

AMERICAN FORK CITY COUNCIL
JUNE 6, 2023
WORK 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
Camden Bird	Assistant City Administrator
Derric Rykert	Community Services Director
Patrick O'Brien	Development Services Director
Stephanie Finau	Deputy Recorder
Aaron Brems	Fire Chief
Cameron Paul	Police Chief
Anna Montoya	Finance Director
Cherylyn Egner	City Attorney
Susan Goebel-Canning	Public Works Director

Also present: Kate Sorenson (PARC Board), Spencer Stevens (Harrington), Cody, and Josh Walker (Chamber of Commerce).

Notice is hereby given that the American Fork City Council met in a work session on Tuesday, June 6, 2023, in the City Administration Conference Room, located at 51 East Main Street, commencing at 4:00 p.m.

WORK SESSION

The purpose of the 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 Frosted opened up the work session stating that agenda item #4 will be discussed first. He commented that it will be going on the Planning Commission agenda for tomorrow night and then moved forward to the next City Council meeting.

1. Discussion on the allocation and procedures for disbursement and accounting of PARC Tax funds.

Mayor Frost commented that things were left unresolved the last time this was discussed and wanted to bring it back for a discussion on the allocation and disbursement of funds. He added that this is an action item for June 20th city council.

Council Member Shelton stated that he felt this year's process is different than what they've done in the past; this year it's drawn out and discussed in multiple work sessions. Council Member Hunter voiced his concern on the process of accountability of the funding, not necessarily the allocation and the monitoring of it. He added that if there are excess funds, where do they go? Is it being accounted for? He felt there was no process for excess funds and would like to see something to better account for that.

Mayor Frost added that there should be a process similar to the city does and is accountable and strict that shows where the funds go. He suggested that a small fee be built in for the administrative cost. He reported that he had talked to Mr. Bunker and Mrs. Montoya about hiring someone part time to help administer that need, watch the funds, help facilitate those end users, and how it is accounted for. That person would also be able to help explore other grants for the city as well.

Discussion ensued between Council Member Shelton and Council Member Hunter as to entities using outside accounting firms and setting up guidelines that would require a compliance letter. One council member suggested outsourcing and hiring someone that looks and collects receipts which can provide a level of protection in case of misuse of funds. The other council member added there is no process right now that allows the entities to come to the council when there is excess money left and ask the council how they would like to utilize those funds and suggested to hire someone internally to do that job.

Mayor Frost stated that he felt the city is capable of being able to do the job internally and follow the process that the city has in place.

Anna Montoya added that the city applies for a grant, 99% of the time we are providing those receipts to the awarding agency; we are asking for reimbursement for expenses that we have already incurred. She stated that they hardly ever get an advanced blank check, we have to be accountable, and it would be the same process where they report back to us what they've spent whether it's in a financial statement or excel doc and then verify that amount whether it would be on a reimbursement basis or after the fact.

The council discussed the process of accountability, reimbursements, and standards from writing grants to showing receipts of how the money is being used.

Cherylyn Egner commented that the last time the council discussed this, there were some things that were of concern as to whether some events would qualify pertaining to their requests.

- LIVE AF
 - Looking at their requests, it would be the “drone show”. That is a separate artistic event. It can be a “drone show” presented by LIVE AF. It would be part of Steel Days, but LIVE AF is putting on the event.
 - American Forks Got Talent (AFGT) – This is a separate isolated event that is not part of any contract the Chamber has with the city, it would be AFGT presented by LIVE AF and would be a Steel Days Event. Ms. Egner stated that they did request prize earnings and gifts for contestants, but that type of funding wouldn’t be allowed. The funding that is needed to put on the event is allowable.

She reported that adding bands to the parade where they request funding causes some concern given it is benefiting a 3rd party. She stated that it is benefiting the Chamber as opposed to it being the LIVE AF event.

Ms. Egner suggested that they speak directly with the organization about the sale of sponsorships and where those funds go. She stated that as long as it is very clear that this is a LIVE AF event and funding goes to them and it can be utilized for other events in the future. As for non-profit we just need to make sure that these separate events are very distinct and isolated events put on by LIVE AF and that funds are received and directed only to them.

Ms. Egner commented on Harrington for the Fork Fest request for \$600 for a bounce house, she felt that it goes beyond the scope of art and culture. The Holiday Market and live nativity gave her pause due to it opens up future request funding for live nativity funding a religious presentation. She added that it may lead to another religious group or cultural organization requesting funding to put on some other type of religiously related event that the city might not be as excited to fund it. There isn’t a requirement to fund it, but you run the issue of whether to fund it for one reason or another.

Discussion about putting it in the policy so it’s defined what funding is for and set a precedent. Also discussed that sometimes you don’t know until a request is received and it is something that hasn’t not been brought up before and determining how does it qualify.

