

ALPINE CITY COUNCIL MEETING
Alpine City Hall, 20 N. Main, Alpine, UT
October 22, 2019

I. CALL MEETING TO ORDER: The meeting was called to order at 7:00 pm by Mayor Troy Stout. He announced they would be holding an executive session at end of the meeting to update the Council on the current lawsuit. Also, they would be postponing item G on the Verizon Cell Tower.

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

Mayor Troy Stout
Council Members: Ramon Beck, Kimberly Bryant, Lon Lott
Staff: Shane Sorensen, Charmayne Warnock, David Church, Austin Roy
Others: Megan Allphin, Will Jones, Taylor Fonua, Breezy Anson, Robin Towle, Kevin Towle

B. Prayer: Lon Lott

C. Pledge of Allegiance: Ramon Beck

II. CONSENT CALENDAR

A. Approve City Council minutes of October 8, 2019

MOTION: Lon Lott moved to approve the Consent Calendar as clarified. Kimberly Bryant seconded. Ayes: 3
Nays: 0. Motion passed.

<u>Ayes</u>	<u>Nays</u>
Ramon Beck	none
Kimberly Bryant	
Lon Lott	

III. PUBLIC COMMENT: There were no public comments.

IV. REPORT AND PRESENTATIONS

A. Financial Report

Shane Sorensen said the Alpine City finances were in good shape. They were continuing to work on installing the playground in Burgess Park and the new parking lot in Healey and the new restrooms in both Healey Park and Smooth Canyon Park. Mayor Stout asked it was possible to dim the lights on the restroom in Smooth Canyon Park because they were very bright. Shane Sorensen said he would look into it.

B. Recognition of Fire Prevention Week Poster Contest Winners

Shane Sorensen said there must have been a miscommunication because Chief Thompson had asked him to put this item on the agenda, but he was not present.

C. Robin Towle, Mrs. International – Wolfpack Program for Suicide Prevention

Mayor Stout introduced Robin Towle who was the winner of the Mrs. International Pageant. She had won the Mrs. Utah Pageant and the Mrs. America Pageant. The sponsors of the international pageant had contacted her to participate because they'd heard about her work on suicide prevention. She said she was grateful to be involved because it gave her an opportunity to spread her platform to many other places. She had introduced her program in Europe the previous week and would be speaking Japan next month, which had one of the highest suicide rates in the world. She said Utah had one of the highest suicide rates in the nation and the trajectory was climbing even higher. She worked not only with youth but with Veterans who came back with PTSD.

Her work on suicide prevention involved increasing emotional intelligence and learning how to better deal with emotional upsets. She had been instrumental in promoting SAFEUT which was an app that someone could download and talk to a licensed clinician 24-7. It was free and confidential. If someone was in crisis, they would send out a person.

She said she had become involved with suicide prevention because of the suicides at Lone Peak High School and a personal experience with her son, which took her on a journey to learn how to help people who were struggling with thoughts of suicide. She said the Wolfpack was a pact that the kids signed if they thought they might self-harm. It was based on the Native American story where a young man tells his grandfather that he has two wolves fighting inside him, a good one and a bad one, and asks his grandfather which one will win. The grandfather tells him, "The one you feed." Using this story as a touchstone, she formed the Wolfpack using evidence-based principals that enable people to better deal with the anxiety and depression that plague so many and is getting worse. She said that if someone tended to live in the future, they were prone to anxiety. If they lived in the past, they were prone to depression. Her program worked to teach the youth and Veterans to live in the present and ground themselves by using their senses.

She said she had been talking with Mayor Stout about implementing a Wolfpack in the local community. The group would meet twice a month.

V. ACTION/DISCUSSION ITEMS

A. Moderate Income Housing

Austin Roy said the Planning Commission had reviewed the proposed Moderate Income Housing Element of the General Plan and made a motion recommending inclusion of the following items.

- 1.1 Allow accessory apartments within owner-occupied dwelling throughout the City.
- 1.2 Allow senior housing units to be built in more dense clusters to reduce the costs of living.
- 1.3 Preserve existing moderate income housing.
- 1.4 Provide a mortgage assistance program for employees of the municipality or of an employer that provides contracted services to the municipality.

