

AMERICAN FORK CITY
COUNCIL MEETING MINUTES
MARCH 11, 2014

PUBLIC HEARINGS

The American Fork City Council met in two public hearings on Tuesday, March 11, 2014, in the American Fork City Hall, 31 N. Church Street. Those present included Mayor James H. Hadfield, Councilman Carlton Bowen, Councilman Brad Frost, Councilman Robert Shelton, Councilman Jeff Shorter and Councilman Clark Taylor.

Staff present: Administrative Services Director/City Treasurer Melanie Marsh
Associate Planner Wendelin Knobloch
City Administrator Craig Whitehead
City Attorney (Civil) Kasey Wright
City Engineer Andy Spencer
City Planner Adam Olsen
Deputy Recorder Terilyn Lurker
Finance Officer Cathy Jensen
Fire Chief Kriss Garcia
Library Director Sheena Parker
Public Works Director Dale Goodman

Also present: Barbara Christiansen, Lela Bartholomew, Lorrie Stark, DeMar Young, John Woffinden, and Cheri Christensen

7:10 pm. Receiving of public comment regarding declaring certain items to be surplus including three vehicles, 36 voting booths, and other misc. items.
Mayor Hadfield explained that this public hearing was to receive comment on declaring certain items to be surplus. This list included three vehicles, 36 voting booths, and other miscellaneous items. Mayor Hadfield explained that the 2001 Crown Victoria has a value of \$3,000 for trade in if it were in perfect condition; however, it has a cracked intake manifold and needs transmission repairs and has been in the shop over 11 times in the last six months with over \$3,000 in repairs. The 2003 Trailblazer has a trade-in value of \$2,850 if it were in perfect condition; this vehicle has computer module problems and fuel injection problems and has had several thousand dollars in repairs in the last year.

Mayor Hadfield asked for comments. There being no comment, the public hearing closed at 7:14 p.m.

7:20 p.m. Receiving of public comment regarding the P & D Young Annexation consisting of 1.63 acres at 795 West 200 South.
Mayor Hadfield reported that no protests had been received for the P & D Young Annexation. This was the conclusion of the protest period and this would now be ready to move onto the Planning Commission to work out the annexation agreement. He asked for any comments.

Councilman Bowen commented that he was pleased Mr. Young wanted to annex and become a part of the city.

There were no additional comments. The public hearing closed at 7:22 p.m.

REGULAR SESSION

The American Fork City Council met in a regular session on Tuesday, March 11, 2014, in the American Fork City Hall, 31 North Church Street, commencing at 7:30 p.m. Those present included Mayor James H. Hadfield, Councilman Carlton Bowen, Councilman Brad Frost, Councilman Robert Shelton, Councilman Jeff Shorter and Councilman Clark Taylor.

Staff present: Administrative Services Director/City Treasurer Melanie Marsh
Associate Planner Wendelin Knobloch
City Administrator Craig Whitehead
City Attorney (Civil) Kasey Wright
City Engineer Andy Spencer
City Planner Adam Olsen
Deputy Recorder Terilyn Lurker
Finance Officer Cathy Jensen
Fire Chief Kriss Garcia
Library Director Sheena Parker
Police Chief Lance Call
Public Works Director Dale Goodman

Also present: Barbara Christiansen, Lela Bartholomew, Lorrie Stark, DeMar Young, John Woffinden, Cheri Christensen, Maxine Steele, Michael Callahan, Ken Berg, one citizen and many scouts and their leaders.

Mayor Hadfield welcomed everyone present and led the audience in the Pledge of Allegiance. Councilman Robert Shelton offered a prayer.

Mayor Hadfield had the scouts in attendance introduce themselves.

Troop 830 Conner Freestone

Troop 1129 Michael Jet Jensen

Troop 1149 Jared Leavitt

Troop 1151 Justin Corbridge, Matt Can, Elijah Haynes, Jason Hall, Jon Sharp, Tanner Blackhurst, Benjamin Miller, Aaron Larson, Joshua Reid, Anthony Carnesecca, Kaden Blackhurst, Zealan Tanner

Troop 1153 J. Phillips, Cy Dunkley, Kolby Jones, Jonah Beck, Carter Anderson, John Sorensen

Troop 1159 Keagan Murdoch, Payson Murdoch

Mayor Hadfield thanked them for coming and encouraged them to come to the City when looking for an Eagle Scout Project.

