

**ALPINE CITY COUNCIL MEETING**  
**Alpine City Hall, 20 N. Main Alpine, UT**  
**October 10, 2017**

**6:30 City Council photo shoot at Alpine City Hall**

**7:00 Regular meeting**

**I. CALL MEETING TO ORDER:** Mayor Sheldon Wimmer called the regular meeting to order at 7:00 pm.

**A. Roll Call:** The following were present and constituted a quorum.

Mayor Sheldon Wimmer

Council Members: Lon Lott, Kimberly Bryant, Roger Bennett, Ramon Beck, Troy Stout

Staff: Shane Sorensen, David Church, Charmayne Warnock, Austin Roy, Chief Brian Gwilliam

Others: Loraine Lott, Ed Bush, Loretta Lukers Brockbank, Karl Naegle, Liesa Naegle, Gary Borne, Jeff Berglund, Charles Engberson, Sylvia Christiansen, Bob Bowman, Mike Adams, Mike Crossley, John Williams, Martha Williams, Harvey Hutchinson, Susan Paiser. Mike Paiser, Jan Menlove, Terry Averett, Noel Jones, Charlie Williams, Tom Hunter, Marcelle Jacobsen, Paul Bennett, John Schiess, Jeff McCain, Daryl Stallings, Craig Malouf, Reg Garrett, Ralph Garrett, Teresa Cospes, Katrina Kennedy, Kathy Willard, Denise Goettsche, Marianne Smith, Kerry Smith Bryan Taylor, Krista Layton, Bell Cardinas, Bob Pollan, Evelyn L. Jensen, Cori Russon, Allison Bench, Loretta Stevens, Kelly Payne, Norine Garrett, Greg Clark, Jim Robinson, Bob Antress, Bob Stenquist, Colby Birrell, James Auble, Melinda Auble, Mark Drouby, Alan Jensen, Tom Ferrier, Ralph Summers, Glen Hilton, Carla Merrill, Rod Haskins, Clark K. Parker, Fred Dawson, Lisa Boyd, Richard Hintzie, Mike David, Clay Shubin, Tanner David, William Crockett, Marcia Crockett, Brad Ferguson, Colin Grant, Karen Ketch, Greg Ketch, Virginia Kennedy, Darcy Kennedy. Stephen Snyder, Ted York, Rhett Anderson, Mike Russon, Ray Beckstrom, Kevin Birrell, Braden Bigbee, Becky Bigbee, Joe Hart, Debra Hart, Andy Lawrence, John Lohner, Adele Leavitt, Eli Payton, H. LT. Moss, Boydean Frazier, Karen Quick, Jennifer Stout, Margie Holmes, Holly Nash, Vera Frazier, Kristin Eberting, Matthew Eberting, Kevin Hurley, Mark Goodsell, Rebecca Higgins, Steve Larsen, Clark Burgess, Nora Burgess, Doug Malm, Clark Parker

**B. Prayer:** Kimberly Bryant

**C. Pledge of Allegiance:** Matthew Eberting

**II. PUBLIC COMMENT:**

**Rebecca Higgins -Alpine Boulevard.** She said she received a mailer talking about how the City would get about \$500,000 in fees if they annexed some subdivision. She asked how that worked. Sheldon Wimmer said the City collected impact fees for every home that was built. The fees were used to provide infrastructure. Ms. Higgins said she understood that those fees didn't actually come to the City.

Shane Sorensen explained that all the impact fees came to the City except for the Timpanogos Special Service District impact fee. It was pass-through fee. The City collected it and sent it to the TSSD for every new sewer connection.

Ms. Higgins identified the different impact fees which she had paid when they built their home in Alpine two years ago. They paid fees for storm drain, streets, parks, sewer, water, and pressurized irrigation.

Shane Sorensen explained that impact fees were calculated on a citywide basis, and not for just a particular subdivision. The impact fees were used for storm drain projects, streets, the water system, etc. He said the pressurized irrigation fee was calculated differently from the other fees. It was based on the square footage of the lot so it differed from residence to residence.

Ms. Higgins said the reason for her question was because she had received a letter in August from an attorney inviting her to participate in a class action lawsuit against the city for excessive impact fees. She said she had told them no. She said Alpine should be really careful because this group was suing cities in Utah county and were

winning in Lehi. She said she moved to Alpine because she wanted to live in a small, well-cared for community. Holliday used to be like Alpine and was rated one of the safest community with a rating of 88 out of 100 but they grew and now had a safety rating of 9. She said Alpine had a safety rating of 86 and she didn't want to see what happened in Holladay to happen in Alpine.

Troy Stout said he would like to add to Rebecca Higgins' comments. He felt that the letter that came out in the Newslite about the annexation bringing in a profit in impact fees was slanted to opinion and not facts. They had discussed impact fees quite a bit. He said the City didn't get all those impact fees at once. If three homes were built in the first four years, those would be the fees they would get for that time period. He said property tax revenue was almost never profitable. It was break even at best. The homes that were built higher in the hills were more expensive to maintain. As the community grew, they had to add staff and expenses. He said it was not fair to represent annexation as profitable. The City got a one-time impact fee from each new home that was used for specific targets.

Sheldon Wimmer said the impact fees that were collected went into specific funds in the City budget and had to be used for that purpose. He said annexing properties that were developing in the county provided an opportunity to have the impact fees paid to the City. If the development remained in the county, they received the impact fees, but Alpine got the impact of the development on our roads and parks and water system. He said the purpose was of annexation was not to make a profit. The property tax revenue was about a wash. The benefit of annexation was that the impact fees were paid to Alpine instead of the County.

