

AMERICAN FORK CITY COUNCIL
FEBRUARY 26, 2019
REGULAR SESSION MINUTES

Members Present:

Brad Frost	Mayor
Kevin Barnes	Council Member
Staci Carroll	Council Member
Barbara Christiansen	Council Member
Rob Shelton	Council Member
Clark Taylor	Council Member

Staff Present:

David Bunker	City Administrator
Camden Bird	Admin Analyst
Wendelin Knobloch	Associate Planner
Lauralee Hill	Deputy Recorder
Kyle Maurer	Finance Officer
George Schade	IT Director
Timothy Merrill	Legal Counsel
Adam Olsen	Senior Planner
Darren Falslev	Police Chief
Scott Sensanbaugher	Public Works Director

Others present: Ryan Bazzelle and family, Crystal Pyne and family, Odell Miner, Josh Walker, John Woffinden, Josh Christensen, and several others.

Scouts present: Wade Griffiths, Brad Giles, Dawson Wigington, Joshua Atwood, Jake Jones, Henry Reid, Cohen Reid, Evan Williams, Jason Reid, Carson Giles, Weston Larson, Ian Brinkerhoff, Willem Emmett-Red, and Grayden Leifson, all of Troop 1151.

REGULAR SESSION

The American Fork City Council met in a regular session on **Tuesday, February 26, 2019, in the American Fork City Hall, 31 North Church Street, commencing at 7:00 p.m.**

1. Pledge of Allegiance; prayer by Council Member Shelton; roll call.

Mayor Frost called the meeting to order at 7:30 p.m. He led the audience in reciting the Pledge of Allegiance. Council Member Shelton offered a prayer. Roll call was taken.

Mayor Frost changed the order of the awards and presented Ryan Bazzelle with his award first, and Crystal Pyne with her award second.

2. Presentation of the HERO Award to Ryan Bazzelle and proclaiming February 26, 2019, as Ryan Bazzelle day.

A video about Ryan was viewed. Through the video the audience learned that on Valentine's Day, Ryan, a sophomore at American Fork High School, delivered a flower and a note to every single girl (1,200 in all) in his high school. This was the third year in a row, beginning when he

was an 8th grader that he worked in the summer to earn money to purchase enough long-stemmed carnations for every single girl.

Mayor Frost invited Ryan to come forward. He asked him what made him start this uplifting tradition and Ryan answered that he had noticed in Junior High that some girls were sad that they didn't receive anything special on Valentine's Day. He decided to take steps to change that. Mayor Frost presented Ryan with the Hero Award and commended him for his heroic effort. He read the messages that Ryan included with his flowers in the past three years. This year's message was "There is something in you that this world needs." The Mayor commended Ryan for his courageous caring and declared February 26, 2019, Ryan Bazzelle Day in American Fork City.

Ryan Bazzelle spoke briefly at the invitation of the Mayor. He spoke of an English teacher who inspired him to "be a marigold-not a walnut tree." He learned that walnut trees impacted plants around them negatively, while marigolds helped the plants near them to grow by protecting them from pests and weeds. Ryan decided to be a marigold, which is how his flower gifting tradition was born.

3. Presentation of the Chamber of Commerce Community Service Award to Crystal Pyne.

Mayor Frost invited Crystal Pyne to come forward. He stated that she had been a volunteer victims' advocate for four years. She had donated countless hours assisting victims of crime, covering court appearances, and working with City prosecutors. She had taken a lead role in conducting monthly "Safe School" meetings with school district staff and Wasatch Mental Health, working to proactively stop the cycle of abuse among community members. Crystal had taken initiative to expand services to victims of fraud and identity theft. This past year, Crystal provided support to nearly 100 victims of crime. Crystal recently completed the State of Utah's Victim Assistance Academy course. Her exemplary action qualified her for this award and showed how one individual's efforts could make a tremendous difference. Mayor Frost presented the 2019 Community Service Award to Crystal Pyne on behalf of Police Department, the Chamber of Commerce, and American Fork City.

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

There were no public comments.

5. City Administrator's Report

David Bunker encouraged the Council and Community to add Monday, March 18, to their calendars noting that a Utah Preparedness Expo sponsored by Cedar Hills City would take place from 5:00 to 8:00 pm on that day at the Cedar Hills Community Recreation Center. American Fork Fire and Police Departments planned to participate in the Expo.