Council Member Carroll questioned what Holiday Market entails. Harrington representative Spencer Stevens specified what Holiday Market falls under. Mr. Stevens commented that if they call it a “Makers Market” all vendors would have to meet requirements and all their products would have to be handmade. He stated that they are trying to support artisans and artists for the community.

Ms. Egner felt it falls in the gray area but can be justified if the Council feels it is good use of the funds due to promotion of artists. The Council had a detailed discussion in regard to religious organizations and how that would be defined in the policy in receiving funding.

Mayor Frost commented that they'll put more thought into this agenda item and come back on the 20th to pass it. He asked the Council if they were looking to come up with a policy, a written document.

Mr. Bunker stated to the Council that they have a right to assign funds any way they desire because monies collected are tax dollars. He added that they are not obligated to give any dollars to any projects no matter who they are. There doesn't have to be a specific policy stating it has to be exactly this way to qualify or not.

Mayor Frost suggested that if anyone had concerns, they could talk to the applicant or the PARC Tax recipient or the PARC Committee. He asked for the council to do their homework and come back on the 20th along with the budget.

Each council member had the following concerns.

- Fork Fest huge funding request for a two-day event.
- Creating a scenario where entities cannot survive without PARC tax money.
- What policy should be written and what procedures to follow.
- Being more involved in the process with the PARC Tax Committee or trusting their recommendations.
- Recommended that there be a drone show and direct \$23,000 towards that and some go towards the talent show.
- Concerts in the parks
- Live nativity (do not weigh in this year).

Mayor Frost stated that he wanted everybody on board to move towards some kind of accountability with the money.

2. Discussion on proposed general fee schedule amendments.

Anna Montoya presented the proposed fee schedule amendment. She requested all the departments to submit any changes that they had to their specific fees. Any changes are red lined with the justification for it.

Council Member Shelton had questions about the Fire Marshall fee/Public Works fee regarding a third-party consultant being hired for any inspections. He stated that there should be notice given to the applicant for the scope of the work that was given to them. He also brought up working with certain engineering firms and suggested that the applicants take it to certain engineering firms that the city chooses to work with and that way it is on their timetable and the scope of the work is directly from them. It makes the process more transparent and cleaner than what's currently happening.

Mr. Bunker replied that one of the issues is that when we contract with these consultants, they give us a different rate than they would a private contractor. The city gets a better rate, and those savings are passed on to the developer or builder. He added that if we ask applicants to go directly to an engineering group they may pay more and what if they don't pay them, how do we keep

track of that. He stated that the city contracts through a third party to get the city work done due to the workload.

Discussions ensued regarding hourly fees and the type of fees that are being charged to the applicant. Mr. Bunker did state that the agreement that is being signed does say that they are willing to be responsible for third party charges. He did agree that the type of work and charges should be stated to the applicant prior to the project beginning.

Ms. Egner commented that her understanding is that there are some estimates being put into those applications. She stated that she and Mr. O'Brien did change verbiage on the agreement to reflect that.

Council Member Carroll agreed that there needs to be accountability measures along the way so the applicant is aware of the hours and charges they will be billed. Discussion amongst staff and council ensued about different types of fees associated with third party engineering, Public Works and verbiage that will be used on the agreement.

Harbor fees were discussed and how there was not a non-resident fee. Recreation center fees are also going up along with park fees for pavilions and non-residents being charged.

Council Member Barnes commented on the Fitness Center fees for non-residents also. Mr. Rykert replied that Fitness Center fee was increased by \$100 for non-residents to help offset the costs. The council and staff discussed the increase in the Fitness Center and how much more to increase annual passes compared to Lehi City.

3. Review of the fiscal year ending June 30, 2024, budget book.

Ms. Montoya presented the changes to the tentative budget. She reported on the city-wide expenditures proposed for FY2024. Capital projects are the majority of where the money is going. There is a lot going on with capital investment growth projects. Personnel is less than 25% of the total budget same as operations. She commented on a survey analysis with HR with specific ranges and positions but varies with each department.

Mr. Bunker stated that they received feedback from some of the department heads specifically for certain positions within departments and that were having difficulty making sure that ranges are in line. Based on the feedback and work, a recommendation is to make some range adjustments within these departments. He added that this is different than what was talked about in the tentative budget that was approved which is why he's bringing it up. He stated that all increases are merit based. He went on to explain that when the city advertises jobs publicly, applicants look at the ranges being offered. The range of pay adjusts according to position and to stay competitive for applicants to want to work for the city.

Council Member Shelton shared his concerns about range adjustments and how someone might think it is automatic. Discussion ensued in detail pertaining to the range adjustments based on the survey. Mr. Bunker reiterated again that the range adjustments amounts were not included in the tentative budget.