Sheldon Wimmer asked Rebecca Higgins if he could see the letter that she had received excessive impact fees.

Rebecca Higgins said she was not proud of what happened in Holliday as the population grew. She was a realtor and had sold a lot of homes. The school quality went down and crime went up. Traffic increased.

**Matthew Eberting** said he was there for approval of an Eagle Scout project. He planned to build a tire obstacle course in the park in the Park at South Pointe Subdivision which was in his neighborhood. He had talked to Shane Sorensen and Jed Muhlestein about the safety requirements for playgrounds. He presented pictures of what he wanted to do and said he was collecting tractor tires. He would organize other scout to dig the holes for the tires and drill holes in the bottom of them so the water would drain through. The Council said they thought his proposed project was a great idea.

**Tom Hunter - Elk Ridge Lane.** He said that at the Council meeting two weeks ago the Council had voted to amend the previously approved Obere Annexation Agreement. They decided to change the agreement so the new development was accessible only by Elk Ridge Lane. He had listened to the recording trying to determine how that decision was in the best interest of the City, and concluded that it would save the City a million dollars. He said there were currently only four people living on Elk Ridge Lane with the potential for five more residences. Since they would be severely impacted by the extension of Elk Ridge Lane, he thought they should have been notified about the change.

Shane Sorensen said the City sent out notifications on proposed subdivisions but not on amendments.

David Church clarified that the amended Annexation Agreement did not amend the subdivision. What the Council did amend was the order of operation. The connection of Elk Ridge Lane to the proposed development was always part of the Agreement. Elk Ridge Lane and Grove Drive would both be access roads. There was a provision in the original Agreement that required the developer to work with the City on widening Grove Drive, which would require condemnation of a right-of-way. The City made a decision that they were not going to condemn the property necessary to widen Grove Drive. The amended Agreement would connect Elk Ridge Lane earlier than stated in the original Agreement. The original Agreement stated that Elk Ridge Lane was to be connected prior to the platting of 30 lots. The amendment to the agreement stated that Elk Ridge Lane would be connected prior to platting 11 lots. Mr. Church said there was no change in the road configuration. The subdivision would connect to both Elk Ridge Lane and Grove Drive.

Tom Hunter said he wasn't saying the change was a bad thing. He just wanted to be involved when something like that came up.

Troy Stout asked what would be the best way to notify him. Mr. Hunter said that when he got a phone call, he listened. He would also appreciate a letter.

Sheldon Wimmer said the agenda was posted and emailed out to everyone on the Mayor's Message list. Mr. Hunter said he was on that list but hadn't noticed the email.

**Kerry Smith - 1230 E.** He said there were questions regarding the fire department that came up during the Primary campaign that were never answered. In 2011, the City raised taxes to hire additional firefighters and they were never hired.

Sheldon Wimmer said taxes were raised for the benefit of the Lone Peak Public Safety District and were not tied directly to hiring firefighters. It was a tax increase that went to the District.

Troy Stout said he remembered that the vote was to specifically add individuals to uncovered shifts. Another issue was that there were not enough firefighters to respond to a call and allow someone to go inside the burning structure and still have the necessary number remain outside, as was required.

David Church said the Lone Peak PSD was comprised of Alpine and Highland for police protection and Alpine, Highland, and Cedar Hill for fire protection. It was an independent board with representatives from the different cities. Each city got an assessment from the District. He said Alpine City did raise taxes to fund their assessment. Highland was having a hard time financially at that time and could not fund their share so there was not enough money to man the stations as they hoped. He said Alpine's assessment was more than the total property tax revenue the City collected. A good portion of sales tax revenue also went to fund the police and fire. He said that if there was a concern that the tax increase went to fill Alpine City coffers, it did not.

Mr. Smith said the station in Alpine was never fully manned. The citizens of Alpine were paying for services they didn't receive. If Alpine City paid their share and Highland couldn't, why did Highland get it?

David Church said it was a joint enterprise. The bulk of the money cities spent was for public safety. The fire department ended up doing something that was a little controversial in that they had three people at the station and one on call. He said personnel was the highest cost.

Kerry Smith said he was told that Lehi had to respond to the last fire because Alpine didn't have enough firefighters.

Sheldon Wimmer said that was mutual aid. The Lone Peak fire engines were there from the beginning. Lehi, American Fork, and Pleasant Grove also responded, which was how the cities assisted one another. They had three firefighters in the station. The NFP standard was four and they would like to have four. They would soon be hiring a new fire chief. Staffing the firehouses was a need they were trying to fill. He said a study was done in February that showed the fire department had an average of two runs a day, which was a fairly low work load, but they had to be staffed in order to respond. OSHA also required it. The PSD Board was working to accomplish that. Four people in all the firehouses would cost more money. To cover the fourth person, they had the battalion chief cover it.

Troy Stout said the Lone Peak fire department was the first responders at the last fire. Other fire departments showed up as part of the mutual aid agreement between the cities.

Kerry Smith said that if a tax increase came around again, Highland needed to pay for it. In the primary election, both candidates said there were no problems. He'd read the audit and there were problems. People were quitting and someone was prosecuted.

Sheldon Wimmer said that was correct. One of the firefighters had been prosecuted. They were currently seeking to hire other firefighters. The audit done by John Dougall had six findings. Three of them had been taken care of. An additional sheet showed allegations that had been made, which were looked into, but were deemed insufficient for further investigation. He said that if they looked at the audit done on the fire department north of Alpine, the Lone Peak PSD came out really well.

