration Conference Room, located at 51 East Main Street, commencing at 4:04 p.m.

WORK SESSION

The purpose of City Work Sessions is to prepare the City Council for upcoming agenda items on future City Council Meetings. The Work Session is not an action item meeting. No one attending the meeting should rely on any discussion or any perceived consensus as action or authorization. These come only from the City Council Meeting.

Mayor Frost opened the work session. He mentioned Council Member Taylor has been excused. He acknowledged Planning Commission member Rob Martin for attending the meeting.

1. Discussion on possible changes to Chapter 15.01 of the city code pertaining to dead-end streets in new developments.

Mr. Bunker reported that this item is a follow-up discussion regarding the issue on the length of a cul-de-sac, termination of dead-end street, and whether it was a temporary dead end or permanent dead end. He noted Rebecca Andrus and her team researched what other cities allowed and would propose to clarify the code to make it more transparent and clearer. In Section 15.01.100, the city code addresses Streets. The code specifies the length of a permanent and or temporary dead-end streets greater than a 150' can be no longer than 400' from the right-of-way of the connecting street. The section also has a provision that states a subdivision shall only be allowed a single point of access where the number of planned dwellings accessing the single point is less than 25; that sentence needs to be revised to read a subdivision with a single point of access will have a maximum number of (blank) units. In the proposal that will be brought forward, they will identify this and reword it to be clearer.

Rebecca Andrus reported that staff looked at several surrounding cities and found that typical cul-de-sac lengths ranges from 400'-450'. She noted that Lindon and Orem have 650' and Pleasant Grove is 700' (however, that is the centerline of the roadway to the center line of the cul-de-sac which is still about 650'). She stated some of the considerations for lengths was for emergency/safety, traffic volume, utilities where you would need looping, the convenience for residents, speed, and connectivity. Ms. Andrus commented they typically want to minimize the number of cul-de-sacs as creating dead-ends creates issues. It was noted cul-de-sacs become problematic when people do not realize it is a dead end and have to turn around.

Ms. Andrus indicated staff would recommend increasing the length to 650', but they would need to define where the length is measured from. This change to the code would be sufficient for the project on 200 East.

Council Member Shelton asked when this code was passed. Ms. Andrus responded that this particular section of the code was modified last May, however, the length was not changed. Ms. Andrus further explained that the measurement in the code previously has been from the radius where it starts to fan out in the bulb to the right-of-way on the adjacent street. Council Member Shelton ask what the reason is as to why that measurement of 400', 600', or 750' makes sense. Ms. Andrus reiterated that she had mentioned the reasons previously such as sight, emergency access, etc.

It was noted the fire code states the length is 750' but Mr. Bunker further explained that it is 750' but was not sure where it was measured from. Mat Sacco responded that it does not specifically

state where it is measured from, but he takes into consideration at what point does the apparatus come in before it must back up. Mr. Sacco noted he typically uses the center of the travel lane.

Ms. Andrus added that another factor was traffic volumes and how many units would access the road. Other issues would include speed and convenience for residents with trailers that must turn around. She felt 650' is reasonable, which would be equivalent to one of the city's old blocks.

Mr. Sacco stated the fire code is anywhere between 501' to 750' but that is on a wide street and gives different options for different turnarounds. He mentioned that if the fire code is the minimum standard and has been adopted, he suggested they utilize that as the minimum standard and it doesn't create any room for confusion. Mr. Bunker clarified that the minimum in that case would be 750' or more stringent on something could be shorter than 750', to which Mr. Sacco stated that was correct.

Council Member Carroll asked if other cities also require a cul-de-sac on all of those lengths of streets. Ms. Andrus replied that Salt Lake, Pleasant Grove, and Orem, upon approval allowed a temporary hammerhead or a different turnaround configuration with specific requirements. She added that most of the cities did not allow that. She added that she had looked at standards across the nation and Canada and found that cul-de-sacs are the standard. It allows for forward progress for garbage trucks, trailers, boxed trucks delivery trucks, and snowplows.

Council Member Carroll mentioned she liked requiring connectivity and how that is good for the city but questioned how they do that in a way that makes sense. Ms. Andrus noted that some cities allow for temporary cul-de-sacs and various widths, some of the temporary cul-de-sacs are the same as permanent cul-de-sacs that can be abandoned. She added that Lehi has a smaller version that puts in a hard surface for the 96' the cul-de-sacs is required to be, but it has the sidewalk, and curb/gutter inside of them with a rolled curb. Ms. Andrus stated that they do have an adjustable standard for something that is temporary but that's in situations where they are building a phased development.

