

ALPINE CITY COUNCIL PUBLIC MEETING

Tuesday, September 28, 2021

I. **Field Trip 5:30PM – 6:45PM Joint Field Trip with City Council and Planning Commission: Grading and Setbacks**

Attendees: Planning Commission/City Council: Troy Slade, Ed Bush, Jane Griener, Ethan Allen, Jessica Smuin, Greg Gordon, Jason Thelin, Lon Lott, Carla Merrill, Mayor Troy Stout

Staff: Shane Sorensen, Austin Roy, Jed Muhlestein, Craig Hall, Bonnie Cooper

Others: Jeff Davis

Field Trip

The field trip began on Wood Drive in Alpine. Shane Sorensen, City Administrator, said Wood Drive was a good example where one side of the road is level with the road and the other side of the road slopes upward. He said when it comes to measuring, the city may want to consider top back to curb. He said we live in a hillside community. He said the city could write an entire ordinance by going off Wood Drive.

Ed Bush, Planning Commission member, asked when a property developer puts in a road, do they go off the original contours. Shane Sorensen said 2013 is latest contour map the city has. Jed Muhlestein, City Engineer, said if the city makes too many restrictions most of Alpine would be unbuildable. He said if the city requires the homeowner to build upon the natural grade you will see large retaining walls and that would not meet the city's ordinance. Jason Thelin, City Council member, mentioned that it would be difficult to modify the ordinance based on all the different variations of slope but could possibly include the adding of truckloads of additional dirt on a property. Austin Roy, City Planner, said Bountiful City limits the dirt a homeowner can bring in; they cannot exceed 10 feet of fill dirt. Greg Gordon, City Council Member was concerned homeowners would bring in more dirt even if their lots were at natural grade. Lon Lott, City Council member, said sometimes more dirt is required because of water/sewer connection element that the homeowner might be dealing with. Jason Thelin said this subject was a complex problem.

The next stop on the field trip was Carla Merrill, City Council member's home at 1121 N Heritage Hills Drive. Shane Sorensen said that Carla Merrill's home was a great example of what the city wants to see. Shane Sorensen said the home is built on a sloped street. He said the developer did a good job incorporating the retaining wall and making the lot and home look good on this hillside lot. Jane Griener, Planning Commission Chair, asked how the city would measure the mid-point on this home. She said this lot is very complicated with the driveway being at the natural grade and the entire lot area sloped down from there. Jessica Smuin, City Council member, suggested the city follow what Park City ordinance which says a home's height from natural grade is not to exceed 28 feet.

The third and final stop was Zachary Drive. Shane Sorensen said Zachary Drive on the south side of the street has an approximate 12-foot drop from street level. He said this would mean the property owner would have to bring in fill dirt in to meet even grade with the street. He said the lots throughout Alpine can have many different slopes that a homeowner must work with. Jessica Smuin asked if the developer should just not charge a premium for the lots. He said if the homeowner does not build up the lot, they may risk flooding. Jeff Davis, new Planning Commission member, asked if bigger setbacks could be put in place when it came to some of the hillside lots. Shane Sorensen said setbacks are more of a function thing than anything else. He said the homeowner needs to be able to hook into the city's water and sewer. He said a homeowner in the area built a home where you can see two stories from the front and three stories from the back because of the slope of their property.

Mayor Troy Stout called the meeting to order at 6:54p.m. He welcomed all in attendance.

II. **Roll Call:** The following were present and constituted a quorum: Jessica Smuin, Carla Merrill, Jason Thelin, Greg Gordon, Lon Lott

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| <p>A. Prayer:</p> <p>B. Pledge:</p> | <p>Jessica Smuin</p> <p>Chief Brian Gwilliam</p> |
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Staff: Shane Sorensen, Austin Roy, Chief Brian Gwilliam, Deputy Chief Jake Beck, Craig Hall, Steve Doxey, Bonnie Cooper

Others: Will Jones, Jeff Davis, Ed Bush, Patrick Todd, Aaron Heywood, Ethan Allen

III. WORK SESSION: Lambert Park Conservation Easement - Discuss elements to be considered in drafting the conservation easement.

Mayor Troy Stout explained there will be two pieces of the Lambert Park Conservation Easement Agreement. The first part is conservation easement to protect the park and the second part is the management document with goals and values the city wants. The goal of tonight discussion was to go over the five items Steve Doxey has outline.

Mayor Troy Stout said first he wanted to address some of the residents' concerns before talking about the five items.

Question from resident: Is the city giving up control of Lambert Park?