Troy Stout said that one of the claims was that there was massive fraud and the firefighters were not responding because they were unhappy. He said there were morale issues but they could be addressed in a way that would solve the problems.

Sheldon Wimmer said that last Wednesday he had met with Nathan Crane, Highland City Administrator; they took a statement from firefighters about their concerns, and they were looking into them. They were talking about having a work session with the Board in the next few weeks.

Shane Sorensen said he didn't want people to think Highland City was not paying their fair share. The formula for assessment was based on both population and households. Each city was paying their share according to that formula.

Mayor Wimmer agreed saying that Highland City and Cedar Hills were paying their fair shares.

### **III. CONSENT CALENDAR**

#### **A. Approve City Council minutes of September 26, 2017**

**MOTION:** Lon Lott moved to approve the minutes of September 26, 2017. Troy Stout seconded. Ayes: 4 Nays: 0 Lon Lott, Roger Bennett, Ramon Beck, Troy Stout voted aye. Kimberly Bryant abstained saying she hadn't seen the minutes. Motion passed.

**IV. REPORTS and PRESENTATIONS:** None.

### **V. ACTION AND DISCUSSION ITEMS.**

**A. Public Hearing – Installation of Pressurized Irrigation (PI) Meters:** Mayor Wimmer thanked the citizens for attending and said Shane Sorensen would first review the proposal to install meters on the pressurized irrigation water. The public would then be welcome to comment. He reminded them that Alpine City's public hearing etiquette included no clapping or cheering. If someone's concern or comment had already been stated by an earlier speaker, please don't repeat the same information. He said the Council would not be voting on this issue that evening. It was for information only.

Shane Sorensen said they had a good turnout. The City had tried to get the word out through different mediums including the state and Alpine City website, Newline, newspaper, and phone calls so citizens would be aware of the proposal and have an opportunity to comment. He said a public hearing was not required by ordinance but they wanted citizen input. He said John Schiess of Horrocks Engineers was present and they had both been involved with Alpine's pressurized irrigation system since it was designed. He said cities were charged with providing utilities for both current and future citizens. There were still a lot of areas in Alpine that hadn't been developed; they estimated they were at about 65% buildout so they had to plan for future service.

Shane Sorensen delivered a power point presentation on the proposal. Alpine City had applied for, and been awarded, a grant for one million dollars from the Bureau of Reclamation for PI water metering. The projected cost for the project was 2.5 million dollars. It would be constructed over two or three construction seasons unless funding could be worked out, in which case it could be done in one season.

The project involved installing a meter on each PI service in Alpine, and installing an automatic radio meter reading system which would come to City Hall through a phone signal. A benefit of this system would be enhanced water conservation. Utah was the second driest state in the nation and they needed to be able to provide water for the citizens, both present and future. Another benefit is that it would provide early leak detection with real time data collection that would be available to both the water user and the City. Currently, the City read the meters twice a year which meant that if someone had a leak near the beginning of the six-month cycle, they wouldn't know about it until the meter was read again in six months. That resulted in a lot of wasted water and was also very expensive for the homeowner.

In terms of rates, they anticipated that the base rate would be similar to what residents were currently paying for their PI water for normal irrigation of their landscaping. If water was used beyond that, they would see a different rate system. The base rate would be calculated using collected data.

Shane Sorensen said that in 2014 they started updating the water master plan, and made a presentation to the Council about what improvements would be needed to support buildout if they continued on the path they were on. It included numerous improvements including a new storage tank, booster stations, upsizing lines, and a new well. The estimated cost was \$10,804,934.25. They also presented an estimation of what improvements would be needed at buildout if they adhered to water conservation principals. The estimated cost was \$1,166,424.00. He said that if the City chose not to meter, it was very likely that one day they would be required to meter the water. The Governor had goals and was implementing programs to conserve water in Utah. At some point, the population of the state would force them into metering. He said Saratoga Springs had done a citywide metering project and saw a 40% reduction in water usage. Payson City had installed metering in part of the city and showed a reduction of 15%.

Mr. Sorensen said the metering system they were looking at cost 89 cents per month to use the radio system. Users who wanted to use more than their base rate would help fund the necessary improvements to meet the demands. He said that before the pressurized irrigation system was installed, they estimated the peak day demand was about 3.3 gpm (gallon per minute) per acre. The designed standard was 3.39 gpm, but when they designed the PI system for Alpine, they planned for 7.2 gpm per acre in anticipation of future growth. In 2012, the citizens were using 10.1 gpm per acre which exceeded what the system was designed for. He said that the higher the demand on the system resulted in lower the pressure available to the users. If people were experiencing low pressure in their area, it was probably because the water use in that area exceeded what the system was designed to deliver.

Since Alpine City had implemented a conservation plan which restricted watering to certain days and times, they had obtained a 25% water savings. If they continued to use water without conservation efforts, it was estimated that it would cost approximately 10.8 million dollars to provide water to the citizens at buildout. If they conserved water, it was estimated that it would cost about 1.1 million dollars in improvements to provide water at buildout. The City Council made a decision at that time to go with the conservation option.

Shane Sorensen said the PI system they installed several years ago had worked great. It allowed the City to use surface water early in the season and save pumping costs until later in the summer. But when they had a drought year, and they'd had about five in a row, they had to pump wells to provide water to meet the need. They'd had all the wells running but a big well went down which had significant impact on their system. The well was still down but they anticipated it would be up and running for spring. Fortunately, the weather had been cooler so they didn't have to pump as much water.