Council Member Carroll asked how they connect to the next property when the adjoining property was not ready to build. Ms. Andrus replied that they extend to the adjacent property and have the appropriate turnarounds, to which Mr. Bunker stated that a cul-de-sac gets built. It was noted it would have to be a regular cul-de-sac as the timeline for future development would not be known.

Ben Hunter commented that all collector roads connect and would not end in a dead end; minor and major collectors all connect to another minor major collector or arterial.

Rodney Martin stated that they must consider if they are okay with what is proposed if nothing ever changes, such as a dead end without any way to turn around. It needs to be considered as

they do not know an adjacent property owner will do. He questioned how they got here and if the developers were misled to think they had options other than what was in the city code or if the code was not clear. Mr. Bunker responded that the confusion comes when you are looking at different codes, as the city code says one thing and the IFC code says another; the city has adopted portions of the IFC that do not match our code and that's the argument.

Council Member Shelton mentioned that in other cities codes the note they have adopted the IFC code but then it spells out the cascading effects and shows what trumps what in the code. He felt that would be helpful.

Mayor Frost asked Ms. Egner to explain how the IFC and city development code work together. Ms. Egner responded that the adoption of the fire code specifies we adopt the IFC for the purpose of our fire code, but that is not the development code. Staff looks at both the IFC and the development code to verify applicants have complied with our code. She noted that just as you have to comply with federal and state regulations, you have to comply with both IFC and the development code.

Mr. Sacco commented that he felt the language is clear and that it is up to the developers to ask questions and the city provide answers. He noted that Mr. Bunker's point was that the code is a minimum standard, and he was looking at the ability of a fire truck to turn around. He was not looking at garbage trucks or snowplows, but at the dedicated right-of-way so they do not have parking in an area where it is intended to be a turnaround; that was what the municipal code was for. It was not adequate to say you have met the fire code; you have to look at both codes.

In response to council comments about making the code clear, Mayor Frost responded that can be addressed when they look at re-vamping the code in the coming months.

Mr. Bird pointed out they still had to go back to the situation at hand and figure out how to deal with the immediate problem and the questions currently being asked by developers.

Mr. Bunker responded that the current proposal is to modify Section E, changing the length to 650'. That change has to go before the planning commission and the city council.

Ms. Egner added that right now it is easy to talk about certain developments, but what we are "noticed" for is to talk about the code, and we need to focus on the code and the change to the code and not how we are going to deal with specific projects.

Council Member Shelton responded that any developer right now that has an application, has the ability to go with code, and if we change anything and it betters their situations then they can use

that to their betterment. Any applicant can take the current as it now or if we change it, they can take that and put it toward their application.

Council Member Carroll expressed that she was comfortable with increasing the length, but she added that she doesn't love the idea of cul-de-sac that may be there for a long time. She questioned if there were other options that would not have to be retrofitted until a later date. Mr. Martin replied that it appeared to have been addressed in Lehi with rollup curbs as there would be no trees planted there and the apparatus could turn around. Ms. Andrus stated that Lehi has a temporary cul-de-sac standard and final cul-de-sac standard in their development code. Mr. Sacco responded that as long as it is a 96' minimum in the fire code and its drivable, he felt it was fine; he did not want to see it shrink down from that as they still have to turn the apparatus around. Ms. Andrus explained the temporary cul-de-sac width for Lehi was 84'. Mr. Bunker added that you are not saving anything because we don't have a rolled curb standard and you will have to rip out the curb anyway and rip out all the concrete work on the side. He expressed he's not too excited about having concrete there instead of asphalt that could be taken out easier and then the road extended.

Council Member Shelton stated that one thing from the proposal that was brought up was a couple of options from the IFC, it did show some opportunities for backing up. Ms. Andrus responded that if you were to something like that, there can be no parking at the end of the road which will result in people turning around in driveways. If a resident has a trailer, they end up have to back in and it creates safety concerns on multiple levels. We don't want to create a situation where we are forcing people to back up and this would be backing up over a sidewalk.

Ben Hunter elaborated on more of the challenges. One problem you run into is that on temporary turnarounds, property owners will utilize that as their driveway and parking on it; you then lose the ability for fire apparatus, garbage trucks, and plows using the turnaround and it becomes a challenge.