Answer: Mayor Troy Stout said no, the city is writing that agreement and how Lambert will be governed in the future, the city always wants to have control. The city has other assets that we want to maintain and manage, we may even expand. If there are ever safety hazards in the future, emergency personnel and city workers would be allowed access. Lambert Park acts as a buffer between the city and the mountains, and we may need to change the landscaping in the event of a wildfire or natural disaster.

Mayor Troy Stout said he would like the council to streamline our talking points to the key values.

Steve Doxey, City Attorney, prepared a brief outline as follows for the discussion:

1. **Purposes of Easement.**

- a. *To preserve permanently and provide continuing access to and use of Lambert Park as an open space for the general benefit of the public.*
- b. *To prevent the sale or use of the park for development purposes.*
- c. *To restrict the use of motorized vehicles in the park (except as provided below).*
- d. *To prevent the pavement or extension of roadways through the park (except as provided below).*
- e. *Other?*
- f. *Consider whether all land in park must remain in natural vegetative state or whether new planting, landscaping, or other improvements would be allowed in certain areas for public purposes.*
- g. *The foregoing conservation values would be expressed in the recorded easement document and would circumscribe generally the allowed uses of the Lambert Park property subject to the easement.*

2. **Allowed Uses.**

- a. *Hiking, walking, viewing poppies and historical features (consider whether and where ADA access and amenities are desirable).*
- b. *Mountain biking.*
- c. *Horseback riding.*
- d. *Construction and maintenance of trails for the above uses. Management plan attached to easement would govern decisions concerning adding, deleting, or modifying trails in the park, as well as rules with respect to the compatibility of allowed uses.*
- e. *Picnics and gatherings?*
- f. *Overnight camping?*
- g. *Others?*
- h. *Alternatively, all uses allowed except for development and motorized vehicles?*

3. **Limitations on Scope Easement.**

- a. *Geographical exclusion – exclude rodeo grounds and associated road and parking lot? Bowery? Pavilion? Water tank? Cell Tower? Other areas?*
- b. *Exclude certain activities. For example:
Construction, maintenance and improvement of structures and facilities (existing and to be built), such as cell tower, water tank, bowery, pavilion, emergency road, sewer line, flood control facilities, unpaved roads and trails, and other public works for purposes of public safety or for the benefit of the city and its residents, consistent with the conservation values expressed in the easement.
Pavement parking lots and roads to parking lots used for public recreation purposes?
Construction of pavilions, restrooms, and other structures for public recreation purposes?
Construction and maintenance in emergency situations, such as for fire and flood control*

Limit use of motorized vehicles in specific circumstances:

For the city and its agents to install, maintain, or improve public works in the park.

For use of the emergency access road by emergency vehicles or for purposes of evacuation.

Upon issuance of a permit, to provide access to certain features in the park for persons with a disability?

If these activities are not excluded for the easement restrictions, they should be subject only to the easement holder's consent (except for emergency measures) which shall not be unreasonably withheld, conditioned, or delayed.

4. Maintenance Responsibility for Property Encumbered by Easement.

- a. *Need to develop Lambert Park management plan.*
- b. *Should be attached to the recorded easement document.*
- c. *Should be subject to amendment unilaterally by the city as long as it does not conflict with the conservation values expressed in the easement document.*

5. Other Concerns or Priorities?

Steve Doxey said the easement document itself is going to establish conservation principles by which the use of the park will be guided into perpetuity or into the foreseeable future. Amending that document will be difficult, if it were so easy to change why would the city have the document at all. Mayor Troy Stout fears that if the city creates a document so watered down that it will not accomplish anything. The other side of that is that we create a document that is so rigid that we cannot make any adjustments. The council needs to find a happy medium, a document that is both powerful enough to protect and maintain what we want. Lon Lott asked if the council thinks they are in a process over the past years of doing that anyway without creating a restriction of sorts. We have applied super majority votes to do anything in the Lambert Park area. The council has already restricted motorized vehicles, could the council do something without having to have external management coming in. The city could manage Lambert Park Conservation on our own. He asked the council if they did not think that they have already been protecting Lambert Park. Mayor Troy Stout believes that park has remained protected under those guidelines. The city has done a good job of protecting the park. The city cannot foresee circumstances that would pressure the city to do differently in the future. In an emergency to get revenue for the city and even with the best of intentions but circumstances could put us in the position where the first place we look is to liquidate the park. There could be other ways to deal with the emergency.