Mayor Sheldon Wimmer thanked Shane Sorensen for the presentation and opened the meeting to public comment.

**Charles Engberson – Grove Drive.** He said he saw a lot of water going down the ditch in the spring and wondered why they didn't build a bigger reservoir so they didn't waste all that water. He added that he had already contributed a primary share of water to the PI system, which was worth about \$10,000.

Sheldon Wimmer clarified that the people who contributed their irrigation water to be used in the PI system actually retained ownership of their share. The agreement was simply that the City would use the water to put into the system. In return for allowing the City to use the water in the PI system, the property owner received a reduction in his water bill.

Mr. Engberson said his neighbor had a half-acre. He had an acre and had fruit trees and a garden. He asked if that was taken into account because he paid a higher bill.

Shane Sorensen said the PI rate was based on the square footage of the lot, which was he and his neighbor had different rates. For lots in excess of 1.5 acres, if they were not landscaped, they received a break on the rate.

Mr. Engberson said he was unable to water his entire lot in the hours allotted to him.

Lon Lott said that quarter acre lots had the same watering window as acre lots, but it was expected that quarter acre lots would not need to water the entire 12 hours. For people on larger lots with a lot of landscaping, that window hadn't worked out very well. Shane Sorensen said that if they metered the PI water, they may not be restricted to a 12-hour window.

David Church reminded the audience that the hearing was about metering the PI water. A future city council would determine the rates. They may keep the rates the same or they could go up or down. The real issue many were facing was water pressure. If the City metered the PI water, it would enable the City to have different rate structures based on actual usage rather than the square footage of the lot. The bills for large water users would likely go up if the water was metered.

Mr. Engberson said he the PI system saved 70% of the water that was going down the ditch, but would he have to go back to using a ditch in order to get the water he needed?

Sheldon Wimmer said the problem was that the reservoirs were capable of handling only so much water. They were also looking at another option which involved working with CUP.

Shane Sorensen said the PI reservoirs were pressure regulating reservoirs, not storage reservoirs. They only had enough water in them for one day, and their purpose was to control pressure. Mr. Sorensen explained a little more about the CUP water. In the late 90s, the City contracted with CUP for an allocation of water. When the City installed the PI system, they applied for a 3.5 million dollar grant, which they received. A condition of the grant was that they would give back half of the City's CUP allocation, which was then used to enhance flows into Utah Lake to preserve the June Sucker. That worked out well for Alpine because the City couldn't use the CUP water anyway. The nearest pipeline was down by American Fork. Since that time, the pipeline had come closer and was at the mouth of American Fork Canyon, but still was not usable to the City. He said that if Alpine City had been using the CUP water, they would have been paying \$113,000 year for it. However, that fee had been waived because CUP was using Alpine's share of the water. Alpine City was currently working with CUP to get that water into the City. Part of the discussion included a pipeline and a larger reservoir.

**Kevin Hurley – Alpine Boulevard.** He said he had an acre and bought the property with the intention of raising animals. He needed water for pasture for cows and fruits trees, etc. He had deeded his irrigation water over to the City for the PI system with the idea that it would be cheaper to water his ground, but he hadn't seen it. If they were going to meter the water, he understood he would still be charged for an acre lot. Maybe the City should allow him to subdivide his acre into smaller lots instead of raising cows. That way he could recoup some of what he paid for his lot. Shane Sorensen said that no one deeded their shares to the City unless it was for development. What they had done was pledge their water for use in the PI system, but they retained ownership of their irrigation share.

**Harvey Hutchinson – Paradise Lane.** Mr. Hutchins said he had traded some land with the City and was currently watering the city's land which was part of the arboretum. If they metered the water, it wouldn't be fair to charge him for the city land. That needed to be worked out. He said he had a second concern. Most of his career as an engineer was planning for the efficient and appropriate use of water. He said Israel had a land area about the size of Utah and they had a population of almost 10 million people. They didn't let a drop of water above ground. It was all subsurface watering. It was important that they look, not a sprinkling, but a subsurface watering. It was expensive to put into place but used about half the water. They were running out of water in Utah, and the population was growing. He suggested they look at subsurface watering. With sprinklers, they lost about half the water to evaporation.

**Mark Goodsell- 200 North.** He said he was hearing a lot about how metering would affect the individual but that wasn't the point. They were talking about conserving water. He said that everything he consumed was metered, items bought at the grocery store, gasoline. He said he didn't go anywhere that he didn't pay for exactly what he used. They had a limited supply of water and they weren't metering it. That was crazy. They needed to conserve water and how could they do that if they didn't meter it. He said the City had his full support for metering and he would even pay for his meter. It was essential. As a community they needed to get together to conserve. Whoever was using the most would pay for it. Those who were conserving, would benefit.

**John Magnussen - 280 South.** He said he agreed with the previous gentleman. Whoever used the most should pay the most. He had a question about the current rate. He owned 2/3 of an acre and was assessed for that, but he irrigated only a small portion of his lot. He asked if he would still be charged for 2/3 or an acre with metering on top of that. He said the metering rate should start at zero. If they maintained the flat rate based on lot size, there would be those who were paying for water they didn't use. Sheldon Wimmer said that was something they needed to look at.