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

Lela Bartholomew explained she was the Executive Director of the Timpanogos Arts Foundation, which was the organization that took over the management of the former American Fork Arts Council. She stated the Timpanogos Arts Foundation was dedicated to providing affordable, excellent, artistic and cultural experiences to enhance the quality of life for the residents of American Fork and surrounding communities. The foundation represents a large group of volunteers who gives thousands of hours of service per month. As an example of volunteerism is the American Fork Symphony. They are fortunate to have the caliber of volunteer musicians who join together to create wonderful experiences for the citizens. The city's cultural vitality was important to the community. For every dollar spent in the Arts, \$7 was spent in the community. Because of the generous grant given to the foundation from American Fork City, they have been able to continue delivering affordable and outstanding arts programs to the residents. The restoration of this City Hall was made possible by the RDA's that were earmarked for the Arts, as well as improvements to the recreation center and the sound booth at the amphitheater. Ms. Bartholomew stated they were grateful for their support and they hope to enjoy the City's continuing support.

Mayor Hadfield stated he was in attendance at the performance and it was excellent. He thanked Ms. Bartholomew for her kind words.

Cheri Christensen stated she was the representative for the Timpanogos Chorale, our local community choir. Arts are an important part of the community and are essential to a civilized society. The members of the choir spend over 400 hours a month preparing for their concerts. They spent a lot of hours and put on a quality performance for a low cost. They do this not just for artistic opportunities for the members, but for the community. When they attend the performances, they are supporting the local arts and rewarding those who have worked so hard. They work hard on the performances and they enjoy seeing the people enjoy the performances.

Maxine Steele was with the American Fork Symphony. They appreciate everything the City Council does to support the arts in American Fork. Ms. Bartholomew was a wonderful administrator for the Timpanogos Arts. They were happy that the Mayor attended the concert and it was a wonderful performance enjoyed by all. David Fulmer was the guest conductor and he is an outstanding conductor. They appreciated the City's support and hope for their continued support, which they will need. Ms. Steele stated that they appreciated Jeff Shorter and Clark Taylor for their support on the Arts Council.

Michael Callahan stated he was the Chairman of the Timpanogos Arts Foundation and it was an enjoyable opportunity. He stated that the Foundation was actively looking to expand the

availability of the arts in the community as well as venues being offered. They hoped for the continued support of the community and the City Council.

Loree Stark stated she was the cast manager for the Timpanogos Chorale. She was not a citizen of American Fork but she was impressed with the arts in American Fork and chose to volunteer here. She also thanked the City for the support. She reported that the Timpanogos Chorale has been invited to sing in the National Memorial Day Festival in Washington DC. They are one of 15 chorale groups who will be singing under guest conductor Craig Jessop. They will be performing at the Kennedy Center the Sunday before Memorial Day. They have 32 members and spouses and family members going with them on this tour. They wanted to thank the City for their support and hoped for their continued support.

CITY ADMINISTRATOR

Mr. Whitehead reported that the Timpanogos Special Service District Board would be holding a public hearing on March 20, 2014, at 6:00 p.m. regarding the Impact Fee Facility plan, the Impact Fee Analysis and the User rates study. The Mayor pointed out the Republican Caucus meetings were that evening. Mr. Whitehead stated that had been pointed out earlier but they opted to keep the public hearing scheduled for that night; however, he was informed today that the date may now change. He will let the Council know if the public hearing changes.

COUNCIL REPORTS

Councilman Shorter reported that the Timpanogos Arts Foundation held their first annual planning meeting. They have great leadership and he appreciated the fact that there are dedicated people on the Board. They have some great ideas on making a home for the arts. He also liked the idea of getting people to donate and do it from their own pockets and not taxpayer dollars.

Councilman Shelton stated that he and Councilman Frost met with a citizens group of about five people to help them better understand what was going on in the city and to hear of their concerns. As he has been on the council for two years, he understood that it was not as easy as it looks.

Councilman Shelton had the opportunity to meet with the Chamber of Commerce, who were looking to move the Downtown Business Alliance beneath the Chamber of Commerce. They will bring more information on that forward. He has met with Dale Gunther on this, who has a lot of information on how to revitalize downtown. They are hoping to get some action going on revitalizing downtown instead of just a plan.

Councilman Shelton reported that the Chamber of Commerce was meeting with the policy committee on the Utah County Chamber. They were trying to get more equitable funding for education in Utah County, especially to the Utah Valley University.

Councilman Shelton thanked Maxine Steele for being a wonderful teacher. She did a great job teaching him.