6. Council Reports

Council Member Taylor had nothing to report but noted that he enjoyed starting the meeting off with awards for outstanding community members.

Council Member Carroll noted how inspiring it was to hear of people who, out of their own volition, took action to make a difference. She also stated that she attended the Public Open House for the Murdock Connector and that she had taken photos of the maps available for those who wanted to view them. For those who were interested in staying up-to-date, a website would be set up that would post updates on the project. She felt that the public response seemed pretty good, and she mentioned that there were many UDOT representatives available to explain every detail of the road.

Council Member Barnes stated that he had nothing to report.

Council Member Shelton said he attended another meeting for North Pointe Solid Waste, noting that he always learned something new through attendance at these meetings. Residents often asked him when American Fork City would offer green waste curbside pickup, as several other cities in Utah County offered this service. He learned that the curbside green waste that was picked up by these other cities just ended up in the landfill because it became “dirty” green waste due to contamination from other items mixed in. The only green waste used for composting was what was brought in citizens’ trucks and trailers. This waste was sifted carefully for contaminants before it was sent away to a third party. Third parties would then ship the waste off for the composting, and then, if desired, ship it back for sale and distribution in the City. In some cases, it was shipped as far as California. Council Member Shelton stated that this was especially interesting in looking to 2020, when the Timpanogos Special Service District would no longer accept green waste, and American Fork City would need to find a new way to dispose of it. As of right now, the operations board was looking at ways to address this need. When Timpanogos no longer accepted green waste, this would add a significant load to the already busy Saturdays at North Pointe Solid Waste. While North Pointe Solid Waste looked at ways to become more efficient, perhaps the City could better advocate the free dump passes provided to property owners, so as to allow people to dispose of their green waste quickly rather than stockpiling it on vacant lots.

Council Member Shelton noted that he and Council Member Carroll, along with David Bunker, met with a developer to discuss Main Street and opportunity zones. He was happy with the productive meeting that generated many ideas.

Council Member Shelton also attended the Beautification Committee meeting and said that they approved and recommended the change discussed by the Council with regard to attendance and removal policies from the committee. He asked City Attorney, Tim Merrill, if his office could help generate the verbiage that needed to be added to the bylaws. Mr. Merrill recommended that the Beautification Committee generate its own bylaws. Understanding that just an amendment was needed, he asked that the new language be emailed to him so he could prepare the amendment.

Council Member Shelton also attended the Planning Commission meeting. He said that the Commission discussed the need for additional training to better understand what they legally can require. He recommended setting aside a little money in the upcoming budget to assist with the desired training.

John Woffinden expressed that attendance at the Planning Commission meetings was low (20-50% attendance) and desired to add the same attendance policy discussed for the Beautification Committee to the bylaws of the Planning Commission.

Finally, Council Member Shelton made reference to a challenge he had received via social media to attend the American Fork vs. Pleasant Grove men’s basketball game. American Fork lost by three points. He stated that it was nice to be part of the two communities coming together at an athletic competition and enjoyed networking with the Pleasant Grove City Council.

Council Member Christiansen met a few months ago with someone who was interested in sustainability. She said she was part of an exploratory effort to determine what level of interest there was in communities across the country to have sustainability committees or individuals. At the end of March they would assess the findings. She also noted that the Wasatch Show Band and Wasatch Winds put on a great performance the previous night.

7. Mayor's Report

Mayor Frost reported that he was also at the American Fork Symphony the previous evening. He said it was well-attended and noted that the symphony had been functioning for 25 years. He then reported on having met with children at Forbes Elementary School and said he felt encouraged by the upcoming generation of kids. During his visit, third grade students reported on something of interest to them using technology. He noted that the students were remarkable. Lastly, he participated in “Meet the Candidate” night. He said that many insightful questions were asked of him and that he enjoyed the evening.

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 January 29, 2019, Work Session minutes.
2. (Common Consent Agenda) - Consideration regarding authorization to release the Improvements Construction Guarantee in the amount of \$548,377.98 and issue a Notice of Acceptance for the Stonecreek Plat A construction of public improvements located at 100 West 900 South, American Fork, Utah. *(Requested by Scott Sensanbaugher, Public Works)*

Council Member Taylor moved to approve 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:	Barnes, Carroll, Christiansen, Shelton, Taylor

ACTION ITEMS

1. Ratification of City payments (February 5, 2019, to February 19, 2019) and approval of purchase requests over \$25,000.