Council Member Barnes gave his opinion on cul-de-sacs, stating there is always too many cars parked in there because of multiple cars to one home. He felt there should be no parking allowed in cul-de-sacs.

Council Member Shelton felt that this was a good start to looking at updating it to 650' if it fits with what fire department is comfortable with to update.

Mayor Frost felt like he had a good idea of where the council stood and stated they'll be waiting for a text amendment and at that time the developer can voice his opinions.

Council Member Carroll asked if there were any other suggestions for changing Section I. Mr. Bunker replied that it would be reworded in the affirmative saying *you can go up to this many* and change that to 14 units instead of 25.

A representative of Anderson Development spoke up and asked about the first sentence in Section 9.

Mayor Frost asked staff, what is the timeline they think they can turn this around and it can be put on an action item. Ms. Andrus replied that it would need to go back to planning commission, and it would require proper notice to be given. Mr. O'Brien added in that it will probably be on the first Wednesday of September on the 7th.

Discussions ensued among the council and staff regarding the R1 zone and minimum number of units or planned dwellings that can fit within the 650' requirement. It was noted they should clarify in the code what a dwelling unit was. It was noted staff felt comfortable with 14 units based on research that was done, however, if a 15th unit was at the end of the cul-de-sac, it would not be a deal breaker.

Ms. Egner always wanted to clarify that right now, the code reads *a subdivision can only be allowed at a single point of access when there is less than 25*. However, what they are saying is you have to have at least multiple access for more than 25 units. Mr. Bunker replied that it will be reworded in the positive. Ms. Egner mentioned that you can have two points of access, but you are required to have two if there is more than 25 units. Ms. Andrus stated 15 units if the code is looking to get changed.

Anderson Development representative #1 blurted that it says it *we shall stub to an adjacent property for a future extension of the roads*. To which Ms. Andrus replied that part is not changing. Council Member Shelton asked why would build a cul-de-sac with a home on it with utilities. Ms. Andrus replied that you cannot put a home off the end of a cul-de-sac if it can extend and have a future alignment for a road.

Anderson Development representative #2 asked who owned the property around the cul-de-sac. Mayor Frost explained to the representative that the discussion is only among the city council and staff.

Anderson Development representative #1 stated that Mayor Frost can kick him out for speaking. He added that they came to the work session understanding that they could work accordingly through this and to be friendly toward this situation, they did not bring their attorney today for the mayor not to allow them to speak at all seems unfair or unjust. Mr. Bunker and Mayor Frost replied that there will be public hearing and they can make a public comment at that time.

Anderson Development representative #1 stated that if they can't build a house at the end of the cul-de-sac, that is a "taking" and becomes a separate issue.

Council Member Shelton asked when does the city come in and say yes or no to building a house at the end of a cul-de-sac. Ms. Egner replied that it would be a determination on whether it was constructed as permanent or temporary which would depend on the plan and project which would have to go through engineering. Council Member Shelton asked how they determine what is temporary and what is permanent. Ms. Egner responded that that can be clarified.

Council Member Shelton expressed his concern on who determines it if it temporary or permanent. Council Member Hunter interjected and said if he owns the end of that cul-de-sac, he can buy the neighboring property so he can continue his cul-de-sac. He stated he wasn't speaking for the developer, but if he were developing the project and had the cul-de-sac, he would build that to the property line so when the adjacent property they could continue that road on.

Discussions and opinions ensued among the council about how the temporary and permanent will be determined according to the code. Council Member Shelton felt it needed clarification. Ms. Egner replied to Council Member Shelton that she can work with staff to come up with a very detailed definition of that.

2. Discussion on an interlocal agreement with Utah County, Lehi, and Highland regarding the operation, maintenance, and management of the North County Equestrian Park.

Mayor Frost stated that everyone is aware of this park and where it is located. He mentioned the adjacent property next to it is very pristine. The mayors and administrators have been working together to come up with a good solution to work with the county to keep it open and not let it go by way of management to outside entities who have plans for development. He stated that as a council a resolution was passed declaring that the city would like to keep it for public use and turned the time over to Mr. Bunker.

