

**ALPINE CITY COUNCIL ELECTRONIC MEETING**  
**Tuesday, August 11, 2020**  
Alpine City Hall, 20 North Main, Alpine, Utah.

**I. CALL MEETING TO ORDER:**

The meeting was called to order at 7:00 pm by Mayor Pro Tem Lon Lott.

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

Council Members: Mayor Pro Tem Lon Lott, Greg Gordon, Jason Thelin, Jessica Smuin, Carla Merrill

Staff: Shane Sorensen, Austin Roy, David Church, Chief Brian Gwilliam, Bonnie Cooper

Mayor Troy Stout and Chief Reed Thompson were excused.

**B: Prayer:** Carla Merrill

**C: Pledge:** Lon Lott

**II. CONSENT CALENDAR**

- A. Approve City Council minutes of July 28, 2020**
- B. Bond Release No. 3 – The Ridge at Alpine Phase 3: \$20,207.50**
- C. Bond Release No. 9 – North Elk Ridge Lane and Grove Drive: \$16,207.00**
- D. Bond Release No. 10 – The Ridge at Alpine Phase 1: \$213,779.80**
- E. Approve HA5 Mineral Bond Proposal - Holbrook Asphalt: \$59,716.61**
- F. Approve Amiad Filter Purchase**

Shane Sorensen, City Administrator, explained item F on the Consent Calendar. He said the lowest bid was submitted by Ferguson Waterworks in the amount of \$61,583.20. These filters were a 16-18-week lead time item so even though they did not have the filter station designed yet, they needed to purchase these two main components. The City wanted to order them now so there was not an issue later.

**Motion:** Greg Gordon moved to approve the Consent Calendar, with amendments made to the July 28, 2020 minutes by Lon Lott and Greg Gordon. Jessica Smuin seconded the motion. There were 5 Ayes and 0 Nays, as recorded below. The motion passed unanimously.

<u>Ayes</u>	<u>Nays</u>
Carla Merrill	
Jessica Smuin	
Jason Thelin	
Greg Gordon	
Lon Lott	

**III. PUBLIC COMMENT**

Austin Roy City Planner read the following emails as public comments entered into the record:

***Cal Alexander***  
***306 Deerfield Dr***

*I appreciate your reviewing this matter with the City Council this evening. My name is Cal Alexander and re reside along Fork Creek and Deerfield Drive here in Alpine. We are lifelong Utah County residents and have resided in Alpine for the past nine years.*

*I wanted to express my concerns to the City Council regarding the rapid development and increasing light pollution here in Alpine associated with the new high efficiency lighting systems being installed on new homes.*

*We have new neighbors who recently completed a beautiful new multimillion-dollar home, pool, and sports court at approximately 200 North and 200 West.*

*Unfortunately, they have installed high intensity lighting with their Sports Court along with LED lighting and yard lighting in their pool area directly across Fort Creek from our property.*

*They are excited about their new home and have hosted large evening pool parties (I call them COVID parties) and nighttime pickle ball tournaments at their sports court.*

*This has basically turned our once peaceful and dark backyard along Fort Creek into something that resembles a lighted Walmart parking lot.*

*In Researching this situation, I was shocked to find that Alpine has no Municipal Code regulating high intensity lighting in residential areas. Alpine does have extensive guidance in the Municipal Code regulating business signage and lighting to maintain dark skies and a nice bedroom community feel.*

*Alpine will quickly lose its charm and Dark Skies if this gap is not addressed.*

*I'm aware of several of the more progressive communities locally here in Utah that have policies guiding new construction to minimize light pollution and to maintain dark skies. There are many communities that we can learn from.*

*I understand that several City Council members and the Mayor have also expressed concern about this. I would encourage the City Council and Mayor to aggressively move to adopt regulations to maintain our dark skies and retain what's left our dark skies and quality of life here in Alpine.*

*I am available to further comment or to assist with the development of a Dark Sky initiative for Alpine.*

*Thank you*

Mayor Pro Tem Lon Lott said that Mayor Troy Stout had been concerned about Night Lighting. The City needed to address this at a future Planning Commission/City Council meeting to create and approve an Ordinance. Austin Roy, City Planner, said the City would address the lighting issue in the City's General Plan.