Mayor Troy Stout said Lambert Park has been under great management so far. A super majority of a City Council in the future could be formed that has a completely different idea for the park. Lon Lott asked council if they think the community would not step in and help make those decision. Mayor Troy Stout agreed that that could be possible and others that the council possible were not considering. Mayor Troy Stout said it's not always the big event that happens that residents see it can be little things creeping in that the community is unaware of. Lon Lott said as we talk about exclusions for the document though and begin chopping things up in a way where we cannot do things in certain areas in the future. Once the document is in place there is no changing it. Mayor Troy Stout said it's not unchangeable, but it would be very difficult. It is important the council create a document with the ability to change if it is needed. Greg Gordon asked Steven Doxey if the council lays out the core principles and those would be permanent but the management document could be malleable. Steve Doxey said that is correct, the way he has seen conservation easements written in the past is with conservation values and core principles that the city wants. These things might be historical (Lambert ruins), open space and poppies that the city wants to preserve. All can be written into the document and executions from the beginning.

Steve Doxey said council could address concerns in a management plan and a management plan can easily be amended. We would not change the core value or principles but in a management plan anything is on the table as long as it is consistent with the core values and principles. The city of Alpine will continue to manage the park under a conservation easement and the management plan will be what this council adopts.

Steve Doxey said council may want to incorporate trigger points into the easement document now so that in the future there is a way to amend the document. The Utah Open Lands would be doing a baseline study on plant life and wildlife in Lambert Park before the document can be complete. The council as a city can put temporary limitations on the conservation easement and any other limitations they want. The Rodeo ground could be used for other events such as concerts etc. or exclude the rodeo ground. Once the city decides on the conservation easement for Lambert Park the easement would go into effect, but the city would own Lambert Park. Improvement for public works and public safety would not be compromised. The purpose of the easement is to keep values of Alpine and work within those values. The document can be as flexible or as ridged as council wants. Purpose is what the city desires for Lambert Park and a document that we could work within as a city and city government. The management portion of the document can change with the eb and flow of the city.

Greg Gordon asked how we change the core principles. Steve Doxey said we have the ability to review the core principles. We could put in triggers, and we could put in 20 to 30 years down the road and there could be a term of years. Utah lands don't like that very much say if you were only going to do this for two years. Greg Gordon said he saw an agreement Salt Lake City had for 20 years and at that point they could come in and do improvements like pavilions. Steve Doxey said we could put that in the document at this point right now. Mayor Troy Stout said the

agreement could be an automatic renewal unless someone objects. Jason Thelin suggested every 5-10 years the city could make modifications to the conservation easement based on unanimous vote.

Jason Thelin said years ago there was a change made to the city's ordinance not allowing motorized vehicles. Now E-bikes are allowed in the park. He was suggesting council may want to reevaluate the activities portion of the document every 5 years because 20 years is too far in the future to predict what things will look like. If it was an election year during that re-evaluation date, this could be an issue for candidates to discuss. Another option is that a unanimous vote from the City Council be required to make changes. Mayor Troy Stout asked council how they felt about having periodic review to change the management plan and have it be a unanimous vote as Jason Thelin mentioned. Lon Lott said this concept of a conservation easement is objectional to some residents because even though the city maintains control in their minds the city is giving up control. As it is right now by saying our (council's) idea is not the same as saying their (residents') idea of what should be done. When the council is talking about such a significant decision to make a super majority is an important aspect of the decision. Having a super majority makes the citizen fully represented in all aspects of the community. We as elected officials were put on the council by the voters. Voters want to feel like their voices are being heard when it comes to the conservation easement because this decision impacts not only them but the future residents of Alpine. Many residents are feeling like they are not being heard by this council. To put Lambert Park in perpetuity is a decision that cannot be changed, the community needs more input. The core values the council has come up with so far are good, but it needs to be a community decision. When a developer comes in, the city is requiring them to provide us with open space. In that way as a city, we are working well together as a community to increase open space. Mayor Troy Stout said a vast majority of residents that he has talked to are concerned with Lambert Park. He asked for the residents that fear the city is losing control, do the residents think they have control now. He said there are things going on in the park that we are not controlling. He asked what would the residents be losing by having this conservation easement. If anyone in town who has something now that would be lost with a Conservation Easement. The city is actually protecting the use of the park for public use, public ownership into the future so that residents can always use the park the way they have been able to. Lon Lott said protection is the key word but how we go about that as a city whether that is a conservation easement, or the way council has been doing it with a super majority vote.

Jessica Smuin said we can look at Provo City and Bridal Veil Falls, a conservation easement is not a rogue concept. It is becoming a community standard. The way to protect in perpetuity these natural open spaces is in a conservation easement. The city could have nothing go wrong for 50 years like Greg Gordon said and then the city could have one bad year that is why the easement is necessary. Jessica Smuin then asked if Utah Public Lands holds the easement it is her understanding that they take on the legal fees if the city is sued. Steve Doxey said yes, they would correct. Utah Open Lands would defend the easement that is basically all they do. Jessica Smuin said we as city council members are not land use experts and the idea of having Utah Open Lands step in as experts and hold the burden of those legal fees, sounds like a win for the community. Mayor Troy Stout said legal representation may become an insurance policy for the city. Greg Gordon said the two goals council wants are first to preserve the park and second to not constrain appropriate uses into the future in ways that we couldn't possible have foreseen or neglected to see. This is about protection but in what form.

