

ALPINE CITY COUNCIL PUBLIC MEETING
on Tuesday, November 30, 2021

Mayor Troy Stout called the meeting to order at 6:02 pm and welcomed all in attendance for the last City Council meeting of the year. He mentioned what a large turnout of residents in attendance.

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

A. Prayer: Greg Gordon
B. Pledge: Mayor Troy Stout

Staff: Shane Sorensen, Austin Roy, Craig Hall, Chief Brian Patten, Chief Brian Gwilliam, Bonnie Cooper and via zoom - Jed Muhlestein

Others: Brandon Hill, Suzanne Hill, Erin Tetro, Todd Stevenson, Jayden Bateman, Kylee Bateman, Shayne Bateman, Brenna Bateman, Brant Bishop, Deb Rowley, Kathryn Allen, Gill Greer, John Airmet, Lane Stevens, Reid Swenson, Andre Borba, Larissa Borba, Natalie Borba, Amanda Collins, Brian Schmidt, Ian Silva, Devan Silva, Emerson Silva, Alec Silva, Mark Cowdell, Jennifer Stout, Adam Dayton, Samuel Dayton, Matt Jacobson, Jimmy Slemboski, Robert A. McFadden, Maureen Kirkland, Clark Burgess, Nora Burgess, Porter Hales, Dan Bender, Bob Zurcher, Julie Zurcher, Jaxson Weaver, April Cooper, Jackson Cannon, Stephanie Cannon, Chase Cannon, Jay Greenburg, Dan LaRiviee, John Jonas, Jim Miller, Brock Miller, Tap Gorman, Brendan Jones, Jill LaRiviere, Kimberly Nearon, Johnny Rainer, Sam Rainer, Suzannah Ludwig, Sarah Balckwell, Adeline Jonas, Amanda Collins, Jason Daniels, Justin Daniels, Mike Dattton, Jennifer Datton, Kim Rodela (Highland City Council Member), Wayne Patterson, Ross Welch, Nick Hudson, Rick Louder, Brad Colton, Zach Child, Rachel Child, John Magnusson, Mike Bradshaw, Johnathan Baird, Darin Peper, Jocile Jackson, Sheldon Deckart, Talen Davis, Payton Dean, Samuel Christensen, Breezey Anson, Dave Card, Jerry Henley, Brad Taylor, Stephanie Batteridge, Julie Gengaley, Nelson Gonzalez, Melonie Cannon, Scott Southwick, Kevan Mills, Will Jones, Lane Stevens, Camille Agare, Natalie... (Coach of Lone Peak High School Mountain Bike Team), Wes Lundford, Lane Frank, Scott Johnson

II. CONSENT CALENDAR

- A. Approve City Council minutes of November 9, 2021**
- B. Approve City Council minutes of November 16, 2021**
- C. CUP Filter Station Partial Payment #3: \$45,510.70**
- D. Bond Release No. 7 – The Ridge at Alpine Phase 5: \$312,915.75**
- E. 2022 Annual City council Meeting Schedule**

City Council member Lon Lott asked City attorney Craig Hall whether for the record if it needs to be recorded when a council member is joining via zoom or attending at the anchor location. Craig Hall said it would be a good practice.

Motion: Lon Lott moved to approve the consent calendar as proposed, with the edits made to the minutes of November 9, 2021, by City Council members and the annual meeting schedule for 2022 change a date of one meeting from November 22nd to November 29th due to Thanksgiving holiday. Jason Thelin seconded the motion. There were 5 Ayes and 0 Nays, as recorded below. The Motion passed unanimously.

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

III. PUBLIC COMMENT

Lane Stevens
73 S Matterhorn Drive

Lane Stevens said he wanted to comment on what is happening on Apollo. He said he believes several the people in attendance at the meeting are also concerned about this matter. He asked the audience members who came to the meeting with concerns regarding fencing that has been going up by Apollo. (Most of the audience stood) He said he is aware of some citizen coalitions that are going around but he believes there are things the city can do as well. There

are things the city can't do as well. What is important is that those that are concerned about the fence that will block access to the trails between Highland, Alpine and Draper do not cross over each other. We need to find ways to compliment each other. This resource we have supports every demographic we have. We as resident walk, ride, jog, and horseback along these trail and have been doing so for many years. Hog Hollow should qualify as prescriptive easement. As residents we have never asked permission to get to the trails for over the past twenty years. He requested the city to be transparent of what the city can do and what they cannot do. As a citizen of Alpine, he would like to preserve the ability to have access to the trails. He agreed that a property owner should restrictions on the use of their property, but where there is an easement that is well established that is an access way to get to other resources it is important to be maintained.