Shane Sorensen said that generally there was a guaranteed base rate to cover the bond. Mr. Magnussen asked where the other 1.5 million dollars was coming from to pay for the metering. He asked where were they on the current PI bond. Shane Sorensen said it was about half paid.

**Laura Hobbs – Dry Creek Lane.** She said this was an issue that had raised a lot of interest. Were they planning to have the citizens vote on whether or not to meter the water. Sheldon Wimmer said there was no plan for a metering referendum. Ramon Beck said the reason for the public hearing was to gain citizen input. Mrs. Hobbs said it was going to be very expensive and it would impact every home in Alpine. She thought there should be a community vote.

**Steve Snyder – Glacier Lily Drive.** He said he was in favor of metering the PI water. He had lived in Las Vegas for 20 years and water was their most critical issue. This was an opportunity to get ahead of the problem before the population grew more. In Vegas, people had to rip out the landscaping because there was not enough water to support the population. He compared water usage to a buffet. There were people who loaded up their plates and threw food away then went back for more. It was human nature to take more than they needed when there was no marginal cost. He said it would wonderful to be able to monitor their usage on a daily basis. Wiser landscaping decisions would be made by everyone if they had to pay for the water they used.

In response to a question about the cost of a meter, Shane Sorensen said the overall cost would be about \$700. It was not as simple as just pulling off the lid and adding a meter. The PI system had a different configuration so much of that cost would be installation. They based the estimated cost off the system in Saratoga Springs.

**Kerry Smith - 1230 E.** Mr. Smith said that a 25% reduction in water use was not going to cover the projected population growth. It was not going to increase capacity. He said he would rather see the money used to increase capacity and education so they didn't have to implement draconian measures like Las Vegas. When he first moved to Alpine, he could water seven nights a week and now he watered three. He believed everyone would do that. They all knew the government had an unquenchable thirst for money just like when they raised taxes for the fire department. It didn't all go to the safety department. The government always wanted to impose a fine and charge a fee. He advocated putting the money toward increasing capacity and educating people.

**Daryl Stallings – Lakeview Drive.** Mr. Stallings said he had an issue with pressure. Areas of his lawn died and he had to water those areas by hand. He said he had retired and bought a home on a half-acre lot that he believed he could maintain on his fixed income. It took him from 7 pm to 7 am to water his property because of the poor pressure. He expected watering his property would cost a lot more if it was metered. He said a lot of people were retired and on fixed incomes and their yards would die and property values would go down. He said he put a lot of money into landscaping his yard.

**Glen Hilton – Long Drive Court.** Mr. Hilton said he'd heard the overall PI usage had gone down so why did they need to meter it? Shane Sorensen said there was some conservation but they were adding 20 new homes a year. He guessed that 90% of the people in Alpine watered their yards responsibly but others didn't.

Mr. Hilton said he didn't believe the City's purpose in metering was to conserve water. He believed it was to increase revenue. Rather than put meters on a failing system, he said he thought they should put the money toward improving the PI system. People who left home to go on trips or were on missions would like to see that. He said they should meter the culinary water and provide education on the PI system. His last question was what happened with the water that went down the drain. Did Lehi capture it or did it go to Utah Lake or the Jordan River. He said he wasn't sure they were saving water.

Sheldon Wimmer said he'd driven around Alpine on a Sunday which is a no-water day, and counted 50 homes with their sprinklers running. He stopped by to talk to the people and was told it wouldn't happen again. When he went back two days later, the water was on again. He said education was part of it, and they had attempted that, but there were still those who would use water regardless. He added that the City already had funding to put meters on the culinary water, which would be in the budget.

Troy Stout asked where the state was on mandated metering. Shane Sorensen said the state had not yet mandated it but the Governor approved a low interest loan to encourage cities to meter their water.

Sheldon Wimmer said the Governor asked for a study to identify conservation issues and methods. They were already devaluing water rights in cities, and if a city had too much water, they were diverting it to other cities. Lehi was growing rapidly and was in desperate need of water. Water was a state regulated resource.

**Ralph Summers – Summit Way.** He said that what he'd been hearing was that metering would lower consumption, but the cost of installing and maintaining the system would be more than the current assessments. He said he was sure there would be people who would voluntarily conserve, but the only way consumption was going to be reduced was by making it financially difficult for residents to water their yards. He said they should just get rid of the metering system and all the uncertainty, and the Council just have the guts to increase the water rates.

**Richard Hintzie – Eagle View Drive.** He said he moved to Alpine in '94 and planted almost his entire acre in landscaping. He was excited when the City went to the PI system, but when everyone watered simultaneously, he couldn't get enough pressure to water his yard. He used to be able to water his acre in four hours but that was no longer the case. He hoped that if they did meter the water, he would be able to water at a time when all the other people in his neighborhood were not watering. Being restricted to 7 pm to 7 am along with everyone else on his streets had really cut his pressure. He hoped metering would be more efficient.

**Ted York - Meadowlark Drive:** Mr. York said his lot was 1.5 acres and it was not all landscaped. He asked how they were going to bill the residents. It shouldn't be based on the size of the lot, but on the amount of water used. There were people who didn't care how much they paid and would use as much water as they wanted. He said he wasn't against metering, but he believed everyone should pay the same amount for the same gallon of water.

**Alan Jensen – Country Manor Lane.** He said he had been involved when the PI system was first put in, and agreed that they needed to be more aware of water conservation. Now they were talking about upgrading the system to accommodate the growth. Originally the system was regulated so there would be adequate water pressure. He commended the City for moving forward. He said CUP had been involved when they first put in the PI system and there were contractual obligations that needed to be considered.