Mr. Bunker stated that included in the document sent to the council is the draft version of the interlocal cooperation agreement. In this the city has made a proposal to the county that the cities would take over the operation and maintenance of the equestrian park. He noted drafts have been sent to the county, who then looked at it and made some modifications. The cities then re-looked at it and made a few more tweaks. He added that the final version is what the cities have come up with and now it will go back to the county to see if they'll accept any changes that we've made. He told the council as they have read through this interlocal if there are any concerns they have about the operations and maintenance that they will have with the county. Mr. Bunker explained this agreement indicated the three cities would maintaining it and using

our resources and dollars to maintain and operate the park and keep it open for public use. Lehi would like to construct a water tank and the county is amiable to that, it would be completely buried and out of site in the northeast part of the park. Mr. Bunker continued with the report saying the county owns the property and they were fine giving them an easement for the water tank and a water line.

Council Member Carroll asked if the other city councils looked at the agreement. Mr. Bunker responded that it has been presented to the other councils, but they have not seen this final version of the draft. In addition to this interlocal with the county, the city would have to have an interlocal with the other two cities to say how we are going to share the responsibilities, the cost, and how we are going to split this.

Council Member Carroll stated that in the agreement it doesn't show who makes the decisions, what happens with the revenues, and who makes the decision on capital projects. Mr. Bunker responded that there will be a subsequent agreement to this; if the county doesn't agree to this interlocal agreement there is no need to get with the other cities to figure out who is going to do what.

Council Member Shelton asked if the county would be financially responsible for cost of the capital projects that needed to be done. Council Member Carroll responded no it will be between the three cities and Mr. Bunker replied that all parties would be involved, including the county.

Council Member Shelton commented that he was worried if the three cities were to take on the operational side without some form of agreement from Utah County to continue to invest in the facility, it will fall on the cities and if there weren't the funds to keep up with capital projects it would look like the cities didn't do our job in upkeeping the park. He added that he would love to see a fund where the county is committed to that can be kept aside for capital improvement projects.

Council Member Carroll replied that they have an operating budget right now and asked if that will continue to go towards the equestrian park. Mr. Bunker responded in the negative and stated that would be split between the three cities which is estimated to \$80,000 a year.

Council Member Barnes asked what the current revenue on the park was. Mr. Bunker replied that they are not doing a great job at keeping track of it and that it was on an honor system. Council Member Barnes reported he had gone to the park the other day and there was no one around for the 30 minutes he was there. If someone wanted to come and ride, they could because there is no one monitoring it.

Mayor Frost stated that in theory if it is the criteria of TRCC money to be able to use, you are looking at a county wide facility used by multiple cities that we all put money into this bucket and if we apply for it together, that we should have a very good standard to receive capital improvement money. It is not a guarantee, but it does check all the boxes for the TRCC board. Council Member Shelton expressed his lost of faith in the TRCC board and added that it should be written in the agreement and if the county is serious about it, they will have a committee that is like our PARC Tax committee that will have the ability to allocate that money.

Mr. Bunker responded that the other option was to sell it for development and then the residents won't have access to it. Council Member Barnes asked if this agreement was solely so that the park won't be sold. Mr. Bunker replied that it was for the residents, that they can continue to use the park.

Council Member Shelton added that why don't we create an interlocal with the other three cities like the golf course. We purchase and own it, and work together as three cities determining the future of that facility. He felt that was a better option to protect a for our residents. Council Member Hunter expressed that he loved the idea of taking it over.

Discussion ensued about options to buy the park, expenses for the park, operation to maintain the park. Council Member Shelton mentioned the termination clause in the agreement and discussed if the city were to buy the park, and decides to take that on, that would help us increase the backup where it needs to be, and he had some ideas about opportunities where it could get some funds that the city can look at and utilize.

Mr. Bunker replied they would have to talk to other cities about purchasing it and then talk to the county and find out if their interested in negotiating a sell.

Council Member Carroll felt like she needs more information on the county obligations and how the relationship would work.

Council Member Barnes had some questions and wording corrections on the interlocal agreement. He mentioned the emergency services as stated in the agreement on who will be responsible for that. Fire Chief Brems replied that most of the time Lehi mostly responds, but it would depend on who gets dispatched first.

Mayor Frost stated that we will get with the other cities and the county. He added that there are three pavilions at the park that you can go to anytime and use, with a playground that have been underutilized.

Mr. Bunker did state that in the past American Fork and Lehi wanted to purchase the equestrian park from the county but not at real estate process for the sake of trying to preserve it.

3. Adjourn.

The meeting adjourned at 5:16 p.m.



Stephanie Finau
Deputy Recorder