Mayor Troy Stout said we could pass these values as a resolution with these values and goals. Mayor Troy Stout listed the following exclusions and core values to be considered for the Lambert Park Conservation Easement:

Exclusions

Rodeo Grounds and Parking

Retention Ponds

Water Tanks

Rodeo Road

Core Values

Always remain public

Never sold for private use

City always has ownership of assets and access

Natural open space with trails – with allowance for restoration

Flood and safety management

Core usage = multiple use recreation

Maintain a habitat for wildlife

Restrict motorize vehicles with the exception of the following

Shane Sorensen, City Administrator, gave an example how would you handle the following we had 4 floods after the fire. There was nowhere for the water was to go. A property owner came in and offered a large 6 figure price for a small portion of Lambert Park and we had to put in a water line and as a city we were able to put in an easement on his property in order to install a water pipe. Because we were able to sell that little piece, we were able to do this.

Our hands may have been tied. Mayor Troy Stout said it was 30 feet wide by 90 feet long and was not even a useable part of the park, it was an isolated item. Bonnie Cooper, City Recorder, said she has received several phone calls from residents regarding the conservation easement. She suggested keeping track of the phone calls whether they are positive or negative or what questions people have. The main question is where the public can read the conservation easement being proposed. The public has voiced concern to her that they would like to read the document before the council votes on the conservation easement. Mayor Troy Stout said the document will be released for a period of time and the city will hold a public hearing before the council votes on it. In the mayor's message in the Newslane going out in October he addressed the fact that the city has had three official opportunities for the public to come and voice their opinion.

Greg Gordon asked if part of Lambert Park was sold to the LDS Church on County Manor Lane. Shane said yes, but it was not the entire church site only part of it. Greg Gordon said that is not likely to happen again, but could that happen again and would the city consider it.

Greg Gordon said he would like to see the document contain core values about recreation and nature. Carla Merrill wanted to add that the park remains in its natural vegetative state and whether we will allow new planting to happen. Adding maintaining natural habitat for animals but being able to remove weeds. Shane Sorensen said council should keep in mind that the city has a Master Plan for Lambert Park that was prepared. Around the bowery there are still some planned improvements that need to be done. Mayor Troy Stout said the improvement plan and Master Plan for Lambert Park could be incorporated into the management plan. Greg Gordon said to add not limiting the city ability to restrict inappropriate use in on the trails in Lambert Park. Lon Lott said the city would still have the full responsibility to maintain the park for what it is being used for. Greg Gordon said the city has the burden of policing and maintenance of the park. Mayor Troy Stout said Moab retains their trails so that they can maintain them.

Jason Thelin asked if an unforeseen emergency comes up, could the council act with a unanimous vote requirement. He felt it would be better if it had an emergency clause in the conservation easement. Steve Doxey said yes, the city would need to put an emergency clause in the document. It may be helpful to have and build a pavilion up where the shooting is and have a structure put in. Mayor Troy Stout said we are trying to make sure this is exercising control right now. Jason Thelin asked if we could sell/trade property if an emergency situation occurred. Greg Gordon said we would need to have increments. Mayor Troy Stout said it would need to be threat to life. Shane Sorensen said if the city would not have sold property and had four floods in 60 days and that would have cost a lot of money for the city.

Steve Doxey said excluding the rodeo grounds and parking lot might be a good idea in case the city wants to convert it into something else in the future. That could be a great asset to the city. Other areas of the park the council may want to include would be Spring Down trail and where the city has been dumping gravel for its use.

Steve Doxey asked what about the unforeseen trying your best to foresee of having the document easy to change that will be difficult to amend. Lon Lott asked if anything is to be done by the city or city council in years to come to the park it should be done by having a unanimous vote. That way the city knows that we as a council are all in agreement about the decisions we make regarding Lambert Park. Instead of having an external management goal, the council could put into place a resolution. Many of these items of concern from the residents can be taken care of in a management plan document. The city of Alpine will continue to manage Lambert Park and will be able to change the management of the park. The council will need to decide how much the city wants to hand over to a third party.

Mayor Troy Stout said council could put in a resolution that Lambert Park cannot be sold over the next year. A resolution could be changed, and a new City Council could do that with just a simple majority vote. As a city government we can try to do the right thing by protecting Lambert Park with a resolution and it can still be overturned. The goal is to prevent that from happening. Carla Merrill, City Council member, asked how many acres are the rodeo grounds and the area that the city is considering excluding. Shane Sorensen said the rodeo grounds area is 3.8 acres.