### ***Benton Collins NHA***

#### ***Sycamore lane***

*Alpine is a beautiful city. Thank you for all your efforts on its residents' behalf. We have two items to bring forward:*

*First, in a meeting on January 24<sup>th</sup> 2017 the Alpine City Council approved final plans for the creation of the Alpine West Meadow subdivision. The meeting minutes suggested that a benefit of the plan was to provide further street access to Westfield Road. This is the Sycamore Lane.*

*As an unintended consequence it appears as though Sycamore Lane has developed into a busy thoroughfare. Giving access to residents driving from North to South Alpine and vice versa.*

*Not only are there many cars driving down Sycamore Lane. Speeding down this residential road is commonplace. This jeopardizes health and well-being of not only local residents, but school children utilizing the crosswalks on Long Drive that access Timberline Middle School. Currently there are no speed limit signs on Sycamore Lane.*

*There is one stop sign at the intersection of Long Drive and Sycamore Lane. It is routinely not obeyed. Local Law enforcement stopped a driver on the evening of August 3<sup>rd</sup>, 2020 for failing to stop at the stop sign.*

*We would like to recommend as solutions:*

- 1. Create a three-way stop at the intersection of Long Drive and Sycamore Lane. This will provide added safety especially to school students.*
- 2. There is no speed limit sign posted on sycamore Lane. We recommend that a school speed limit sign with speed detection be installed.*

3. *Lastly, we strongly recommend any measure to create more thoroughfares that will lead from North Alpine to South Alpine. Sycamore Lane was not intended to have as many cars as it does driving on it. If the commission would like further evidence of how many cars drive on Sycamore Lane, we will be installing a camera to continuously record and will be able to give day by day data.*

*Second, Long Drive and surrounding side streets act as defacto parking lots for individuals utilizing the fields. This is especially prevalent for youth organized sports. Many of the individuals arriving for these events are not local residents of Alpine and do not care about the preservation of it. This has been evidenced by the consistent refuse produced by patrons at the events that later end up in the residential yards and a patron noted to be urinating in the street.*

*These events are held routinely (nearly every day) and provide constant concerns for the area. It should be noted that the Utah Soccer Association has been contacted and they have stated that on multiple occasions they have informed families attending soccer games at Timberline Middle School to park in the parking lots and not on the street. This has not produced adequate results as of yet.*

*After review of City Council solutions to these types of situations in the past, we would like to recommend similar solutions. As proposed and ratified in the City Council meeting on 9-27-16, the Council agreed to place further fencing and stronger "No Parking" signs near Smooth Canyon Park to help deter the frequent street parking. We would like to recommend the following solutions:*

1. *Extend the fence at Timberline Middle School to disallow access to the fields. The existing fence leaves much open access to the fields which entice the visiting individuals to park as close to the fields as possible.*
2. *Place "No Parking for Events" signs on Long Drive and surrounding side streets. These signs should also have verbiage that states that violators will be ticketed or towed.*
3. *Review the number of events scheduled at the fields. Then if possible, reduce the number of sporting events held.*

*Thank you for your consideration on these two issues.*

Shane Sorensen, City Administrator, said that all of the roads spoken of were collector roads and intended to sustain high traffic. Therefore, having a three-way stop would not be warranted for this area, but he would check. He explained that it was rare having a three-way stop in any City. He said that unfortunately signs got ignored and that they could be a nuisance. This area was not typically a high-traffic area and he suggested that there may be more traffic on Sundays. He said that if the City put up signs for event parking that this may filter traffic more into the neighborhood where there were no signs. If the police were to give out tickets, they would have to prove that the offender was attending the event which would be hard to do. He said people in the neighborhood had taken matters into their own hands and had resorted to putting up no parking signs and painting curbs red.