Mayor Troy Stout said the city is looking into this matter and will keep the public informed. City Attorney Craig Hall said he became aware of the fence over this last weekend and is finding out if the city has any standing to contest to have it removed. Craig Hall gave Lane Stevens his business card and asked to be directly contacted and kept in the loop of any citizen group initiatives. So that we are not duplicating actions and efforts.

Camille Baily Agare
Highland City

Camille Baily Agare said she was an attorney and resident from Highland City. She asked Natalie the coach from Lone Peak High School Mountain Bike Team to join her at the podium. Ms. Agare asked Coach Natalie. To comment of what the affect will be on the mountain bike team if the access block off at the top of Hog Hollow. Coach Natalie commented the importance of Hog Hollow access is to the team. The number one reason is for its size alone, Hog Hollows access is much wider than other access points. The team has been told that we could have access through Three Falls and Sun Crest. If the bikers use those two access points could potentially be a safety issues. One due to the road and the other because of narrower paths. The amount of people using that trail would be detrimental to everyone in the community. This is complicated because we have three cities (Alpine, Highland and Draper) involved. We need to get all three cities and residents on the same page.

Breezey Anson (Trail Committee Member)
633 N Wilderness Drive

Trail Committee Member Breezey Anson addressed the fence that everyone is concerned about. Mr. Anson said Bill Becker who is over the Canyon Foundation said he is happy to meet with Alpine City. He received a text message from Craig with Draper City which said “ We should reach out to the council members the mayor, I am told the official Draper City response to your inquiry is, the property owner has a right to fence their property but must do so without ending the Draper City is working to determine if there is any historical or prescriptive access right to the property exists that need to be honored by the property owner”. Draper City is looking into this matter. This is not the first time a fence has been put up on this property. Mr. Anson and Mr. Becker both agreed that all three cities (Draper, Highland and Alpine) need to get together and have a meeting. Corner Canyon is now used by three cities. Mr. Anson said Mr. Becker is willing to help the city to have access to Corner Canyon.

Mayor Troy Stout had asked Draper City if when the property was first sold did it have any declarations to say the trail would remain open until construction began. Coach Natalie said if the trail got block would impact over 400 students from Corner Canyon as well as 300 from Lone Peak, 200 from Sky Ridge. 200 from American Fork. Trying to direct traffic with the students would be very difficult. Breezy Anson said the only access point to Corner Canyon will be Three Falls and that will cause a lot of problems. Having the westside trails open will help a lot.

Kim Rodela
Highland City Council Member

Kim Rodela said she and Highland City very much wanted to be involved in coming to an agreement to benefit all the communities involved in this trail access.

Rick Louder
Highland City

Rick Louder said he and the residents of Highland City share the same frustration with Alpine City when it comes to access to trails. Highland residents have organized an LLC to help fight to keep access to our trails. Our group has hired a land use attorney, Dan McDonald. We have set up a go fund account help preserves the trails (gofundme.com save our trails). He said he is willing to meet with anyone interested in helping this cause.

Joe Jonas
Highland City

Joe Jonas pleaded with council to do everything they can to have this access to trails open to the residents.

Nick Hudson

802 S Allegheny Circle

Nick Hudson has lived in Alpine all his life. He is now raising his children here. He wants his children to have the same memories of the mountains and trails he had as a youth.

Ross Welch**201 E Red Pine Drive #9**

Ross Welch thanked Mayor Troy Stout for his 13 years of service public to Alpine City. He complimented City Council member Lon Lott on the write he did in the Connection's magazine. He said he thought it eloquently expressed our feelings about elections and public service.

IV. REPORTS AND PRESENTATIONS

None given

V. ACTION/DISCUSSION ITEMS**A. Public Hearing – General Plan**

Mayor Troy Stout said the council has had several work sessions to go over the General Plan. The General Plan is to help with the vision of our city. City Administrator Shane Sorensen said staff went through all the changes from the last City Council work session. All the corrections have been made to the final draft of the General Plan. City Planner Austin Roy went over the changes that had been made to the General Plan with one additional change made that day. The land use map (figure 1) was missing the header at the top of the page, along with a few grammatical corrections. The last section of the document that was added to the General Plan was Community Engagement. City Council member Carla Merrill said she had sent an email to staff concerned a footpath that had been left off the map by Box Elder designed for kids to get to the bus stop. Austin Roy said he would add the footpath in. Mayor Troy Stout said the footpath could be part of the motion. He opened the public hearing for public comments.