Councilman Taylor reported that this week they had the opportunity to meet with the Utah County Commission. He stated that there was a restaurant tax that the County uses for various projects in the county. With 91 different eating establishments, American Fork was a large donor to that tax. Last year, the city petitioned to the county for a substantial amount of funds for park improvements at Art Dye. That was done a year ago and they met again with them yesterday. They had a wonderful meeting and the County Commissioners were cooperative and anxious to meet with the City and they talked about the project and funding again. Barbara Christiansen did a great job reporting that meeting. Councilman Taylor stated it would cost about \$5.5 million to fund the park; however, they do not have those funds and so they went to the county to talk about options that they have. They could go to businesses and to individuals to ask for help. The county was supportive of that. What the County brings to the City would be appreciated.

Councilman Taylor commented that he has worked with the Arts Council for a total of about six years. There was not a more passionate group of artists. He applauded them for all their hard work year after year. He urged all of them to partake of the arts, from painting and water color to children's theater and children's choir to the symphony and the chorale. They are being recognized as great teams of people.

Councilman Frost thanked his colleagues in the way they represented the City's interest to the County. It was a kind, firm, diplomatic approach and he thought it would bear fruit.

Councilman Frost reported that with regards to the cemetery expansion, the task force was preparing information to give the Council at the March 20 work session. They were excited for the council to see what options they have.

Councilman Frost stated that the theme for Steel Days was "Past, Present and Future." They were very excited for the celebration and the element will be brought out in each of the activities. They have thought about a video production for American Fork City to be a part of the big show. They came up with 50 things they felt American Fork was good for; it was a good reminder that they live in an incredible area and they have a great quality of life. They have secured a very generous donation for the production of the video.

Councilman Bowen commended the scouts who were here tonight. There are many things the city does that touches their lives in more ways than they realize, from the roads they drive on to the water they drink.

Councilman Bowen stated that he has children that participate in the arts and they enjoy it. They pay for them to do so. The Arts is a lot of volunteer efforts and he encouraged them to continue operating on a volunteer basis rather than asking for government funding. He thought it could continue to happen with volunteers who are willing to share their talents.

MAYOR'S REPORT

Mayor Hadfield complimented the arts. It was a Quality of Life issue and it goes back many years when they had the Pageant of the Arts that put American Fork on the map. They continue to grow and develop, but it comes with a price. They recognize those things that are a quality of life and they want it to continue to benefit the citizens. They will continue to support the Library

and Recreation Center and Arts in the community because it makes American Fork a better place to live.

Mayor Hadfield stated that Saturday was the second Pancakes and Politics events at the American Fork Hospital. They met with senators and representatives from American Fork. He appreciated them and their efforts.

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 February 20, 2014 city council work session minutes.
2. Approval of the February 25, 2014 city council minutes.
3. Approval of the City bills for payment, manually prepared checks, and purchase requests over \$25,000 – Cathy Jensen

Councilman Taylor moved approval of the common consent agenda as presented. Councilman Shorter seconded the motion. All were in favor.

ACTION ITEMS

REVIEW AND ACTION ON A RESOLUTION DECLARING CERTAIN ITEMS TO BE SURPLUS INCLUDING THREE VEHICLES, 36 VOTING BOOTHS, AND OTHER MISC. ITEMS - Staff

Mayor Hadfield explained that a public hearing had been held at 7:10 p.m. and no comments were made.

Councilman Shelton moved to approve Resolution No. 2014-03-08R declaring certain items to be surplus. Councilman Shorter seconded the motion.

Councilman Bowen stated that his understanding was that the surplus items went to a website where they were auctioned off and the city would receive a large portion of the funds. He questioned if the vehicles were also auctioned on the same site. Mayor Hadfield stated that in most cases they were, however, they have had some success selling the motorcycles on EBay.

Mayor Hadfield called for a vote on the motion. All were in favor.

REVIEW AND ACTION ON A RESOLUTION INDICATING THE CITY'S INTENT TO ANNEX THE RED LEAF ANNEXATION CONSISTING OF 1.81 ACRES AT APPROXIMATELY 825 EAST 50 SOUTH – Ken Berg

Mayor Hadfield stated that Ken Berg was present to answer any questions they may have. It was noted that this would start the protest period. He asked if there were any comments or questions.

Councilman Frost moved to approve Resolution No. 2014-03-09R indicating the City's intent to annex the Red Leaf Annexation consisting of 1.81 acres at approximately 825 East 50 South. Councilman Taylor seconded the motion. All were in favor.