Council Member Lon Lott said he had seen people park on both sides of the street right up to the stop sign which made it difficult to see the stop sign. He suggested the City could address each item individually with Chief Brian Gwilliam. Council Member Carla Merrill said the speed limits were always 25 in residential areas unless posted otherwise.

Council Member Greg Gordon added that the intersection in that area was busiest around school time and people tended to go faster because of how it was set up. He had witnessed an accident there that occurred during a football game. That area got very congested and people hopped in and out in front of cars. All of these issues needed to be addressed.

Council Member Lon Lott said he appreciated Mr. Collins's input regarding suggested solutions. Council Member Jason Thelin asked what the lowest speed limit was in Alpine. Shane Sorensen, City Administrator, said per State law, the speed limit in school zones was 20 mph. Chief Brian Gwilliam said that the issue of lowering the speed limit in one neighborhood was that they would get multiple requests from every neighborhood to lower the speed limit. Council Member Jason Thelin said he had sympathy for the residents in the neighborhood; many of them wanted a three-way stop sign, and the least the City could do was put up speed limit signs. He was unsure Alpine City's ability to force modifications to the

fencing due to it being on school property, but extending that might be the best way to motivate participants to park in the Timberline Parking Lot.

Council Member Jessica Smuin said Healy Park had the same issues with event parking. She asked if the City had any more property there for parking. Shane Sorensen, City Administrator, said they did not; however, there was a parking lot at Burgess Park, as well as trails and a bridge that could also be used. Council Member Jessica Smuin asked for clarification on the school's property. Chief Brian Gwilliam said there was parking available in the parking lot on the south side of the school, but it was too far for people to walk so they were choosing to park on the street. Shane Sorensen, City Administrator, said they had contacted the school with regard to leasing out its property for sporting events, with the added specification that parking should occur in the parking lots. Council Member Jessica Smuin said there were only three schools in the area; if they looked into defining areas around schools, lowering the limits could be a possibility. Shane Sorensen, City Administrator, noted that speed limits were set according to State law, but staff could investigate the matter.

Council Member Carla Merrill said she was not in favor of lowering the speed limit. She felt that 25mph was an adequate and safe speed limit for residential neighborhoods. When people parked on both sides of the road it forced the driver to slow down, thereby making the area safer. Council Member Greg Gordon noted there was a cross walk in the area, and people may assume that because of the cross walk there was also a stop sign there which could cause confusion. He said that the school put port-o-potties out sometimes by the courts and suggested Timberline consider building a facility for bathrooms because people often used the creek as a bathroom.

***Sharon & Dale Robinson***  
***474 Eastview Dr.***

*Could we sometime in the Alpine Newslite include a reminder about using your signal when exiting the round-a bout. How do we get the msg out to all the working people that come into Alpine every day to work? Right now, I count about 1/3 of the people are using their signals. Can we get the Police to help out with this? Thanks*

Chief Brian Gwilliam noted that he had researched signaling at round-a-bouts. He explained that this was a gray area because there was not a law pertaining to roundabouts. Shane Sorensen, City Administrator, said the City had to remove the signs regarding turn signals because they were not required. Chief Brian Gwilliam said it was a courteous thing to do for others on the road. Shane Sorensen, City Administrator, said he would have something to that effect put in the next month's Newslite and he would contact the designer of the roundabout on the matter.

***Bryan Irving***  
***371 N Matterhorn***

*Could the City have ACE do weekly recycle waste pickups? Due to COVID-19 more people are ordering online and have more cardboard waste.*

Shane Sorensen, City Administrator, responded that this would come at a cost to the citizens, however he could investigate the matter. Council Member Lon Lott asked if the City could have a recycle bin at City Hall. Shane Sorensen, City Administrator, said that they had had one in the past and it became a problem, but they could look at a different location.