Mayor Frost commented that the information discussed tonight had been in the Council packets and on the City's website since last Friday. The Council had been preparing all weekend to make decisions at this meeting.

Council Member Shelton moved to approve City payments (February 5, 2019, to February 19, 2019) and purchase requests over \$25,000. Council Member Taylor seconded the motion. Voting was as follows:

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

2. Review and action on an agreement for Ovard Annexation consisting of 1.169 acres at approximately 340 North County Boulevard. (Requested by Adam Olsen, Planning)

Council Member Taylor moved to approve the agreement for the Ovard Annexation consisting of 1.169 acres at approximately 340 North County Boulevard.

Council Member Taylor mentioned that he continually found appreciation for the notes the Planning Commission included, as they were especially helpful in making decisions.

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Clark Taylor, Council Member
SECONDER:	Staci Carroll, Council Member
AYES:	Barnes, Carroll, Christiansen, Shelton, Taylor

3. Review and action on an agreement for the Hoggard American Fork City Annexation consisting of 12.115 acres at approximately 300 South 1000 West. (Requested by Adam Olsen, Planning)

Council Member Shelton moved to approve the agreement for the Hoggard American Fork City Annexation consisting of 12.115 acres at approximately 300 South 1000 West. Council Member Christiansen seconded the motion. Voting was as follows:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rob Shelton, Council Member
SECONDER:	Barbara Christiansen, Council Member
AYES:	Barnes, Carroll, Christiansen, Shelton, Taylor

4. Review and action on an agreement for the American Fork Boat Harbor Annexation consisting of 66.05 acres at approximately 1700 South 100 West. (Requested by Adam Olsen, Planning)

Council Member Taylor moved to approve the agreement for the American Fork Boat Harbor Annexation consisting of 66.05 acres at approximately 1700 South 100 West. Council Member Barnes seconded the motion.

Odell Miner thanked the Council for their assistance in the process. He added that it had been a pleasure working the City's staff.

Council Member Christiansen noted that she found humor in the fact that American Fork City was entering into an agreement with itself (American Fork City) as well as several others.

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Clark Taylor, Council Member
SECONDER:	Kevin Barnes, Council Member
AYES:	Barnes, Carroll, Christiansen, Shelton, Taylor

5. 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 the final plat of Proctor Estates Subdivision, consisting of 2 lots, located at 200 South 460 East in the R-4-7,500 Residential zone. (Requested by Adam Olsen, Planning)

Council Member Taylor moved to approve the final plat of Proctor Estates Subdivision, consisting of two lots, located at 200 South 460 East and to authorize the Mayor and City Council to sign the plat and accept the dedications with instructions to the City Recorder to withhold recording of the plat until all conditions identified in the public record associated with the February 6, 2019, Planning Commission have been met. Council Member Christiansen seconded the motion. Voting was as follows:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Clark Taylor, Council Member
SECONDER:	Barbara Christiansen, Council Member
AYES:	Barnes, Carroll, Christiansen, Shelton, Taylor

After the vote Council Member Barnes taught the scouts that this meeting was what made American Fork, American Fork. He noted that even though the happenings of the evening seemed small, they were very important in the City.

- b. Review and action on Ordinance 2019-02-06 adopting the final plat and site plan of Pennylane Townhomes Phase 3 Amended, located at 200 South 460 East in the R-4-7,500 Residential zone. (Requested by Adam Olsen, Planning)

Council Member Carroll moved to approve the final plat and Ordinance 2019-02-06 adopting the site plan of Pennylane Townhomes Phase 3 amended, located at 200 South 460 East in the R-4-7,500 Residential zone and to authorize the Mayor and City Council to sign the plat and accept the dedications with instructions to the City Recorder to withhold recording of the plat and publication of the ordinance until all conditions identified in the

public record associated with the February 6, 2019, Planning Commission meeting have been met. Council Member Taylor seconded the motion.

Council Member Christiansen noted that the total number of units was 32 but they were numbered up to 58. She asked for an explanation on the discrepancy. Adam Olsen confirmed that there were 32 total units. He said that the numbers started on 28 instead of on 1. Council Member Carroll noted that she hadn't known that 460 East was a private road. Mr. Olsen confirmed that this was the case.

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Staci Carroll, Council Member
SECONDER:	Clark Taylor, Council Member
AYES:	Barnes, Carroll, Christiansen, Shelton, Taylor

After the vote, Mayor Frost stated that he met with the project manager. He noted that this was located within the “opportunity zone.”