Jason Thelin said he likes the values on the easement. He asked if the city needed to plant new poppies bulbs or remove other weeds, would the easement allow for the city to maintain the park and the poppies to keep it as beautiful as possible. Mayor Troy Stout said as the city had the fire, we were not allowed to replant trees. Jason Thelin asked if the city could make changes to trails if we wanted to or needed to. Jason Thelin wanted more clarification on how the management agreements work and what can and can't we do as a city. Steve Doxey said everything is on the table right now. Once the agreement is established the city can say it wants this to benefit the public and changing a trail would be benefiting the public. This time would be good to decide what you don't want and what you do want as a City Council. Whenever it comes to public safety that will always be a top priority.

Steve Doxey said his office is still waiting for Utah Open Lands to send them a draft document. His office will make changes to the draft and bring something back at the councils next meeting.

The City Council will discuss the draft proposed for the Lambert Park Conservation Easement. Following is the proposed timeline for consideration of approving the proposed conservation easement:

- October 26, City Council Meeting: introduction of draft easement and public hearing.
- November 9, City Council Meeting: final vote

IV. CONSENT CALENDAR

- A. Approve City Council minutes of September 14, 2021**
- B. Purchase of New Dump Truck Cab/Chassis (2022 Western Star 4700 SB), Premier Truck Group: \$124,750**

Motion: Lon Lott Moved to approve the consent calendar as proposed with the edits made by Lon Lott and Jason Thelin to the minutes of September 14, 2021. Jason Thelin seconded the motion. There were 5 Ayes and 0 Nays, as recorded below. The motion passed unanimously.

Ayes

Jessica Smuin
Carla Merrill
Lon Lott
Jason Thelin
Greg Gordon

Nays

V. PUBLIC COMMENT

None

VI. REPORTS AND PRESENTATIONS

A. Introduction of Deputy Fire Chief Jake Beck

Newly appointed Deputy Fire Chief Jake Beck said Chief Brian Patten was out of town. He came to introduce himself to the council. He has spent the last 22 years in the public safety field. He is excited about the opportunity to serve the citizens of Alpine. He lives in Lehi. Mayor Troy Stout expressed his thanks to Chief Brian Patten. Chief Patten has really built morale within the fire department. Chief Patten has had several firemen come back and is rebuilding the personnel of fire dept.

B. Lone Peak Police Chief Brian Gwilliam - Report on Officer Training for Dealing with People with Mental Health Issues

Chief Brian Gwilliam reported what local law enforcement is doing to help people who are dealing with mental health crisis. He became aware of this crisis about 3-4 years ago. Officers have to differentiate between whether someone is autistic or on a narcotic or just being belligerent. These issues can be very confusing to our officer. All officers have or will be going to a Crisis Intervention Program. The course is a week-long training. Fifty percent of the officers had been through the training before spring of 2020 and then COVID-19 hit. The rest of the officers will finish soon but all of them have finished a 40-hour required de-escalation training already required by House Bill 162. The additional funding from Alpine City has helped with autism training and how to recognize this. These are some of the goals that Lone Peak Safety District have. Mayor Troy Stout asked how often an encounter could turn violent because of mental health issues. He said it is happening more often now and the officers have had to use physical restraints. When someone is going to harm themselves or someone else, the officers may have to take that course of action. Lon Lott asked if there was as specific age group that was more affected by mental health issues. Chief Brian Gilliam said no, it affects all ages.

VII. ACTION/DISCUSSION ITEMS

A. Site Plan – Alpine Animal Hospital Addition, 424 S. Alpine Highway

The applicant is seeking to build an addition onto the existing facility. The site is located within the Business Commercial Zone and the Gateway Historic District. The new proposed addition would increase the square footage

of the building from approximately 2,528 square feet to approximately 5,849 square feet. The overall size of the property is 1.01 acres. The developer is seeking approval of the proposed site plan.

On September 21, 2021, the Planning Commission recommended that the addition be approved with the condition that:

- The Brick be extended to cover the entire length of the front of the building; and
- The front fence be moved away from the front of the building and that it begin at the edge of the building instead; and
- The parking lot lighting meet the city standards.

Austin Roy said 53% land scaping and 30 parking stalls, maintain the same building façade. Bottom is brick and top of the building is siding. Required lighting for parking lot city standard. Retention area where the shed was. Where the trash bins will be going in the northwest corner. Planning commission extend brick and fence removed and landscaping and with the city standard lights.