Bonnie Cooper, City Recorder, said that Alpine Elementary had three recycle bins. Council Member Lon Lott suggested they look into advertising those bins. He then asked if staff could communicate with Alpine Elementary School about informing the public about the bins in the Newslite next month. Shane Sorensen, City Administrator, suggested that the citizens get a second recycle bin for their home. Council Member Lon Lott asked about the ACE green waste cans and if the City had anymore information about them. Shane Sorensen, City Administrator, said currently the City was planning a leaf bag program for the fall. The City would readdress the matter in the spring.

***Concerned Citizen regarding: COVID-19***

*The citizen voiced his concerns over the lack of social distancing at Snoasis on the corner of 200 North and Grove Drive.*

Council Member Lon Lott also asked what their role as a City was for enforcing social distancing. Shane Sorensen, City Administrator, said that in Provo the week prior someone had a large dance party that had almost 1,000 people in attendance and that law enforcement's hands were tied in the matter. Generally, it was not for law enforcement to enforce social distancing protocols. He said that Mayor Troy Stout had stopped there on occasion and asked people to try to social distance from each other. Council Member Greg Gordan said that the owner of Snoasis was a good friend of his and he would speak with him to see if he could help with this matter.

#### **IV. REPORTS AND PRESENTATIONS**

##### **A. Update from Planning Commission: General Plan and Land Use Regulations – Gateway Roads and Streets**

Austin Roy, City Planner, gave an update of the Planning Commission meeting of August 4, 2020, regarding the General Plan and Land Use Regulations – Gateway Roads and Streets. He explained that the Planning Commission had looked at some of Alpine City's language in the draft regarding the transportation element. There was language that discussed regional integration, thereby implying that Alpine was in favor of regional connections. Their first recommendation was to get the language out of the General Plan that talked about regional integration. They had discussions on stub streets, residential streets, and gateway roads that focused on connections that had been planned for stub streets, as well as alternative words to the term "gateway." They looked at the street master plan and took language that the staff had prepared addressing the requirement that the general plan be updated. Additionally, they also reviewed language regarding the street master plan and ordinances for any new municipal connections to preserve the existing nature of Alpine, and to make it clear that the Council approved all changes made to the General Plan. After the plan was reviewed by David Church, Legal Counsel, staff would present the changes to the Council.

Council Member Jason Thelin asked if the Planning Commission had discussed any language that would limit the Council's ability to do roads. Austin Roy, City Planner, said one of the Planning Commission members had questioned the legality of this issue. However, the overall discussion focused on taking everything back to the Council for review.

##### **B. Financial Report**

Shane Sorensen, City Administrator, gave an update on the Financial Report. He said the City was one month into the fiscal year so there were not a lot of highlights. The State audit would take place later that month and then be reported to Council in September. He said the City would get the sales tax revenue for the fiscal year that had just ended the following week, and he would report on the matter at the next City Council meeting. He said the City had made two payments on the PI bond that week, and that things were going very well for the City. He said the budget would need to be adjusted because the Pioneer Drive Project was supposed to be finished the previous fiscal year, but it had stretched over into that year. He said the money was still there it was just about making small modifications in the budget.

#### **V. ACTION/DISCUSSION ITEMS**

##### **A. Appointment of Hearing Officer for Summit Point Appeal Hearings**

Shane Sorensen, City Administrator, said that the City had a hearing officer lined up to review the first appeal that had been made; however, this appointment had fallen through. David Church, Legal Counsel, contacted Paul Nielsen, who was a hearing officer for Millcreek and other places. He was a land-use attorney who worked in Salt Lake City and had been recommended by Paxton Guymon. They did not need to only have one hearing officer they could have different ones for different situations. The Mayor could appoint the hearing officer with the approval of Council.

**Motion:** Council Member Jason Thelin moved to approve the appointment of Paul Nielsen as the Hearing Officer for the Summit Point Appeal Hearings. Council Member Greg Gordon seconded the motion. The 5 Ayes and 0 Nays are recorded below. The motion passed unanimously.

<u>Ayes</u>	<u>Nays</u>
Carla Merrill	
Jessica Smuin	
Jason Thelin	
Greg Gordon	
Lon Lott	

Shane Sorensen, City Administrator, explained that the City had 40 days to hold these hearings but that no date had been set yet. The attorneys on both sides were working together to set a date.