Shane Sorensen said that when they designed the PI system, they took the current use and doubled it. But citizens were currently using even more than that.

**Scott Larsen - Lakeview Drive.** Mr. Larsen said they used the conservation hammer because it was a popular subject, but the City had enough water. He said when he built his subdivision 20 years ago, he gave the City water rights for that subdivision. Then he had to pay the cost to deliver the water to him, and he paid it for twelve months of the year for six months of use. Developers who were building more homes in Alpine should be bringing water in with them. He said at his house he had to pump water to get enough pressure to water his lawn, and he had to water on Sunday. It wasn't that way when he started. The City had allowed construction of homes below him and didn't upsize the lines. He said developers needed to carry the share of the burden they incurred. Every lot that was developed had to bring in water with it. He said he used more water than someone down the road, but he had a bigger bill.

Shane Sorensen explained the billing which was that they could pay the full bill for six months or spread it out over twelve months and have smaller monthly bills.

**Krista Layton – Coventry Lane.** She asked how the City was going to pay for a 2.5-million dollar project with a million dollar grant. She asked if they were doing it for future drought years or for more reservoirs. She said it made sense to be proactive with metering.



Shane Sorensen said that at first, they had planned to apply for the low interest loan, but after looking at their fund balances, it made more sense to fund it with their cash reserves. Regarding conservation, he said that the ground water tables were dropping, and they were planning for future years. They were not planning on building more reservoirs.

**Clark Burgess** asked how that would affect agricultural use. If agriculture was charged the same rate, they would not survive. He said he watered once a week and tried to conserve. He'd rather have water on a fruit tree than a green lawn.

Shane Sorensen said the proposal was to meter everyone but there would be different rate structure for orchards and alfalfa. David Church said there was an agreement to protect agriculture.

**Mike Crossley – Bateman Lane.** He said that since the City went into water conservation mode, he calculated he was using 17% more water on his yard by watering every other day for a set time than when he was watering every three days. Shane Sorensen said there would be some cases like that, but overall, the water usage was less.

**Boydean Frazier - Alpine Boulevard.** Mr. Frazier said he grew up in Southern Utah. He came to Alpine and was tickled to have pressurized irrigation. It was so convenient. He was concerned about the cost of the meters and asked if they would be saving money. He said he had six acres in American Fork and they monitored the water down there annually. They had three wells but used two because one wasn't pumping anymore. The water level was going down because there was too much pumping out of the aquifer. He said he believed metering would conserve water because people would be more concerned about what they did. And pressurized irrigation was the only way to go. He suggested they also consider expanding the size of the reservoirs because building was increasing.

**Doug Malm – Pfeifferhorn.** Mr. Malm said he was not against metering. He was concerned about the government having free rein on what it charged on the rate table, and how the City determined their profit. He asked what Alpine City was making above and beyond the cost of the system. Was the City making a profit on the backs of the citizens? Shane Sorensen said the system was run as close to break-even as they could.

David Church said anyone could go to the state auditor and look at the report. City utilities were subject to the Utah Fiscal Procedure Act. Funds for irrigation were not kept in the same account as the General Fund. The irrigation water fund would show income and expenses. They did not run it at a loss, it was about break even. The state rules said that they could not make extra money in the water fund, then transfer it over to the General Fund. The culinary water fund was also a break-even fund. The City did hold some out for depreciation to maintain the system. The City could not lose money on utilities, neither did the rules allow a city to raise money through utilities and pass it over into other programs. If there was extra money, it had to be used for water.

Mr. Malm said he did not escalation fees. He felt everyone should pay the same amount for the same amount of water.

**Teresa Cospers – 300 North.** She asked about research on smart meters. California was suing to have meters removed because of health concerns about radio magnetic frequencies. Shane Sorensen said the meters would work just like a cell phone. It operated off a cell signal.

**Bob Stenquist - 800 South.** He asked if there was any way to start running the PI water earlier in the spring. It would be nice to have the water if they were experiencing a dry spring, and he saw water just running down Dry Creek.

Shane Sorensen said the water rights had times associated with them. They had to fill and drain the system every year. They tried not to do it over spring break because so many people were gone during that time. If a line froze over the winter and broke, it could flood their basement while they were gone.

**Sylvia Christiansen – High Bench Road.** She had a question about mandatory metering. She gathered from the comments that eventually they would all be required to do this and the City was just getting the ball rolling a little earlier. Was the City doing this voluntarily or was the state requiring it?

Shane Sorensen said there was no requirement at present. They saw an opportunity to apply for a grant and received it. Another city in the county had applied for it then turned it down and decided to apply in increments for smaller grants and do their system in pieces. They got the first grant but had been unsuccessful in obtaining more grants to complete their system. Alpine City was awarded a million-dollar grant so it seemed like a good opportunity to do it, and it doesn't seem to have a lot of strings attached.

**Mike Adams – Lupine Drive.** Mr. Adams said he was struggling with some of the numbers that were presented. As an engineer, he dealt with numbers himself and always had people question them. He said the presentation didn't discuss how many users there were when they hooked up to the system. There was no discussion about how they increased system capacity. It just shows that we are using more than we were. He didn't see data on how it was built out. How were they upgrading the system using the impact fees that were collected? In defense of those were using water right now, he said that when they installed the PI system, they were told they could use as much as they wanted. Then when there was a drought, they cut their use in half. They didn't have a drought this year, and the people watering on Sunday thought the drought was over. He said he would like to see more data.