Motion: Jason Thelin moved that the site plan for the Alpine Animal Hospital addition be approved with the following conditions:

- The Brick be extended to cover the entire length of the front of the building; and
- The front fence be moved away from the front of the building and that it begin at the edge of the building instead; and
- The parking lot lighting meet the city standards with Alpine City logo; and
- Remove the existing shed

Lon Lott seconded the motion. There were 5 Ayes and 0 Nays, as recorded below. The motion passed unanimously.

Ayes

Jessica Smuin
Carla Merrill
Lon Lott
Jason Thelin
Greg Gordon

Nays

B. Site Plan - Links and Kings Heindorff Building, 62 S. Main Street

Austin Roy said the applicant is seeking to build a new building on the west end of the Links and Kings property. The new building would serve as a residence on the upper floor, with a large garage on the ground floor. The site is located within the Business Commercial Zone and the Gateway Historic District. The proposed building measures 5,549 square feet in size and would be built on the same property as the existing Links and Kings building. The property is approximately 0.64 acres in size. The applicant is seeking approval of the proposed site plan.

On September 21, 2021, the Planning Commission recommended that the site plan be approved with the following conditions:

- That the City allow the access easement area to not be included in calculating the landscaping requirement; and
- That the front two parking stalls be converted to landscaping.

The purpose of the building will be a garage are on the lower level and the upper area will be a living area. The building meets all city codes.

Greg Gordon asked what part of our code CR1000 allows a residential structure to be built on a commercial property. Austin Roy said ordinance 3.07.20.9: "*Residential structures located within or on the same premises as a permitted or conditional commercial use. Both residential and commercial buildings will be considered main buildings and will be required to meet the main building setbacks when on the same premises.*" Greg Gordon asked if it was one residence or multiple residences. Jason Thelin asked if you put multiple residences on the lot. Lon Lott said we would not allow multiple family units. Greg Gordon asked if this would be limited to one unit. Lon Lott said they could have an accessory apartment. Austin Roy said as long as they meet all the standards, the hardest of which is the 20% landscaping. Jason Thelin asked if we defer to residential when it comes into parking. Carla Merrill asked if we were taking into the consideration the garage as business. Austin Roy said it is part of the Links and Kings business. Austin Roy said if you calculate the garage 25 stalls, and they have 28 stalls they still meet the requirements. They told me they are going to be using 10 additional stalls.

The designer of the property said this 2560 square foot home will be for a single-family dwelling. The reason behind the landscaping being at 16% is because of the building being historic and right on the sidewalk. The easement does

not allow us to grab anymore of the northside of the property for landscaping, it is basically a driveway. Jessica Smuin asked if not for the easement could that get them up to the 20% on the landscaping. Austin Roy said the Planning Commission had considered the first two parking stalls for additional landscaping. Jessica Smuin asked about consideration for handicap stalls. Austin Roy said the Planning Commission had highly encourage them to landscape the first two stalls but did not think they could require it. Greg Gordon asked Craig Hall if the city could require it. The designer of the property said if the back of the home was landscaped no one would be able to see it from Main Street. Adam, homeowner, said the parking lot will be used for commercial use parking only. He is planning on living in the proposed home with his two children.

Motion: Jessica Smuin moved to extend City Council meeting to finish all items on the agenda and hear all staff and council communications. Carla Merrill seconded motion. There were 4 Ayes and 1 Nays, as recorded below. The motion passed unanimously.

Ayes

Jessica Smuin
Carla Merrill
Lon Lott
Greg Gordon

Nays

Jason Thelin

Lon Lott voiced concern if they use the first two stalls for landscaping will the building still meet the ADA (Americans with Disabilities Act) requirements. Austin Roy said staff did go over that and 15 feet is what they need to remain ADA compliant for handicap parking spots. The parking spots would also meet all our ordinances. Jessica Smuin said she did not think the motion needs to include the easement.

Motion: Greg Gordon moved that the site plan for the Links and Kings Heindorff Building be approved as proposed with the following conditions: access easement and the front two parking stalls be landscaped. Lon Lott seconded the motion. There were 5 Ayes and 0 Nays, as recorded below. The motion passed unanimously.

Ayes

Jessica Smuin
Carla Merrill
Lon Lott
Jason Thelin
Greg Gordon

Nays

C. Site Plan – Crossfire Trail Information Sign

Shane Sorensen said there has been some discussion about what to install in the area that was graded near the top of the Crossfire trail. Attached is a basic site plan showing what staff is recommending. The site plan essentially includes the installation of a trail sign kiosk, identical to the others that have been installed throughout Lambert Park. The south side of the kiosk would have an overall trail map for the city and a Lambert Park trail map installed on it. The north side could be used for other signage that the city felt was appropriate for the area. We have the kiosk sitting at the city shop ready to be installed. The trail signs would need to be ordered and could be installed within a few weeks.