### C. Ordinance 2020-13: Retaining Wall Drip Irrigation

Austin Roy explained that the Planning Commission recommended approving Ordinance 2020-13: Retaining Wall Drip Irrigation, to be approved by the Council.

**MOTION:** Council Member Ed Bush moved to recommend Ordinance 2020-13: Retaining Wall Drip Irrigation, be approved with the following language provided by Jed Muhlestein:

*Drought resistant shrubs shall be drip irrigated to minimize water usage. The responsibility of drip irrigation resides with the property owner on which the majority of the structure is built. If the majority of the structure is built on private or public open space, an irrigation service and drip irrigation system shall be installed by the Developer. The Developer is responsible for the drip irrigation maintenance, establishment of vegetation, and cost of operation until the warranty period expires; after which the responsibility lies with the owner(s) of the property.*

Council Member Ed Bush added language in Section F to say: *A minimum of five drought resistant shrubs.*

Council Member Alan MacDonald seconded the motion. There were 6 Ayes and 0 Nays (recorded below). The motion passed unanimously.

Council Member Jason Thelin voiced a concern that if it was on private property that the language was not clear enough. He asked if the City had ever had anyone come back and say they did not have to maintain the retaining wall because there was not an HOA. He wanted to make sure responsibility went to the owner of the property. Shane Sorensen, City Administrator, said there should always be an owner or some entity to pin the responsibility on. Lon Lott said that he did not see another way to word this and this was probably as good as they could get. Austin Roy, City Planner, said the City had ordinances that could be enforced, and which had already been done successfully.

**Motion:** Council Member Carla Merrill moved to approve Ordinance 2020-13 as proposed. Council Member Greg Gordon seconded the motion. The 5 Ayes and 0 Nays are recorded below. The motion passed unanimously.

<u>Ayes</u>	<u>Nays</u>
Carla Merrill	
Jessica Smuin	
Jason Thelin	
Greg Gordon	
Lon Lott	

### D. Approve Central Utah Project (CUP) and Alpine City Water Extension Agreement

Shane Sorensen, City Administrator, reviewed the Central Utah Project and Alpine City Water Extension Agreement. The City did not have to pay the ~\$113,000 a year for its CUP water because it had used the

City's water and in turn had paid the annual assessment. The current agreement expired at the end of the year. With the pump station under construction it would not be completed until the following spring. An agreement had been made that the City would not have to pay the assessment in 2021 but would start payments in 2022.

**Motion:** Council Member Jason Thelin moved to approve the Central Utah Project (CUP) and Alpine City Water Extension Agreement through the 2021 calendar year. Council Member Carla Merrill seconded the motion. The 5 Ayes and 0 Nays are recorded below. The motion passed unanimously.

Ayes

Carla Merrill  
 Jessica Smuin  
 Jason Thelin  
 Greg Gordon  
 Lon Lott

Nays

## VI. STAFF REPORTS

Austin Roy, City Planner, said that the City had been contacted by Timpanogos Symphony Orchestra to hold a performance on September 26, 2020, in Creekside Park. He said they usually held the event at the Timberline Middle School but because of COVID-19, they thought the park would offer better opportunities for social distancing. He said their usual attendance was around 600 people on average, but that was during a year with no pandemic. He said this year they were anticipating a lower number of around 200-400 people attending, but that was not guaranteed. He said the Orchestra would like to hold the concert on a Saturday night, but they were flexible and could also perform on a Monday night. He said that they would need to obtain Mass Gathering insurance, ensure that the park was cleaned ahead of time, pay fees, and the police department would have to sign off on the event and make sure roads were closed off.

Council Member Greg Gordon said he thought it was a good idea. Council Member Jessica Smuin asked how they would be enforcing social distancing requirements. Austin Roy, City Planner, said they would be amplifying the music and setting up areas for people to listen six feet apart. Council Member Jessica Smuin said she thought it would be a good idea to give people the option to attend the event because people had learned a lot over the summer and were interacting more responsibly.

