

AMERICAN FORK CITY COUNCIL
DECEMBER 13, 2022
REGULAR SESSION MINUTES

Members Present:

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

Staff Present:

David Bunker	City Administrator
Taraleigh Millar	Executive Assistant
Derric Rykert	Community Services Director
Stephanie Finau	Deputy Recorder
Melissa Mellor	Legal Counsel
Patrick O'Brien	City Planner
Susan Goebel-Canning	Public Works Director
Cameron Paul	Police Chief
George Schade	IT Director

Also present: Nicholas Merrill, Steve Smith, Amber Lamph, American Fork Fire Department, Chief Brandon Boshard, Patricia Roberts and family, Dustin Cook, and members of the Timpanogos Chorale.

American Fork City Council met in a regular session on Tuesday, December 13, 2022, in the American Fork City Hall, 31 North Church Street, commencing at 7:00 p.m.

Mayor Frost made a statement about the work session that was held prior to city council. He related that state officials – our state senator and representatives met with the council to collaborate with them on concerns the city has as they approach another session of the legislature.

REGULAR SESSION

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

Mayor Frost welcomed everyone to the meeting. Those present recited the Pledge of Allegiance and the invocation was offered by Council Member Barnes. Roll call was taken.

2. Presentation of the HERO Award and Life Saving Award to Patricia Roberts.

Battalion Chief Brandon Boshard related that he started his career 23 years ago at the emergency room at the American Fork Hospital, where Patricia Roberts was his mentor. In October of 2022,

Ms. Robert's son-in-law had a health emergency. Ms. Roberts arrived at his home prior to EMS arriving, and started CPR before EMS arrived, which saved his life. Because of her quick thinking and actions that morning, her son-in-law survived.

The HERO award is given by American Fork City to members of the community who demonstrate outstanding determination, selfless service, and heroic efforts. Mayor Frost announced that on October 6, 2022, will be known in the city as Patricia Roberts Day and presented her the HERO award.

Ms. Roberts thanked the team that showed up to her daughter's house to help her son-in-law. She noted that they were very skilled and knew what they were doing. Ms. Roberts had worked in the ER at the American Fork Hospital and has had a lot of interactions with police officers, the firefighters, the EMTs, and the paramedics and appreciate their job in saving lives.

3. Presentation of the "Best of Utah Firefighter Challenge" Award to Darren Cooper, Scott Wilmore, Mike Savio, Mike Beltran, Robert Grady.

Dustin Cook from ServePro reported that American Fork firefighters have won the Best of Utah Firefighter Challenge award 4 years in a row. He stated that they are heroes in our community and ServePro decided to bring the challenge here locally, so local firefighters can showcase their abilities. He presented a video on the challenges they had competed in. Mr. Cook presented the trophy to the firefighters and recognized SIRQ construction for sponsoring and Council Member Hunter because he was very involved in helping put this event together.

4. Presentation of the HERO Award honoring Art and Mary Dye.

Mayor Frost honored Art & Mary Dye. He invited their posterity to come forward as he expressed appreciation for Art & Mary Day on behalf of the residents of the city for providing the means necessary for the city to build a park. Mayor presented a plaque that will be on a monument in Art Dye Park. On the plaque it states:

Art & Mary Dye lived in American Fork for all their married life. Mary, an orphan at 9 years old was taken in by Sovereign and Ellen Rasmussen who owned the American Fork Bottling company. Art Dye originally from Oregon moved to American Fork where he met Mary. Overtime Art and Mary fell in love were married in the fall of 1924. Art and Mary continued in their life in American Fork where they opened their own grocery store and café near their home on State Street which supported them and the community until they retired in 1951. Because Art and Mary Dye were never able to have children of their own, they decided to leave a different legacy for all the other children of American Fork. After Mary passed away, Art donated the land where the grocery store and café was located to American Fork City. With permission from the family the city sold the land and used those proceeds to purchase even more land further north. Today Art Dye Park exists as a monument to the generosity of Art and Mary Dye. A legacy that has blessed the lives of countless of children."

Mayor Frost commented that the plaque was donated by an anonymous citizen.

* Timpanogos Chorale performed a musical number for the council*

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

Steve Smith stated he has written to UDOT, and received an answer, regarding the intersection at 1120 North and 100 East. He noted when traffic is heading eastbound, there is a red arrow at the light, but people still make that left hand turn when it is red. He requested a speed radar trailer to monitor speed on that road. Mr. Smith also had concerns about cleaning up the streets. He had a neighbor dump dirt and rock in the street months ago and the debris is still there. Mr. Smith also mentioned the holes dug for the irrigation meters; the hole at his home has not been covered nor has the meter been installed.

Mayor Frost responded that they meet with UDOT on a regular basis would advocate for some traffic measures there as well as the police department. It was noted they would get word back to the contractor in charge of installing the irrigation meters.