**Kristin Eberting – Cascade Avenue.** She asked about the well that was down and where the money would come from to fix it. She asked who would pay for it if a meter was broken.

Shane Sorensen said \$700 wasn't the cost of the actual meter. That included the cost to excavate, install, everything. The meter cost maybe a third of that. Regarding the repair of the well, he said the City maintained a rainy day fund for such problems.

**Rebecca Higgins** said her parents actually had one of those meters. While her father was in the hospital, they had a leak. The city wasn't able to contact him but they were able to reach her. She asked if there could be a different option for people who had lived in Alpine for a long time or who were agricultural. Shane Sorensen said there was a three-rate structure for agriculture use.

Roger Bennet said he'd had a meter on his property for several years.

**Alan Gilman – Westfield Road.** Mr. Gilman said the PI system was wonderful. He asked if the million dollar grant could be used for anything other than metering the PI water. The answer was no. He asked if there would be different size meters for different size connection. The answer was yes.

**Daryl Stallings** said he noticed that in the summer people were watering in the middle of the day, and on Sunday, they watered all day long. He asked if it would be more cost effective to pay a college student to go around town and cite people for watering illegally. Sheldon Wimmer said the Council had appropriated some money to do just that, but it was late in the season when it passed so they would do it next year.

**Mike Adams** said there were sprinkler controllers that monitored the weather and shut the system off if it rained. Lon Lott said there were rebates from the state for buying and installing those systems.

**Clark Parker – Round Mountain Drive.** He said the City put out announcements about watering restrictions in the Newsline but nobody paid any attention to that. They needed more of a grassroots effort. Metering was just another example of the government taking more and more control. He agreed they needed to conserve water but he felt it would be more effective to use the churches to educate people about conserving water. 99% of the community was LDS. There could be information disseminated by the church. Most people didn't know how to program their meter. Some schedules were out of whack due to power outages. He said the City should be taking advantage of the organization that already instructed people. They could give classes. He said that Tom Hunter didn't hear about the public hearing on PI metering until he went to church.

Mayor Wimmer said there was about one percent of Alpine's population that would not like that solution. The City had used several avenues to get the word out about the public hearing. In addition to the Newsline, they sent a phone call to all the residents, and posted it on the Alpine City webpage and Facebook page. It was also noticed in the newspaper and on the state noticing website. He said that Alpine City had the fourth lowest mill levy for taxes in

Utah County. If the City was just after revenue, they would raise the mill levy. They had a very real concern that the state legislature was going to mandate PI metering.

Shane Sorensen said that between the years of 2002 and 2017, there had been one water rate increase. If the Council wanted more money, they would raise the rates every year. He said other communities could not believe how low Alpine City's water rates were for both culinary and PI water.

David Church said he attended a meeting of the Utah League of Cities and Towns where they were arguing about the rate system. After listening to people's complaints about the water rate, one of the members said that residents were paying more for their Diet Cokes than they were for water. There wasn't a lot of sympathy for those people who said they need to use as much water as they want on their lawns and houses. The state planner saw growth coming and the state had limited water resources. Other cities could not believe that a community the size of Alpine was not metering the PI water. He said that in the state of Utah, from natural growth alone (children born to current residents), they were adding a city the size of Murray every year, and they all wanted to live on the Wasatch Front or Washington County. They were adding population but they were not adding water. He said he wished that people could simply be told at church not to water their lawns and they would do it.

Shane Sorensen agreed, saying they posted speed limit signs and every week people were in City Hall to complain about speeding.

**Kevin Birrell.** He said he had a farm in Alpine and Highland. Rather than metering, he asked if they had considered designing an underground system that would put water back into the ground and prevent evaporation. Shane Sorensen said there were programs out there for that. They would have to come up with the money to do that and would have to raise water rates.

There were no more comments and Mayor Wimmer closed the hearing.

**B. Mountain Bike Schedule for Lambert Park:** Troy Stout said the Council had several conversations about multiple uses in Lambert Park and specifically mountain bike use, and the number of people using Lambert Park, both organized and unorganized. They wanted to be sensitive to the community's need for the park and the desire of the mountain bike teams from the various schools to use the park. He and Lon Lott had met with Clay Shubin who was the assistant coach of the Lone Peak mountain biking team along with coaches from other high school teams, and talked about scheduling the use of the park. He said the teams were excited to be able to use the park and were eager for the use to be balanced. They were willing to give back to the city in terms of maintenance and service projects. He said that after meeting, they determined that the mountain bike teams didn't need to be in the park as often as conceived because they use other parks as well. They were willing to comply with the request that there be free nights when no teams used the park.

Clay Shubin said the teams were working hard to work together. It was not a rivalry. He said the Lone Peak team spent 25% of their practice time in Lambert Park and 75% in surrounding cities. They were trying to balance the impact on the various parks. He said he was a big advocate for mountain biking for the youth. It got kids away from video games and out-of-doors. It was a sport that all kids could participate in. They had special needs kids and at-risk kids, etc. He said that according to the rules of the league they could not have an official practice until July 1<sup>st</sup> so there was a lot of down time for the parks as far as official use.

Troy Stout agreed about the benefits of mountain biking. Not only was something a wide variety of kids could participate in, it was a healthy lifestyle that could continue beyond high school.

Lon Lott said one of the things they talked about that would be helpful was to publicize the schedule so people would know when the teams were going to be at the park. There would also be education on trail etiquette.