Council Member Lon Lott asked what the time frame would be and how late the event would go. Austin Roy, City Planner, said the event would be just one hour. Council Member Jason Thelin said he thought it was a better solution than the auditorium at Timberline Middle School. Council Member Carla Merrill said if the group followed State guideline and were responsible, she agreed this would be a good event. Shane Sorensen, City Administrator, said he would contact the health department. He also noted that he was participating in an event that week and was required to fill out a packet with their plans for their event; at this point, they were not approving or disapproving the plan they were just having it filed. Council Member Lon Lott said he would want to go over the plan after all of the appropriate actions had been taken. Council Member Greg Gordon asked how they would be selling tickets, and how they would handle bystanders that did not have tickets. Austin Roy, City Planner, said he would investigate the issue and get back to Council on the matter.

Council Member Lon Lott said he was approached by the Daughters of the Utah Pioneers (DUP) which had 18 members. They would like to see if they could hold their monthly meetings at City Hall for the months of November, December, and January. They have been meeting outdoors to be able to socially distance. They would like to find a place large enough that they could continue to social distance at their meetings while in doors, and had meetings scheduled on the second Monday of those months at 10:00 am. Shane Sorensen, City Administrator, said the City could accommodate that request and Council Member Lon Lott said he would put the DUP in touch with Shane Sorensen to coordinate schedules.

Austin Roy, City Planner, said he had met with each Council Member regarding the City Plan. He would put all their ideas together and present the improved City Plan during a future City Council meeting.

Shane Sorensen, City Administrator, gave an update on hiring a new City Attorney. He said all RFPs were due Wednesday, August 5, 2020. He would be working with the Mayor Troy Stout to organize a committee to select the new city attorney which would be comprised of some of the City Council Members. He said Mayor Troy Stout would be contacting the City Council members directly. The City was hoping to have an announcement in two weeks of who the new City Attorney would be.

Shane Sorensen, City Administrator, said the City had finished paving the south entrance to Lambert Park. He also reported the project on Pioneer Drive was nearly complete. Pioneer Drive looked like an entirely new neighborhood, where previously 75% of the houses that did not have curb and gutter before had since beautified their properties. The City would be planting trees and finishing up that project soon. He said the chip seal project would start the following day, August 12, 2020, and the overlay project on Sunset would start soon after that.

Shane Sorensen, City Administrator, informed the Council that Will Jones and the Trails Committee had been working with mountain bike groups and would be putting up signs along trails.

Shane Sorensen, City Administrator, said the CARES Fund time frame could change to the end of the fiscal year which would be June, 30 of 2021, and the funds could go towards lost revenue.

Shane Sorensen, City Administrator, informed the Council that the trial that was scheduled for October has been delayed due to COVID-19. He would have more information in two weeks.

Council Member Carla Merrill said she had read an article about shooting areas being shut down and wondered why Alpine City's was not including on the list. Shane Sorensen, City Administrator, asked Council Member Carla Merrill to forward the article to him. Council Member Greg Gordon said he also read the article and Alpine did not fit into the certain set of criteria.

Council Member Greg Gordon asked Shane Sorensen, City Administrator, if the email and phone calls that went out regarding the PI water helped the supply and elevation of the water. Shane Sorensen, City Administrator, said replied yes, it had, and staff was pleased with the results.

Council Member Greg Gordon shared an idea to list the Trails Committee members on the City's website so that if another citizen would like to volunteer to help, they could contact them. Council Member Lon Lott asked staff to put the Trails Committee on the City's website.

## **VII. EXECUTIVE SESSION:**

No Executive Session was held.

**Motion:** Council Member Jessica Smuin moved to Adjourn the meeting. Council Member Jason Thelin seconded the motion. The 5 Ayes and 0 Nays are. The motion passed unanimously.

Ayes  
Carla Merrill  
Jessica Smuin  
Jason Thelin  
Greg Gordon  
Lon Lott

Nays

The meeting adjourned at 8:17 pm.