Lon Lott asked they needed to identify a fund source and amount for the mortgage assistance program. Austin Roy said those details would be worked out when the City adopted ordinances to implement the Moderate Income Housing Plan.

David Church said this would be part of the General Plan. In order to implement the plan, the Council would need to would adopt ordinances next year to make it work. But all they needed right now was to include it as an Element of the General Plan. The Council would determine a funding source and budget amounts at a later date. They would need to report on the success of the plan at the end of 2020.

MOTION: Ramon Beck moved to adopt the Moderate Income Housing of the Alpine City General Plan as proposed. Lon Lott seconded. Ayes: 3 Nays: 0. Motion passed.

<u>Ayes</u>	<u>Nays</u>
Ramon Beck	None
Kimberly Bryant	
Lon Lott	

B. Ordinance No. 2019-20 Amending Article 3.21.060, Fences on Retaining Walls

Austin Roy said the Akina family at 460 Ridge Lane wanted to build a privacy fence on top of the retaining wall at the back of their property, but the current ordinance prohibited solid fences on top of retaining walls; the ordinance did not have a provision for an exception. He said the Akina's did not feel it was fair that they could not have privacy fence like other people. He explained their backyard had a significant slope which exposed it to traffic on

the road. The neighbors had privacy fences on their retaining walls which were built before the ordinance was changed to prohibit privacy fences on top of retaining walls.

Mayor Stout pointed out that they could put up the fence if it was set four feet back from the retaining wall.

Austin Roy said the Akina's didn't want to give up four feet of their backyard. He said the change in the ordinance originated for two purposes. First was safety. They didn't want someone jumping off the wall. Second, it was for aesthetics to prevent a 17-foot high sheer wall.

Kimberly Bryant and Mayor Stout recalled the rationale for making the changing the ordinance and hesitated to amend it.

Austin Roy said that as the city had grown, most new development had moved to the hillsides where more and more properties required retaining walls.

Mayor Stout said he would rather have a provision for an exception than changing the whole ordinance.

Will Jones pointed out that there was a privacy fence on a retaining wall on a lot in North Point which bordered a trail. Because of the slope, the only thing the trail users saw was the fence, but from the yard, the homeowners saw the height of the retaining wall and the height of the fence. It provided privacy for the homeowners.

The Council discussed allowing privacy fences on retaining walls where it bordered open space or was between the properties of consenting neighbors.

MOTION: Ramon Beck moved to not change the ordinance and referenced the proliferating problem they'd seen in Willow Canyon when the Council had granted exceptions to the height of homes. Kimberly Bryant seconded.

Lon Lott suggested amending the motion to allow possible exceptions for lots bordering open space or trails where there was a significant difference in elevation between the lot and the open space/trail.

There was more discussion about the possibility of allowing privacy fences on retaining walls between consenting property owners.

No vote was taken on Ramon Beck's motion and a substitute motion was made.

MOTION: Lon Lott moved to deny the proposed amendment to Article 3.21.060 of the Development Code and ask the Planning Commission to modify the ordinance with clear verbiage that would allow privacy fences on retaining walls between property owners where both owners agreed to the fence and between private property and public open space/trails where there was a significant difference in elevation between properties. Ramon Beck seconded. Ayes: 3 Nays: 0. Motion passed.

<u>Ayes</u>	<u>Nays</u>
Ramon Beck	None
Kimberly Bryant	
Lon Lott	

David Church said that the current ordinance allowed an open style fence on a retaining wall. There had to be 50% visibility. Someone could build a fence on a retaining wall where the lower portion was solid and the upper portion was open style fencing. That could be done without writing an ordinance that was constantly inviting exceptions.

C. Ordinance No. 2019-21 Amending Article 3.09.040, PRD Slope Requirements

Austin Roy said the proposed amendment would allow for more flexibility when including slope into a lot or a development. It would allow for lots with a more regular shape. He said the lots would still have to meet the requirement for a buildable area, but it would allow the lot lines to be straightened out to make a more sensible lot. He used an example from the Marsh and Whitby properties to illustrate how that would work.

MOTION: Ramon Beck moved to approve Ordinance No. 2019-21 amending Article 3.09.040, PRD Slope Requirements, in the Alpine City Development Code as proposed. Kimberly Bryant seconded. Ayes: 3 Nays: -0. Motion passed.