Troy Stout said that in return for use of the trails, each team would perform trail maintenance and commit to one day of service in the park for any project the City wanted them to do. They had identified directional trails and would need signage that showed that. There would also be some trails that were non-bike trails. Signs would need to be put up so people would know that. He said they needed to set a deadline by which those signs needed to be put up and along with signs on trail etiquette.

**MOTION:** Lon Lott moved to allow the bike teams from the various school to use Lambert Park on Tuesday, Wednesday, Thursday evenings, and Saturday mornings, and have a written agreement to provide annual service by each team that used the park, with the service project to be decided by the City. Use of the park would be monitored by the appointed teams; they would report to the Council twice a year. Troy Stout seconded. Ayes: 4 Nays: 0. Lon Lott, Roger Bennett, Ramon Beck, Troy Stout voted aye. Kimberly Bryant was no longer present. Motion passed.

**C. Resolution No. 2017-18, Light Duty Diesel Emission Testing.** Sheldon Wimmer reviewed the resolution, which came as a request from the Utah Clean Air Coalition as a show of support for requiring emission testing on light duty diesel vehicles. Agricultural vehicles would be exempt. Utah County was the only County in the state where emissions testing was required that did not require emission testing on diesel vehicles. Heavy and light duty diesel vehicles accounted for 64% of particulate matter emissions and 47% of nitrogen oxide emissions. There was a bill to reinstate it.

Rhett Anderson said he understood that people wanted better air quality but suggested there would be a better way to achieve it which was to have citizens report polluting vehicles on a statewide “smoking vehicle” hotline. He asked why Utah County had stopped doing it in the first place.

Sheldon Wimmer said it was inconvenient because the only testing place was in Spanish Fork. Since that time, newer vehicles built in 2008 or later could be tested at present testing facilities which installed minimal software upgrades.

Lon Lott asked if he should recuse himself from the vote because he had four diesel trucks. He said he did agree with clean air and Utah County was one of the worst. He said they’d just had four hours of discussion on metering and there were those whose main concern was how it would affect them right now rather than how it would benefit future residents. He said there was also the issue of equity because other vehicles had emission testing.

Troy Stout said he was in favor of anything that helped clean air. He never had respiratory issues until recently. Something did need to be done.

Sheldon Wimmer said that in Europe they had cars that turned off completely at stop lights so cars were not idling and producing fumes. When you took your foot of the accelerator, the engine quit, then turned on when you pressed on the accelerator again.

**MOTION:** Troy Stout moved to table Resolution No. 2017-18 for more study. Ramon Beck seconded. Ayes: 4 Nays: 0. Lon Lott, Roger Bennett, Ramon Beck Troy Stout voted aye. Kimberly Bryant was not present. Motion passed.

## **VI. STAFF REPORTS:**

Austin Roy said that so far, they had two items on the agenda for the next Planning Commission meeting. There was a zone change request for property at 770 North. It was currently zoned for a one acre and they wanted to make it half-acre. The second item was a site plan request for an accessory structure at the PURPLE factory. They were moving a mineral oil tank.

Shane Sorensen reported on the following:

- The funeral for Bryan Burr would be on Saturday. He had done some good things for the City after the fire by donating helicopter time for reseeding the burn areas.
- The gas line for Three Falls was taking longer than they anticipated. They expected it to be complete on Thursday. They planned to start paving the Fort Canyon Road the next week.
- The overlay project was complete.
- The waterline project in Lambert Park was underway.
- He and the Mayor had met with the residents on Bald Mountain about their mudslide concerns after the fire. They would be meeting with the NRCS on Thursday about getting some funding to do a project up there.

- They were seeking pricing for a new projector for the Council room that would be suspended from the ceiling.
- They had received an email from a man who wanted to film a movie in Lambert Park.
- He'd received a report from the UMC, utility auditing service they had contracted with. In the first two months, August and September, the City had saved \$14,000. Fifty percent of the savings would go to the company for the first two years. The biggest savings was on the wells. Since they wouldn't be pumping as much in the winter, he expected the savings would go down.
- The changes in staff had worked out well. Cortnie Graham had been working 30 hours a week and would be moving to fulltime.
- There was a business that needed extra parking, and was willing to take on plowing the street. David Church said they would need to work out a contract.
- There had been complaints about street parking by Timberline Middle School during soccer games, etc. People were choosing to park along the street rather than in the parking lots. That could present a problem when construction began in the newly approved subdivisions by Timberline.

## **VII. COUNCIL COMMUNICATION**

Troy Stout asked what the update was on Bald Mountain Drive. He would like to see the barricades in place. Shane Sorensen said the road on 600 North had blown out and needed to be repaired. Staff was working on that. It was a triage situation.

Troy Stout said he would like to consider extending some recognition to the Devey brothers for all the work they'd done on the trails, a plaque or something.

Ramon Beck asked what the status was on the cemetery gates. Shane Sorensen said they were working on it.

Sheldon Wimmer said he had talked to the Fitzgeralds who were in court suing each other. If they didn't sell the property to someone, he would like to consider annexing the ground and rezoning to city standards.

**VIII. EXECUTIVE SESSION:** None held.

**MOTION:** Lon Lott moved to adjourn. Troy Stout seconded. Ayes 4 Nays: 0. Lon Lott, Roger Bennett, Ramon Beck, Troy Stout voted aye. Kimberly Bryant was not present. Motion passed.

The meeting was adjourned at 11 pm.