REVIEW AND ACTION ON THE SPLITTING OF THE PLAT OF THE FOUR-WAY ANNEXATION AT 1100 EAST 300 NORTH INTO TWO PLATS AND REPEAL OF PREVIOUS ORDINANCE NO. 2014-01-04 AND APPROVAL OF THE FOLLOWING:

- A. THE FOUR-WAY ANNEXATION ON 1100 EAST AT APPROXIMATELY 300 NORTH CONSISTING OF 3.58 ACRES INCLUDING THE ORDINANCE OF ANNEXATION AND PLACEMENT OF THE PROPERTY IN THE R1-12,000 RESIDENTIAL ZONE – Ron & Shirley Fausett
- B. THE FOUR-WAY NUMBER TWO ANNEXATION ON 1100 EAST AT APPROXIMATELY 300 NORTH CONSISTING OF .46 ACRES INCLUDING THE ORDINANCE OF ANNEXATION AND PLACEMENT OF THE PROPERTY IN THE R1-12,000 RESIDENTIAL ZONE – Utah County

Mayor Hadfield explained that the first annexation was the Ron and Shirley Fausett portion of the Four-Way Annexation at 300 North 1100 East.

Councilman Bowen stated that he supported the annexation but thought that a commercial zone would be a great addition to the area. He would support in the future making that commercial.

Councilman Shelton moved to repeal Ordinance No. 2014-01-04 and approval of the Ordinance of Annexation No. 2014-03-07 for the Four-Way Annexation at approximately 300 North 1100 East consisting of 3.58 acres and placement in the R1-12,000 Residential zone and approval of the Ordinance of Annexation No. 2014-03-08 for the Four-Way Number Two Annexation at approximately 300 North 1100 East consisting of .46 acres and placement of the property in the R1-12,000 Residential zone. Councilmembers Frost and Shorter seconded the motion. All were in favor.

Mayor Hadfield explained that the Four-Way Number Two Annexation property was owned by Utah County.

REVIEW AND ACTION ON THE DEPARTMENT OF HERITAGE ARTS, UTAH STATE LIBRARY DIVISION'S (USL) MEMORANDUM OF AGREEMENT FOR COMMUNITY LIBRARY ENHANCEMENT FUNDS – Sheena Parker

Mayor Hadfield explained this was a grant that Sheena Parker has applied for and this would be an additional \$7600 to the Library.

Councilman Bowen asked who the grant was from, and he was told it was from the State of Utah Department of Heritage Art Library Division.

Councilman Shorter moved to approve the USL Memorandum of Agreement for Community Library Enhancement Funds. Councilman Taylor seconded the motion. Those voting aye were: Councilman Shorter, Councilman Taylor, Councilman Frost and Councilman Shelton. Councilman Bowen voted nay. The motion carried.

REVIEW AND ACTION ON THE AWARD OF A CONTRACT FOR THE AFC – REMOVAL AND DISPOSAL OF DEBRIS – Dale Goodman

Mayor Hadfield explained that when the City did work such as street sweeping, cleaning of sumps or storm drains or water/sewer repairs, there were bins where the wet material from those projects was kept until it could be dried out and disposed of. This contract was for the segregation and disposal of those materials.

Mr. Goodman pointed out that the cost of \$12.25 was for the removal of the debris and taking that debris to the landfill. They were able to work out a deal with the low bidder where the City would pay the landfill directly; this would save approximately \$1 per ton.

Councilman Shelton asked if they were storing materials behind Art Dye Park. Mr. Goodman explained that they did store asphalt there until there was enough asphalt to take to a facility to be recycled; that was not included in this bid.

Councilman Shelton moved to accept the bid submitted by Landmark Excavating, Inc. for the AFC-Removal and Disposal of Debris contract in the amount of \$12.25 per ton, and authorize staff to proceed with the preparation of contract documents. Councilman Taylor seconded the motion.

Councilman Frost thought this was a good thing; it did not require a certain amount of tonnage and this could be evaluated in a few months to see if this was the best option for them.

Councilman Shorter commended them for looking for saving money.

Councilman Bowen stated that on the last vote, he did not feel that other cities should pay for our library and that we should pay for our own library. He stated that they were getting money from the state, which was getting money from citizens throughout the state; the library was just for our city. Mayor Hadfield indicated that there was an Interlocal Agreement that allowed citizens of other communities that are part of the agreement to use our library; this grant would mean \$7,600 that someone in our community would not be paying in property taxes. Mr. Whitehead stated that this was a grant received every year and every library throughout the State received a grant. Councilman Bowen had wanted to explain his reasoning for voting against the approving the grant.