Ross Welch**201 E Red Pine Drive #9**

Ross Welch said he came representing Sunset Mountain property limited partnership. Something that is disconcerting to him is there is a parcel that is near Smoot Canyon that is listed as a park. This park has not been discussed or vetted through the Planning Commission and now seems to be before the City Council tonight. We believe parks are a precious thing in our community we need them, and the city has limited funds. We need to make sure that they are in the best locations. The concern with a park in the very southeast area of our community is that we already have two parks in that area. This area does not have very good access because you have to go through neighborhoods to get there. He does not believe that is the best location for another city park. There are other areas in the city that are not out of the way. He believes one of those locations would be the Bangerter property. The Bangerter property would give access to other sports teams coming into Alpine. Have a park there would be a more central location, so they do not have to go through our residential neighborhoods. He said he is aware that a park was on an original plat for that area, which was a PRD (Planned Residential Development) and has expired. This is a small piece of property and allocating a park would be a financial burden on the developer.

Mayor Troy Stout asked when the term expired for the property owners PRD (Planned Residential Development). Ross Welch answered the contract with the city expired April of 2021, at that time we let city staff know we did not want to continue with the PRD. Since then, we have submitted plans to the city with our intentions for the property. Jessica Smuin asked if was the future park part of the agreement for the density of the subdivision approval. Carla Merrill answered at that time the city had an ordinance requiring that a PRD must provide 20-25% of open space. This area was done by two different developers from the north end and south end. This is the south end we are discussing. Since the time the property owners first got approved for a PRD the city ordinance changed. Right now, the area is zoned for half acre lots. Shane Sorensen explained why this area was a PRD in the first place. If any of the property touches an area we have listed as a hazard on our maps, then it must be a PRD. Now that the ordinance has been change and the property owner can request smaller lots without being a PRD. Mayor Troy Stout said this parcel could on the map could be part of the motion.

Will Jones (Trail Committee Chair)**999 N. Grove Drive**

Trail Committee Chair Will Jones said he is concerned about the trails when it comes to the General Plan. He asked if council is making sure that all the trails are on the map. The Trail Committee should have access to the map to have a full review of the plan. Does this address Lambert Park when it comes to what can and cannot be built there?

City Administrator Shane Sorensen said the Moyle Park has its own Master Plan as well as Lambert Park also has its own Master Plan. Each park Master Plan within the General Plan can be changed anytime. Austin Roy went over some of the items included in the Master Plan for Lambert Park. We had talked about more parking spots and tent spots in the parks. We had talked about this at last meeting and there were two plans and we tried to combine the two. The camping spots were never approved or adopted.

Will Jones said the intent when drew up the first planned with the camping sites were for families to be able to use the area for an overnighing option instead of American Fork Canyon.

City Council member Lon Lott said because it was never adopted the camping sites are not part of the General Plan.

Will Jones asked if the camping spots could be part of this.

Mayor Troy Stout said yes if the council wants it to be.

The Trail Committee should be the ones going over the maps because we are the ones doing the work on the trails, making changes to the trails. Will Jones said keep it natural the walking trail south lambert park. We want to make sure all trails are in the General Plan.

Wes Lundsford
2241 Three Falls

Wes Lundsford asked what requirement is the city putting on developers when it comes to water. He is concerned about water and what if any type of studies have been done looking ahead to new developments in Alpine. He said in the General Plan it says the develop or builders must supply their water shares, but the water shares are shrinking. Shares aren't shrinking the volume of water within each share is. Water shares have been shrinking for the past 38 years.

Mayor Troy Stout said he believes this topic should be part of a future ordinance. Shane Sorensen explained that the city has both a culinary and pressurized irrigation capital facilities plan in place and will be presented to the City Council in January or February. We are looking at the needs of the build out of the city.

Mr. Lundsford said in the document it says, "Private development should provide all internal distribution facilities". He said he is concerned that the city is not putting in any requirement into this General Plan that there needs to be a study done on the available water.

Shane Sorensen said that is what the capital facilities plan does and that is what the cities impact fees are based on the needs of the future growth of the city. Water and sewer are not required to be in the General Plan. The city addresses that elsewhere. The General Plan is just a general guideline.