- c. Review and action on Ordinance 2019-02-07 approving a commercial site plan for the Riverbirch Medical Office, located at 24 North 1100 East in the PO-1 Professional Office zone. (Requested by Adam Olsen, Planning)

Council Member Taylor moved to adopt Ordinance 2019-02-07 approving a commercial site plan for the Riverbirch Medical Office, located at 24 North 1100 East with instructions to the City Recorder to withhold publication of the ordinance until all conditions identified in the public record associated with the February 6, 2019, Planning Commission meeting have been met.

Council Member Taylor noted that this was the last commercial parcel available in this development.

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Clark Taylor, Council Member
SECONDER:	Staci Carroll, Council Member
AYES:	Barnes, Carroll, Christiansen, Shelton, Taylor

- d. Review and action on the final plat of Kastell Von Schmuhl Subdivision, consisting of 2 lots, located at 195 West 700 North in the R-1-9,000 Residential zone. (Requested by Adam Olsen, Planning)

Council Member Christiansen moved to approve the final plat of Kastell Von Schmuhl Subdivision, consisting of 2 lots, located at 195 West 700 North and to authorize the Mayor and City Council to sign the plat and accept the dedications with instructions to the City Recorder to withhold recording of the plat until all conditions identified in the public record associated with the February 6, 2019, Planning Commission meeting have been met. Council Member Barnes seconded the motion.

Council Member Carroll expressed appreciation to the Planning Commission for the detailed notes included in the packet which answered all the questions she had.

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Barbara Christiansen, Council Member
SECONDER:	Kevin Barnes, Council Member
AYES:	Barnes, Carroll, Christiansen, Shelton, Taylor

6. Review and action on a Reimbursement Agreement with Wasatch Residential Group for widening of roadway along 600 East. (Requested by Scott Sensanbaugher, Public Works)

Council Member Carroll asked how these reimbursement agreements fit within the City’s budget. Mr. Sensanbaugher explained that when the work was completed they applied for reimbursement. Staff would then inspect the project to ensure it met the City’s standard, and would subsequently begin the process of issuing a check. Many of these projects were funded through the use of impact fees. Occasionally some of these funds went negative. Council Member Carroll asked if the City just allowed those projects to come in: they didn’t try to regulate these projects. Mr. Sensanbaugher answered affirmatively, explaining that these projects were development-driven.

Council Member Shelton explained that these types of agreements were beneficial to City because they removed mobilization costs. Additionally, through these agreements the City would not need to tear up roads to upsize infrastructure. He felt the City should continue seeking these opportunities.

Council Member Carroll agreed that reimbursement agreements were more efficient. She questioned whether having a lot of development occurring at one time overburdened the budget.

Council Member Barnes asked if developers ever received a credit against the impact fees they were required to pay. Mr. Bunker explained that while the City had offered credits in the past, staff was trying to avoid this practice because there were so many opportunities for those records to be lost. Reimbursement agreements were the better practice.

Mr. Maurer added that, typically, in finances, staff issued purchase orders to encumber those funds. Since these projects were development-driven, the City did not have very much lead time. As long as they were in the facility plan they were approved.

Council Member Carroll moved to approve the Reimbursement Agreement for Wasatch Residential Group. Council Member Christiansen seconded the motion. Voting was as follows:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Staci Carroll, Council Member
SECONDER:	Barbara Christiansen, Council Member
AYES:	Barnes, Carroll, Christiansen, Shelton, Taylor

7. Reimbursement Agreement for Woodside Homes of Utah, LLC. at Stonecreek Plat A. (Requested by Scott Sensanbaugher, Public Works)

Council Member Taylor moved to approve the Reimbursement Agreement for Woodside Homes of Utah, LLC. Council Member Carroll seconded the motion. Voting was as follows:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Clark Taylor, Council Member
SECONDER:	Staci Carroll, Council Member
AYES:	Barnes, Carroll, Christiansen, Shelton, Taylor

8. Review and action on a Cooperative Agreement with the Utah Department of Transportation for conduit installation in American Fork Canyon. (Requested by George Schade, Technology)

Council Member Shelton moved to approve the Cooperative Agreement with the Utah Department of Transportation for conduit installation in American Fork Canyon. Council Member Taylor seconded.