Mayor Hadfield called for a vote on the motion for the AFC-Removal and Disposal of Debris contract. All were in favor.

REVIEW AND ACTION ON THE APPROVAL OF THE AWARD OF A CONTRACT FOR THE 860 EAST IMPROVEMENTS 2014 PROJECT FUNDED THROUGH THE UTAH VALLEY BUSINESS PARK RDA AS PART OF THE AMERICAN FORK REDEVELOPMENT AGENCY – Andy Spencer

Mayor Hadfield stated that this was talked about in the RDA meeting and that Mr. Spencer had a bid before them this evening.

Councilman Shorter moved to accept the bid submitted by S & L, Inc. for the construction of the 860 East Improvements 2014 Project in the amount of \$313,018, with a ten percent contingency allowance of \$31,300 for a total project amount of \$344,318, and authorize

staff to proceed with the preparation of contract documents; also directing that the contract documents be modified to allow for partial authorization of all improvements not associated with the “Welcome to American Fork” signage at the corner of 860 East/1100 South (The improvements associated with the signage shall be delayed in award until UDOT permission is obtained). Councilman Shelton seconded the motion. All were in favor.

REVIEW AND ACTION ON A RESOLUTION REGARDING THREE NEW AMERICAN FORK CITY FEES REGARDING OPERATIONS OF THE FIRE DEPARTMENT – Chief Garcia

Chief Garcia explained the three fees. The Hot Work permit was allowed by the International Fire Code, which covers cutting, grinding, welding and application of roofs that use open flames; it allowed them to give the contractor a list of requirements. Temporary Membrane Structure would allow them to go to the structure and ensure the public’s safety. The Hazardous Materials Address Search was a fee for when the Fire Department was asked to research the area for any hazardous materials; this was time consuming and currently done at no charge.

Councilman Taylor moved approval of Resolution No. 2014-03-10R revising the current City Fee schedule as highlighted in the resolution. Councilman Frost seconded the motion.

Councilman Bowen stated that as a citizen he did not like paying higher or new fees or having to go through extra permitting processes.

Mayor Hadfield called for a vote on the motion. Those voting aye were Councilman Taylor, Councilman Frost, Councilman Shelton and Councilman Shorter. Councilman Bowen voted nay. The motion carried.

REVIEW AND ACTION ON THE APPROVAL OF AN AGREEMENT WITH THE CONSULTING FIRM OF LEWIS, YOUNG, ROBERTSON, AND BURNINGHAM (LYRB) FOR CONSULTING SERVICES IN REVIEWING AND ENSURING COMPLIANCE WITH THE RECENTLY REVISED EGG FARM ECONOMIC DEVELOPMENT AREA – Craig Whitehead

This was pulled from the agenda as action was taken at the RDA meeting.

REVIEW AND ACTION ON THE ADOPTION OF A RESOLUTION APPROVING AN AGREEMENT WITH ZION’S BANK PUBLIC FINANCE FOR A 4-YEAR LEASE/PURCHASE OF A 2014 FORD EXPEDITION FROM KEN GARFF FORD – Chief Garcia

Mayor Hadfield explained that this was previously approved in November, 2013. They were looking to obtain a GM vehicle but that agreement was not finalize. They were now looking at working with Zions Bank for a Ford vehicle..

Councilman Shelton asked what the other interest rates came in at. Cathy Jensen explained this was 1.09% and the only other bid came in at 4.75%.

Councilman Bowen asked how they currently got to the locations. Chief Garcia stated that two of the vehicles on tonight's surplus list were old vehicles from the fire department. They were using a surplused police vehicle in the meantime. Chief Garcia stated that they were literally a breakdown away from using UTA. The vehicles were not in good repair and this would replace two vehicles.

Councilman Shelton moved approval of Resolution No. 2014-03-11R approving the agreement between American Fork City and Zions Bank Public Finance for the financing of the first responder vehicle. Councilman Frost seconded the motion. Those voting aye were Councilman Shelton, Councilman Frost, Councilman Shorter and Councilman Taylor. Councilman Bowen voted nay. The motion carried.

ADJOURNMENT

Councilman Shorter moved to adjourn the meeting at 8:25 p.m. Councilman Taylor seconded the motion. All were in favor.



Terilyn Lurker
Deputy Recorder