B. Resolution R2021-17: Adoption of General Plan

Mayor Troy Stout asked if it was still necessary to have the park listed at the south end of town if the developer does not want it. Shane Sorensen said it could be left on and when the developer comes in with plans the city could say that the area was supposed to be a park. The property owner at that point can say no, move forward with their project or offer to sell the property to the city for a park. If the city can't come up with the funds to purchase the property, then the property owner would be able to move forward from there. Mayor Troy Stout voiced concern at what impact not having that additional park will have on the other parks especially with parking. Lon Lott reminded the mayor that the city does have a parking plan for the parks. The city could implement if the other park is not built.

Lon Lott recommended scratching policy 2.8 in the Land Use section because it is a duplication. On page 18 policy 1.2 the word "more" should be removed and say, "be built in dense clusters and follow the city ordinance". On page 13 it mentions the Active Transportation Plan, where is it located? Shane Sorensen said staff is still working with Highland City on a joint Active Transportation Plan.

City Council Member Jessica suggested adding to Community Engagement section, on page 28. It would read "Civic events, Traditions and Other Programs" so, work in partnership with residents and businesses to support Alpine Days, Civic Events, and other Alpine Traditions. Under Land Use zoning 2.1 are we going to clarify the corridor as you come into Alpine or are we just going with our bullseye at the center of the city. Shane Sorensen said if anything changes with the Bangerter property then we would change the General Plan then.

Carla Merrill asked Craig Hall why the Annexation Plan was taken out of the General Plan. Craig Hall said the Annexation Plan is a stand-alone document. Annexations are what potentially could be added to the community.

When and if property is annexed in, the General Plan would need to be changed. Carla Merrill said the city should have worked more closely with the Trail Committee on footpath near Box Elder. Shane Sorensen said staff can update the maps because they are just exhibits and can be changed. Craig Hall said that is correct.

City Council member Jason Thelin asked about changes to policy 1.7. Austin Roy said upon reviewing the minutes, he did not change the 1.7, Promote streets accessible to all residents. Jason Thelin asked if it benefited the community to spell it out more clearly and asked if the citizens would want gated communities in Alpine. Carla Merrill asked do we want to say, “except were allowed in the assisted and senior living overlay area”. Jason Thelin said he was concerned if we referred to the ordinance in the General Plan it would only take three votes to change a development to a gated community. Mayor Troy Stout said we should not use the language “unless by ordinance” because that implies an ordinance can be changed to allow gated communities. The General Plan is a statement of where we want to be as a city and community.

Mayor Troy Stout asked if they were any items that have significantly changed that have not been talked about. Austin Roy said the land use map would be the biggest change the language that we are tweaking has been here for years.

Rick Louder

resident of Three Falls

Rick Louder said if the council changes the 1.7 promote streets that would be a significant change and would require a public hearing and more discussion.

Shane Sorensen said in city ordinance the assisted and senior living overlay areas refer to the private driveways and roads as “Private travel ways” and are no larger than 20 feet wide. He considered these areas private streets. Jason Thelin concern is we are calling them private road when they are actually private driveway. They are both private travel ways. Greg Gordon asked if any street could become a private travel way. Craig Hall said no because roads are dedicated on most subdivision plats that are recorded with the county. If the city delivery public services such as snow removal would not be done on a private travel way. Jason Thelin this is a forward-thinking document, and his concern is a road going private. Shane Sorensen listed different roads that are private streets that predate our current city ordinance. Jason Thelin purposed to take off the last five words and do we need to have a public hearing. Craig Hall said no. Lon Lott said policy 1.7 was not in the original General Plan and has gone through the proper process of Planning Commission, Public Hearing and City Council. Lon Lott asked if we could include the bowery’s master plan and change it as an exhibit. Shane Sorensen said the bowery master plan was never adopted by the City Council; we could do that later. We do not have to use this exact exhibit; this is one we had so we used it.

Motion: Lon Lott moved to approve the Resolution R2021-17 General Plan with the following changes: 2.8 in Land Use Plan be struck, remove the proposed open space at Smoot Canyon area on land use map, remove the word “more” out of 1.2 in the Modern Income Housing Section, on goal 1 of Community Engagement add Alpine Traditions, fix page numbers, change 1.7 to promote streets accessible to all residents. Greg Gordon seconded the motion. There were 2 Ayes and 3 Nays, as recorded below. The Motion failed