Carla Merrill asked if the Trail Committee is aware. Greg Gordon, Trail Committee member, is having a meeting tomorrow night at 7:30 and it will be discussed then. A bike repair station could be added later. Greg Gordon said Draper has a bike shop that maintains it. Mayor Troy Stout said it would not hurt to ask.

Shane Sorensen said if you are coming from the south, we have no signage. The next place we were going to put them would be Three Falls. The council all agreed.

Motion: Lon Lott moved that the proposed site plan for the Crossfire Trail area be approved. Greg Gordon seconded the motion. There were 5 Ayes and 0 Nays, as recorded below. The motion passed unanimously.

Ayes

Jessica Smuin
Carla Merrill
Lon Lott
Jason Thelin
Greg Gordon

Nays

D. Appointment of New Planning Commission Member

Mayor Troy Stout said as of July 20, 2021, Sylvia Christiansen moved and was no longer serving on the Planning Commission. The Planning Commission consists of seven members, with staggered terms. A new member shall be appointed to the Planning Commission to serve out the remainder of Sylvia's term, which ends in January of 2022. Mayor Troy Stout nominated Jeff Davis to be the next Planning Commission member. He said Jeff Davis is a civil engineer and has a specialty in water. He said he believe Jeff Davis is very qualified and came as a recommendation from Jane Griener, Planning Commission Chair. Mayor Troy Stout said Jeff Davis is also familiar with the city's ordinances.

Jeff Davis, newest Planning Commission member, introduced himself. He said he had lived in Alpine for the past 11 years and is excited about this opportunity. He said he has been a civil engineer for the past 25 years and is passionate about water. He said his blended family consists of his three children and his wife's four children. He said they just became grandparents and are very happy about that. He has lived in Utah all his life and enjoys running almost every day.

Motion: Greg Gordon moved that Jeff Davis be appointed to serve on the Planning Commission and serve the remainder of the term, which ends in January of 2022, at which time they may be appointed to serve another term. Jessica Smuin seconded the motion. There were 5 Ayes and 0 Nays, as recorded below. The motion passed unanimously.

Ayes

Jessica Smuin
Carla Merrill
Lon Lott
Jason Thelin
Greg Gordon

Nays

E. Three Falls Upper Parking Lot Concept

Shane Sorensen said the City Council asked staff to prepare a concept plan for a small parking lot, located in public open space above the existing pond. The parking lot would be built in what is currently a staging area for construction. A concept plan has been prepared showing 10 parking stalls. It is proposed that the parking lot surface be crushed fine gravel like the parking lot at the south end of Lambert Park.

The procedure for construction of a parking lot in open space is outlined in the City's Open Space Ordinance as follows:

3.16.040 Special Provisions

- 1. All public parks in the City of Alpine as noted on the attached map, hereby made a portion of this Ordinance, are included in this Zone and are subject to all of the provisions of this Zone.*
- 2. Land included in these parks shall not be materially changed, improved, altered, disposed of in any manner or used for any other purpose except after a recommendation of the Planning Commission following a public hearing and by a super majority vote of the City Council (4 positive votes out of 5 City Council members are required). A material change shall include, but is not limited to, a change to the park's present and essential defining characteristics, creation of or improvement of roadways or parking lots within the park.*

If the City Council is in favor of the proposed parking lot concept plan, City Staff will include the item on a future agenda and begin the approval process.

Mayor Troy Stout asked if this area would be where the signage would that be a good place to put it. Shane Sorensen said yes, this would be a good location and we would put in fine gravel for the parking lot. Would it allow for us to double the parking lot and we would try to hide the parking lot with a berm. Mayor Troy Stout said he likes the proposed parking lot because it is expandable.

Greg Gordon asked if the city would be plowing the parking lot in Lambert Park. People could use the trails for snow shoeing. Shane said if we did, we would have to re-grade it again each spring. Carla Merrill said residents could use Horsetail Falls trail although most people go up American Fork Canyon. Greg Gordon asked if the parking lot could be increased now because it is such a popular area. Shane Sorensen said the city would have to hold another public hearing.

Austin Roy said all our parks and open spaces require a majority vote. Lon Lott said could we say a specific square footage in the motion. Carla Merrill said because of horse trailers they need to be able to turn around. Mayor Troy

Stout asked if we would have enough space to pull through two spots. We need to wait until they finish construction in Three Falls first. Carla Merrill said at least 2 horse trailers should be able to fit in.

VIII. STAFF REPORTS

Shane Sorensen

Shane Sorensen said the city will be doing another city wide clean up this fall. He said ACE will bring bins like they did in the spring on November 6, 2021, beginning at 8AM-2PM.