<u>Ayes</u>	<u>Nays</u>
Ramon Beck	None
Kimberly Bryant	
Lon Lott	

D. Lambert Park Trail Proposal

Austin Roy said the trail committee was proposing a new trail in Lambert Park which would be dedicated for the sole use of pedestrian traffic. There were complaints from residents about near-misses with bikers and horses which prompted the trail committee to investigate the possibility of a trail for pedestrian use only. They were also proposing a mountain bike trail which would only be used by bicyclists.

Breezy Anson said the pedestrian trail would be about 1.5 miles and identified where it would be on the map. He said they planned to begin working on the trail the next day by removing some tall sagebrush.

Troy Stout clarified that building the new pedestrian only trail would not mean that foot traffic was excluded on other trails. However, there would be a biking trail with one section designated for uphill traffic only and a section for downhill traffic only. He asked about the Lambert Park Foundation for donations.

Shane Sorensen said the City had money earmarked specifically for trails, but he didn't recall that they actually created a foundation.

David Church said the City had not created a foundation for trail donations. He said that people who donated already got a tax break for donating to a city. He said other entities such as schools created foundations because there were places that had rules that precluded them from donating to a governmental entity.

Breezy Anson said there would need to be signage at the intersections between the pedestrian trail and other trails to keep bikers off the pedestrian trail.

MOTION: Lon Lott moved to approve the new pedestrian trail in Lambert Park as proposed. Ramon Beck seconded. Ayes: 3 Nays: 0. Motion passed.

<u>Ayes</u>	<u>Nays</u>
Ramon Beck	None
Kimberly Bryant	
Lon Lott	

E. Sale of Circus Tent

Shane Sorensen said that several years ago a council member had found a tent for sale and the City purchased it to use for Alpine Days. There were problems with the tent when the winds came up and it had not been used for several years. It was proposed that they sell the tent since it was just taking up space in the City Shops.

MOTION: Kimberly Bryant moved to sell the tent. Ramon Beck seconded. Ayes: 3 Nays: 0. Motion passed.

<u>Ayes</u>	<u>Nays</u>
Ramon Beck	None
Kimberly Bryant	
Lon Lott	

F. Meeting Schedule for November

Shane Sorensen said that because of the Election on November 5th, the Planning Commission meeting would need to be postponed to later in the month. The City Council was scheduled to meet on November 12th and needed to canvass the election, but since absentee ballots might still be coming in, it was proposed that the City Council meeting be scheduled on November 19th. The Planning Commission could then meet on November 12th.

MOTION: Lon Lott moved to switch the City Council meeting from the 12th of November to the 19th of November and move the Planning Commission from the 19th of November to the 12th of November. Kimberly Bryant seconded. Ayes: 3 Nays: 0. Motion passed.

<u>Ayes</u>	<u>Nays</u>
Ramon Beck	None
Kimberly Bryant	
Lon Lott	

VI. STAFF REPORTS

Austin Roy

- Mr. Roy said he had received a request that the City Council consider putting a “No Left Turn” sign on Main Street north of the charter school. Shane Sorensen said the City had already provided a sign to the school. It would only be there twice a day while the crossing guard was there.
- He had received an email from someone who was concerned about e-bikes in Lambert Park and wondered if they needed signage. David Church said that in some cities and on forest land, e-bikes were considered a bike if they had peddle assist and because the motor was smaller. Mayor Stout suggested they make the topic of e-bikes a future agenda item.

VII. COUNCIL COMMUNICATION

None

VIII. EXECUTIVE SESSION

MOTION: Kimberly Bryant moved to go into Executive Session to discuss litigation. Lon Lott seconded. Ayes: 3 Nays: 0. Motion passed.

<u>Ayes</u>	<u>Nays</u>
Ramon Beck	None
Kimberly Bryant	
Lon Lott	

The Council went into closed session at 8:50 pm.

The Council returned to open meeting at 9:30 pm.

MOTION: Lon Lott moved to adjourn. Ramon Beck seconded. Ayes: 3 Nays: 0. Motion passed.

<u>Ayes</u>	<u>Nays</u>
Ramon Beck	None
Kimberly Bryant	
Lon Lott	

The meeting was adjourned at 9:30 pm