Ayes

Greg Gordon
Lon Lott

Nays

Jason Thelin
Carla Merrill
Jessica Smuin

Jason Thelin asked what does the council considered “accessible to all residents”, would this allow a future development to close streets to cars and bicycles, but allow a resident to only walk on the sidewalk? Jason Thelin asked if being “accessible to all residents” gives enough clarity on the 1.7 intent. Mayor Troy Stout said that is a good point. Lon Lott asked if the council wanted 1.7 in the document at all. Policy 1.7 was put due to a concern of developments turning into gated communities. Carla Merrill said she wants policy 1.7 in the document in its entirety. Jason Thelin said property owner have requested gated communities before. The city may have annexations come into the city wanting the same. Mayor Troy Stout said if 1.7 is left in it need to be more definitive. If not, it leaves it open for interpretation later and could cause potential problems. Carla Merrill said she would like to have the park Smoot Canyon left on the map. It does not mean the city is requiring the park. Lon Lott said a different proposal plan has already been brought to the city by the property owner, so the park should be taken off. Craig Hall said if an application has come in and is complete. The rules in play are as of the day the application came in. Mayor Troy Stout said the argument on the other side is that residents will be upset if the park is not put in if it is already on the General Plan. Jason Thelin said this is harder to explain pulling the park out of the map later then adding it in.

Sarah Blackwell

457 E Eastview Drive

Sarah Blackwell agreed with Jason Thelin in keeping our community open to everyone.

Nick Louder**Three Falls**

Nick Louder said he was concerned with people entering North Fork Canyon and Three Falls with potential wildfires. He said the city did not have proper public noticing of the public hearing tonight. He is concerned about access to the trails. He is not saying there needs to be a gate in Three Falls, but there does need to be some considerations when it comes to Three Falls and its residents.

Mayor Troy Stout clarify that the city did follow the process giving proper public notice on the public hearing. Jason Thelin said the 1.7 language that is in this document has been in here for about a year to a year and a half. Jason Thelin mentioned that this doesn't change anything with Three Falls Way as it has never been proposed as a private street and by ordinance, it is not allowed to be a private street moving forward. *Nick Louder concern is that the voting requirement for an ordinance have now changed. If you keep where allowed by ordinance in the document. If you keep the sentence except where allowed by ordinance.* Mayor Troy Stout said it is only allow by change of ordinance today. Shane Sorensen said the General Plan is just an advisory document for the city and is not an ordinance. *Nick Louder wanted it on the record that the city needs to have a proper public hearing with consideration to the changes made to policy 1.7 tonight.* Craig Hall said the city does not need to have another public hearing this language has been in several work session and was properly noticed for a public hearing tonight.

Carla Merrill said she wanted to include the park on the map as an intended park not something to tie the hands of the developer. Lon Lott wanted to clarify with Craig Hall on the timing of the developer putting their intentions into the city and the council making a change today. Craig Hall said the application from the developer was submitted three days ago so this change would not affect the developer. The city has no requirement to make the developer put the park in.

Ross Welch**201 E Red Pine Drive #9**

Ross Welch wanted to clarify that the park at Smoot Canyon has not been vetted through the proper process by going to the Planning Commission first. He feels that proper steps have been skipped.

Amended Motion: Carla Merrill moved to approve the Resolution R2021-17 General Plan with the following changes: 2.8 in Land Use Plan be struck, remove the word "more" out of 1.2 in the Modern Income Housing Section, on goal 1 of Community Engagement add Alpine Traditions, fix page numbers, not remove Smoot Canyon open space and policy 1.7 reading "Promote Streets accessible to all residents by prohibiting all private streets and gated communities". seconded the motion. There were 5 Ayes and 0 Nays as recorded below.

Ayes

Jason Thelin
Greg Gordon
Carla Merrill
Lon Lott
Jessica Smuin

Nays**C. Resolution R2021-18: Lambert Park Conservation Easement**

Mayor Troy Stout said council is not required to hear public comment on this resolution, but he will allow two representatives three minutes each. We have had several meetings, open houses, and public hearings to allow for and encouraged public comment. The Lambert Park Conservation Easement process so far is to be a benefit for all resident in Alpine. The goal is to save Lambert Park for our children. He said his experience running for office four-time in the Alpine is that Lambert Park has always been a high priority. With respect for those who disagree that is why we are here tonight. We will take what is the majority of the resident's point of view and move in that direction. We have been working on this most of the year. Alpine City's legal counsel has been very involved in the Conservation Easement document. We have also involved other community members. What we have before the council tonight is not the Conservation Easement it is just a resolution to continue to work towards a Conservation Easement. So long as the council sees that this is the right direction for the community.