Nick Merrill stated his sister-in-law visited over Thanksgiving and as she was leaving his house near the TOD area, she went off the road between the two rail tracks. An off-duty police officer helped her car get off the train tracks. Mr. Merrill thanked the American Fork Police department during after the incident for their professionalism and bravery. He also thanked the fire department for showing him and his wife how to put in a car seat in the car correctly. He expressed appreciation to the Parks Department for the lights at the park by the library. He thanked the streets department, Susan Goebel-Canning and Cheyenne Chaffin, for their help in responding to a crosswalk that needed to be repainted. He commended the library for securing a grant from the state and they now have a book bike which was a standard bicycle that has a crate filled with books attached to it. Lastly, he thanked the City Council and administration for passing Resolution 2022-05-23 which changed the street code to adhere to the general plan but also the bike and pedestrian master plan.

6. City Administrator's Report

Mr. Bunker expressed appreciation for the Heroes in our community, like Ms. Roberts. He congratulated the fire department for winning their 4th in a row in the Firefighters Challenge and representing the city well. He commented on how fantastic the Timpanogos Choir is. Mr. Bunker mentioned the library had Buddy the Elf come and entertain the children. He reported next week on Monday, the Winterfest Princesses will be coming to the library from 6:00 to 8:00 pm for a meet and greet. He stated that every Monday since November, there has been events in the Children's Room in the library and he thanked the Chamber of Commerce for their efforts to make sure these events happen. He wished everyone a Merry Christmas.

7. Council Reports

Council Member Hunter reported that the whole evening has been a culmination of what he loves about the community. The American Fork Symphony had a wonderful concert last night with beautiful arrangements and a packed house. He commented on sponsoring the firefighter

challenge for the past few years and commended how great of shape the firefighters are in and how it makes a difference on the job. He expressed appreciation for everything, from the lights downtown, to choir concerts, and to the firefighters who save lives every day.

Council Member Shelton reported he loved everything that had happened tonight. He stated he read a report which said that the number one health risk in communities right now was mental health. He expressed that a lot of events that have happened tonight or in the city allow people to have a way to release stress and express themselves in a way that helps with mental health. He appreciated that in our community to try to allow those little balance to happen. He added there's never a shortage of stories of someone struggling and was grateful that someone can serve that need.

Council Member Shelton also reported on dispatch on how they've done a great job in trying to help balance some of the call volumes for Station 51. He added that as his position on the executive committee, they are trying to get away from the county and the biggest issue that remains is on the continuity of call services.

Council Member Barnes reported that the fireman earned that award, but there are more that could be part of that due to the excellent fire department. He expressed appreciation for the police department for the things they do. He expressed how wonderful the chorale was and is indicative of this community. He saluted them and everybody who participates in these types of programs. He mentioned how Patricia Roberts was an institution in the ER at the hospital and how others looked up to her experience, knowledge, and maturity on the job. He finished with wishing everyone a Merry Christmas.

Council Member Carroll expressed her same sentiments as reported by other council members of the different events that have been happening around the city. She reported that she's been attending the Legislative Policy Committee meetings from the League of Cities & Towns. There are a couple of things of interest: they are looking to creating Standard Development Sizes that would be for all cities, Developer Infrastructure District similar to a PID, other land use issues such as ADUs. She shared this with the council, so they are aware of what is coming through the pipeline and watch out and be aware of.

Council Member Taylor reported he attended the swearing in of the firefighters last night. He expressed it was great to see wonderful men and woman being sworn in as firefighters and how serious they take their responsibilities and how Chief Brems leads that group. They honored David Laycock who retired after serving for nearly 30 years as firefighter. He expressed his appreciation for all the events that have happened in the city and the hard work that goes into that.

8. Mayor's Report

Mayor Frost related a story of a boy who said hello to him while he was in his car waiting at the light; the little boy was so excited to see the lights at the park. The lights have different meanings

for people, and he hopes that when people pass the park and see the lights that they will think of community. He mentioned the team effort it takes to make a community run smoothly from all departments including emergency personnel, parks, cemeteries, and engineers. He paid tribute to the city staff and all those that work for the city. Mayor Frost commented on the Senior Citizen lunch that he attended at the High School. He was impressed with the high school students and how well-mannered they were with the Senior citizens and how they made them feel special. He ended his remarks with a tribute to Bruce Cook, a member of the fire department for 20 years and was an owner/operator of a business Humphreys welding supplies, who passed away last week from a snowmobile accident. He stated that the city paid tribute to him by using the city emergency personnel to give him a dignified transportation and thanked the fire and police departments for helping with that and how grateful he was to live in a great community and be a part of it.