Ms. Montoya continued with her presentation. She commented that with the increase in budget, they need to find the funds to be able to pay for it. Public safety, police and fire ordered radios

which came in earlier and that will be taken as a budget amendment in the 2023 year which gives the city excess for next year and that helps with the pay adjustments.

Ms. Montoya discussed the increase in capital investments with the Auto Mall connection. Property was purchased in FY2023 just for the design and in FY2025 it will come back with the construction amount. She mentioned discussions about the grant administrator would come out of the grant's funds and a portion of that is park administration. She stated that there was an increase in inspection and hourly rates with the fee schedule. She anticipates more revenue for the inspection revenue for development and capital project inspections.

She discussed the FTE that changed from the current budget year to the new budget year. She stated the only thing that has changed is the Grant administrator and a record specialist changing from part-time to full-time due to the need. There will be 3 full-time equivalents.

Ms. Montoya reported that there is an increase in salaries with the range adjustments, part of that will be funded by capital and a little bit of extra revenue in the current proposed budget. She brought up the discussion of the \$1.00 proposed property tax increase, if the council chose not to it would come out of capital. She asked Mayor Frost if they should move forward or hold off on the Truth & Taxation.

Mr. Bunker led the discussion with the different scenarios and options if they decide to go with Truth & Taxation. If the council decided not to proceed, then the money will be reallocated.

The council shared their views on which option would be the best pertaining to Truth & Taxation. Mayor Frost felt that forgoing the increase in tax this year is the best option and take a look at it next year and do it every other year.

- Council Member Taylor expressed his opinion, knowing the budget will be tight and agreed with the mayor.
- Council Member Shelton felt that Truth & Taxation should be done every year to have the residents get used to the tax increase.
- Council Member Hunter expressed that he is for a tax increase every other year and not have it on an election year that way it's based on merit or the need for it.

Council Member Shelton inquired if the council would be willing to adopt a resolution to have Truth & Taxation every other year.

Council Member Shelton excused at 6:48 pm.

- Council Member Carroll was okay with pushing it off until next year and didn't mind the idea of adopting a resolution. She did agree that small increases in taxes would be better.
- Council Member Barnes felt that if the tax increase is implemented every other year the increase will be twice as much.

Discussion amongst the council ensued in opinions pertaining to doing a Truth & Taxation and how it affects the city and its residents.

4. Continued discussion on water efficiency standards.

Camden Bird reported that he provided the Planning Commission packet along with the ordinance that Cherylyn Egner, the city attorney had put together. He stated that they are following the

requirements the Central Utah Water Conservancy District (CUWCD) asked them to do, which is 35% residential landscape-able area. He referred to slopes, new businesses, and park strips.

Council Member Shelton had some questions. He inquired where it states that “*we encourage all individuals*” if that was a requirement. Mr. Bird replied it wasn’t and neither is it part of the requirement from the CUWCD, but the council could make it a requirement and define it as such.

Council Member Shelton had concerns about 1721.020 Item #3 stating that “*Landscape shall have enough plant material to create at least 50% living plant cover at the ground plane, not including tree canopies...*” and asked if that was part of the requirement. Responses from other council members included that anything can be included in that plant cover from grass to shrubs and included in the hardscape. Mr. Bird stated that it was a requirement listed on the city ordinance, but it is only a recommendation from CUC and can be changed to be a recommendation. Mr. Bird commented that the city can remove it as a requirement and add a statement to support all the recommendations that fall under the CUC.

Discussion amongst the Council ensued about different recommendations and requirements for water efficiency standards by the CUC pertaining to agriculture property, new construction, resident properties, and what is the best way to enforce it and define it in the ordinance.

Council Member Shelton brought up the \$200 fee to qualify for a reduction in utilities until the city starts metering. He commented that the fee was originally for secondary water to help regulate it. He wanted to adopt as part of the resolution a way not to pay the \$200 fee if residents do the mapping and go through everything that is associated with the CUC recommendations to get the rebate. Response from the council differed depending on the type of hardscape residents install and how much water they conserve will depend on the waiving of the fee until metering takes place.

Discussion ensued amongst the Council regarding having this come before the Planning Commission or moving it forward to get it on the agenda. They also discussed verbiage and situations that can be input in the ordinance and if staff will be the one to enforce it. Mayor Frost commented that CUWCD would be the one to go out and check if the resident complies with their standards to get the rebate.

Mayor Frost stated that the minutes will be held for this item from the Planning Commission until they can read through them and see the discussion that Planning Commission has had as well in case, they may have more ideas than the Council.

5. Adjourn.

The meeting adjourned at 6:53 pm.



Stephanie Finau