Council Member Carroll commended City staff for a contract that was well done and would be valuable to the City. She mentioned a small error in the contract on page three which City staff noted.

Mayor Frost called for a vote. Voting was as follows.

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

Mayor Frost asked about the timeline from start to finish. Mr. Sensanbaugher stated that the idea was that the project would be completed by May or sooner. Council Member Shelton stated that it would be a new canyon with the cave and fiber optics improvements. Council Member Carroll asked when construction would start. Mr. Sensanbaugher stated that the project officially started three weeks ago when staff issued a notice to proceed; however, it took a few weeks to mobilize, which included the ordering/manufacturing of the pipe.

9. Review and action of a Reimbursement Agreement for Willow Glen 700 West. (Requested by Scott Sensanbaugher, Public Works)

Council Member Shelton moved to approve the Reimbursement Agreement for Willow Glen 700 West. Council Member Barnes seconded the motion. Voting was as follows:

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

10. Review and action of a Connector's Agreement (a/k/a Pioneering Agreement) for Willow Glen 700 West. (Requested by Scott Sensanbaugher, Public Works)

Council Member Taylor moved to approve the Connector's Agreement for Willow Glen 700 West. Council Member Christiansen seconded the motion. Voting was as follows:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Clark Taylor, Council Member
SECONDER:	Barbara Christiansen, Council Member
AYES:	Barnes, Carroll, Christiansen, Shelton, Taylor

11. Water Banking Agreement for Patterson Construction Inc. (Requested by Scott Sensanbaugher, Public Works)

Council Member Shelton moved to authorize the City to sign the Water Banking Agreement for Water Rights with Patterson Construction, Inc.

Council Member Shelton asked if the Council see would more of these water banking agreements as development continued. Mr. Sensanbaugher answered affirmatively.

Council Member Carroll seconded the motion.

Council Member Barnes noted that this seemed like a lot of water. Mr. Sensanbaugher agreed.

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rob Shelton, Council Member
SECONDER:	Staci Carroll, Council Member
AYES:	Barnes, Carroll, Christiansen, Shelton, Taylor

12. Review and action on a Master Services Agreement with Sumac International. (Requested by George Schade, Technology)

Council Member Taylor said he was prepared to make a motion but suggested one change to Service Order Number One on the back page. He suggested scratching Item B entirely from Service Order Number One. Everything else would remain the same.

Council Member Taylor moved to approve the Master Services agreement with Sumac International noting the change to strike Item B in its entirety from Service Order Number One. Council Member Carroll seconded the motion.

Council Member Shelton asked Council Member Taylor if he would be willing to add to the motion the placing of a cap monetary sum of \$100,000 for the total master service agreement. Council Member Taylor agreed to amend the motion accordingly.

Council Member Christiansen asked if the travel costs would be included in this \$100,000 sum. Council Member Barnes calculated that the numbers, which totaled \$83,750. When taken from \$100,000, this left roughly \$17,000 left over for travel and legal services. He noted that he was personally worried about authorizing people to travel on the City's nickel unless there was this kind of cap. They could always increase the cap in the future.

Council Member Taylor asked if travel needed to be approved before it occurred. Mr. Bunker confirmed that this was the case, and stated that Sumac gave an estimate that was approximately \$5,000 for travel.

After further discussion on the matter, Council Member Barnes stated that he didn't see anything under Item A relating to travel costs; rather, this information was included under Item C. Mr. Merrill stated that this was on page 1, paragraph 1 of the agreement, which he read as follows: "any travel-related expenses will be billed separately at cost." Council Member Barnes asked why this wasn't included on the last page like it was for the other entity; both entities should be treated the same. He preferred everything to be readily accessible.

Council Member Taylor amended his motion to add the placing of a hard cap of \$100,000, with Council approval required for anything beyond that amount. Council Member Carroll accepted the amendment and seconded the motion.

Council Member Barnes mentioned one typo that needed to be corrected. Staff noted and corrected the error.

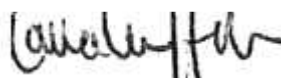
Mayor Frost called for a vote.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Clark Taylor, Council Member
SECONDER:	Staci Carroll, Council Member
AYES:	Barnes, Carroll, Christiansen, Shelton, Taylor

13. Adjournment

Council Member Carroll moved to adjourn. Council Member Taylor seconded the motion. Voting was unanimous.

The meeting was adjourned at 8:03 p.m.



Lauralee Hill, Deputy Recorder