Shane Sorensen said Will Jones gave the city a check for \$320 from Adobe. Adobe has a program that for every hour of service the Lone Peak Mountain Bike team does they will donate \$1 per hour. He said we should be getting more checks like these.

Shane Sorensen updated the council on overlay roads project that are nearly complete. Mayor Troy Stout asked how long-ago High Bench Road had been upgraded. Shane Sorensen said it had been 15 years since the last overlay.

Bonnie Cooper

Bonnie Cooper said ballots will be mailed out on October 12, 2021 for the General Election on November 2, 2021.

Craig Hall

Craig Hall said he would be working on what the city can do to enforce school entities on maintaining traffic control in Alpine. He said the city's goal is to maintain order. Shane Sorensen said the parents picking their children up are parking in the red zone and behind parked cars at the city office and in handicap spots at City Hall.

IX. COUNCIL COMMUNICATION

Jason Thelin

Jason Thelin asked if a reminder could be sent out to all the candidates running for city office this year clearly stating locations where election signs are allowed. Before the election, an email was sent to all candidates stating that no political signs were allowed on city property. In an attempt to be fair to all people running for office, the reminder would let the candidate know where signs are allowed and where the signs are not allowed. Shane Sorensen said with recent changes to the city's sign ordinance the city does have a section just for political signs. Shane Sorensen said there are some cases where it is not in writing, but the city has allowed community event signs to be put up in a couple of areas in the city, one of those being the corner of Canyon Crest and Ridge Drive. He said if the city sees signs where they should not be in the past, we have contacted the candidate and asked them to move it.

Jason Thelin said community event signs in those areas gives a green light to everyone else. He said the city sign ordinance says no commercial advertisements on city property. Shane said double fronted lots the new ordinance says front of the home. He said for instance there is a political sign on Metro Water property, if the candidate got permission, then all candidates should be allowed to put their signs there too because Metro Water cannot choose one candidate. Shane Sorensen said he would send out an email to all the candidates. Mayor Troy Stout said it is a little hypocritical for a candidate to not abide by the ordinance that they soon will be governing over.

Greg Gordon

Greg Gordon asked when the city would be doing a study on recreation impact fees. Shane Sorensen said a recreation study will be next after we bring the PI (Pressurized Irrigation) study to the council. He said the city will probably do a study on recreation impact fees next summer. Greg Gordon asked if the city relies on impact fees for their budget. Shane Sorensen said no, the PI helps a little with the bond payment, but we do not rely on them.

Greg Gordon suggested the city give bigger year end bonuses for city employees using the excess sales tax money.

Carla Merrill

Carla Merrill asked if the city could get gates for the cemetery at night. She said she has had a friend's child's grave vandalized. Shane Sorensen said the city looked into it in the past and the council thought it was too expensive. Mayor Troy Stout asked if city could increase the cemetery fees to cover the cost of the gate. Shane Sorensen said the city will be increasing the fee with the expansion. He said it would be costly because the cemetery would require at least five gates. He said the employee over the cemetery leave between 3:30 and 4:00PM. He said the city would need to purchase automatic locking gates, that is where it becomes expensive. He said the automatic gates are not always reliable. He said the city has timer systems on the parks restrooms that works well.

Jessica Smuin

Jessica Smuin asked if the city had gotten a replacement for the Code Enforcement Officer. Shane Sorensen said no, the city has a part-time person who is doing a good job right now. Jessica Smuin suggested having a way the residents could report code enforcement issues via the city website.

Jessica Smuin asked for an update on getting the city website updated. Shane Sorensen said this winter would be a good time to do that when things slow down a little. He said the city staff has done quite a bit of research on the subject.

Mayor Troy Stout

Mayor Troy Stout asked how soon staff can get the red curb repainted at Healey and Smoot Canyon. Shane Sorensen said getting paint has become an issue. He said with the storms in Texas some of the refineries shut down and are behind on orders. He said the painting should be complete in the next week or two before it gets too cold. Greg Gordon suggested putting up a few signs would be good idea.

Mayor Troy Stout asked when the advertisement for Code Enforcement Officer would be posted. Shane Sorensen said next week.

Mayor Troy Stout asked city staff to reach out to Josh, from the Chamber of Commerce to have a “meet the candidates” night. Shane Sorensen said he would reach out again to the chamber.

X. EXECUTIVE SESSION:

None held

Motion: Carla Merrill moved to adjourn. Greg Gordon seconded the motion. There were 5 Ayes and 0 Nays, as recorded below. The motion passed unanimously.

Ayes

Jessica Smuin
Carla Merrill
Lon Lott
Jason Thelin
Greg Gordon

Nays

Adjourned at 9:48 pm