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 November 1, 2022, work session minutes.
2. Approval of the November 22, 2022, city council minutes.
3. Approval of the authorization to release the Improvements Construction Guarantee in the amount of \$85,988.80 and issue a Notice of Acceptance for the Timp Hollow Plat D construction of public improvements located at 1040 North 1190 East.
4. Approval of the authorization to release the Improvements Construction Guarantee in the amount of \$1,086,381.59 and issue a Notice of Acceptance for the AMERICAN FORK APARTMENTS/CASTLEWOOD construction of public improvements located at 900 West 200 South.
5. Approval of the authorization to release the Improvements Durability Retainer of \$2,250.00 for Swig, located at 135 East Main Street.
6. Ratification of city payments (November 16, 2022, to December 6, 2022) and approval of purchase requests over \$50,000.

Council Member Shelton moved to approve the common consent agenda as presented.

Council Member Hunter seconded the motion. Voting was as follows:

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

ACTION ITEMS

1. Review and action on a Performance-in-Lieu Agreement with HVAF 2, LLC regarding actual construction in lieu of providing an Improvements Construction Guarantee associated with Edgewater Townhomes Phase 2.

Amber Lamph, a property owner adjacent to this project, had some concerns to make sure items needed to be completed according to what was approved.

Mr. Bunker responded that typical developments are supposed to bond for improvements that are on the plans, however subdivisions have the right to do a performance-in-lieu. A performance-in-lieu is where the developer will install the improvements according to plans first without posting the bond, then the city will inspect the improvements. If accepted, then the city would accept the subdivision. He added it includes improvements that will be done according to the plans that were approved by city council and recommended by planning commission.

Ms. Lamph mentioned that they had signed a boundary line agreement that has still not yet been filed with the county. The agreement is at the city waiting to be filed. Mr. Bunker responded that he is unaware of an agreement waiting for the city to file.

Council Member Shelton moved to approve the Performance-in-Lieu Agreement with HVAF 2, LLC regarding actual construction in lieu of providing an Improvements Construction Guarantee associated with Edgewater Townhomes Phase 2 and authorize the mayor to execute the documents conditioned upon the boundary line agreement being filed with the county and recorded. Council Member Barnes seconded the motion.

Mr. Bunker had concerns regarding the condition of approval, as he did not think that would stop them from a performance-in-lieu agreement. Mr. Bunker responded with a recommendation for the council to table the item to make sure that this issue was properly addressed before approval.

Mayor Frost called for a vote on the motion that had been made. Voting was as follows:

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

2. Review and action on a Performance-in-Lieu Agreement with HVAF 2, LLC regarding actual construction in lieu of providing an Improvements Construction Guarantee associated with Edgewater Townhomes Phase 3.

There was a discussion among the council and staff regarding the wall that was mentioned in the previous action item, and whether or not that was required in this phase. It was noted there was a wall that needed to be re-designed in both project phases. It was felt this item should be tabled until the issue of the wall was resolved. When the lot plan approval was granted, the applicant was allowed to move forward with their plan with the condition that they post a bond for the wall. As the wall was an issue, it needed to be resolved before they move forward.

Council Member Shelton motioned to table the item until the wall issue can be resolved. 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, Shelton, Hunter, Taylor, Carroll

3. Review and action on the Art Dye dog park sponsorship and naming rights agreement with Doug Smith Subaru.

Council Member Taylor stated on the record that Doug Smith Subaru was his client and he had helped put this deal together, but he still planned on voting. He stated Doug Smith was excited about getting behind the dog park. The money donated was going to add improvements to the dog park on top of what was budgeted.

It was noted multiple people have complimented the dog park and were grateful for the addition.

Council Member Shelton moved to approve the agreement with Doug Smith Subaru for the Art Dye dog park sponsorship and naming rights. Council Member Taylor seconded the motion. Voting was as follows:

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

4. Review and action on an ordinance amending the Title of Division 17, Section 15.01.1830, Section 15.01.1840, and Section 15.01.1850 of the American Fork City Code relating to access management.

Council Member Shelton brought up some redundancy in the wording of the proposed language regarding acceptance of the city engineer and he asked that the language be simplified. He noted this was also in two additional sections of the ordinance.

Council Member Hunter moved to adopt Ordinance No. 2022-12-60 approving the code text amendments of the American Fork Municipal Code amending the Title of Division 17, Section 15.01.1830, Section 15.01.1840, and Section 15.01.1850 of the American Fork City Code with the amendments that have been stated earlier. Council Member Shelton seconded the motion. Voting was as follows:

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

5. Review and action on an ordinance setting the dates, time, and place of the 2023 City Council meetings.

Mayor Frost mentioned this was required by state law, but the dates can be modified if needed.

Council Member Shelton moved to adopt Ordinance No. 2022-12-61 setting the dates, time, and place of the 2023 City Council meetings. Council Member Hunter seconded the motion. Voting was as follows:

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

6. Adjournment.

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

Meeting adjourned at 8:38 p.m.



Stephanie Finau
Deputy Recorder