Mayor Troy Stout instructed the member of the community in attendance to group together those for and those against the conservation easement and pick a spokesperson. He said the language in the Conservation Easement document is out for the public to see but is only a draft. He said the city would retain ownership and control over

Lambert Park. Lambert Park will continue to be an open space used for recreation. We will be creating a Management Agreement that Alpine City will maintain control over.

Mayor Troy Stout instructed Craig Hall to change three “the” to “a” within resolutions R2021-18. Having any additional public hearing will be up to Mayor Carla Merrill when she takes over in 2022.

Motion: Lon Lott moved to table Resolution R2021-18 Lambert Park Conservation Easement to have the Planning Commission and allow more public participation. Greg Gordon seconded the motion. There were 2 Ayes and 3 Nays, as recorded below. The Motion failed.

Ayes

Greg Gordon
Lon Lott

Nays

Jason Thelin
Carla Merrill
Jessica Smuin

Jessica Smuin said she believe open space and trail define Alpine. Now we are at risk of now losing access because of a sale of property as with Draper. We saw tonight how many people were here regarding the fence being put up between Alpine and Draper. The council went to our city attorney and told him what our goals were, and he told us get the best and brightest group to help us were Utah Open Lands. We are just asking Utah Open Lands to uphold Alpine’s values. Utah Open Lands will not have any ownership and Alpine City will maintain management.

Carla Merrill said she had concerns over the wording of the resolution. She asked council if they would be amendable to change where it says, “The City Council here by requests its intent to continue working towards a Conservation Easement” and in some of the language it says we are going to commit to do the easement no matter what. We have two documents we are working on the other being the Management Agreement. They both need to be finished and put out to the public for review. If it does not work out, then we be able not to enter into a conservation easement.

Craig Hall clarified the city does not maintain ownership. He explained it as if Alpine City will lose one straw of the bundle of property rights. So, the core value is to not develop, and we still have not even done the management plan. Carla Merrill said she would feel more comfortable passing the resolution if the Management Plan was already drafted. Greg Gordon said he feels the resolution is strongly worded especially in paragraph six, and he would like to explore other options besides Utah Open Lands. He believes council is think we are a couple of steps ahead of itself with the wording of the resolution. Mayor Troy Stout asked Greg Gordon for suggestion on how the language could be soften.

Jason Thelin had many cottage meetings when he ran for reelection. He said most people he talked with are for the Conservation Easement. The council gets input not only at City Council meetings. Jason Thelin said he served on the Planning Commission for twelve years and wanted to explain their role in the Conservation Easement. Planning Commission role in the vetting out a lot of the new developments and ordinances. The Planning Commission makes their recommendations and pass them along to the elected officials (City Council). Even though a Planning Commission member may personally not agree they are not elected official. Planning Commission members are a recommending body to help and support the City Council. Mayor Troy Stout said many time that the council follows the recommendations with the Planning Commission and other times we do not. Lambert Park is not under immediate threat of being sold. Draper has over 4000 acre in Conservation Easements now and they are wanting to do more to be able to preserve the area for future generation. Lambert Park is only 255 acres, this is a step in the right direction.

Lon Lott is in favor of protecting and preserving Lambert Park along with any of our parks and open spaces. He said he cannot sign this resolution because of paragraph four. He said he has not heard of anyone coming in to pressure the city to develop Lambert Park. A resolution is an opion of the body, and this is not Lon Lott’s opinion. He said in paragraph six as Greg Gordon pointed out we should explore other options besides Utah Open Lands. Utah Open Lands has been the only option that we have been given. Paragraph 12 says that the council will move forward on the Conservation Easement. As we move forward, we don’t know if we have the legal aspect of the document ready. The last paragraph “City Council fully intends to authorize execution and recording of the Conservation Easement” we need to look at the detail of the agreement before we can do that. Mayor Troy Stout said there are other options to manage the easement, Draper has the county manage their Conservation Easement and we could go that direction.

Amanda Collin
135 Savanah Circle

Amanda Collins asked what was the purpose in holding a public hearing in Planning Commission where the citizen addressed their concerns and not the City Council who are really the only decision makers. Does the council see

any value in the Planning Commission recommendation to table the Conservation Easement? Does the council see any value in the multitude of residents opinion or is there only value in those opinions that line up with your own? She said the actions Mayor Troy Stout has taken to put this on the agenda tonight and move this easement through before the council has time to discuss what the Planning Commission has recommended, and the publics. For Mayor Troy Stout to schedule a meeting on an election night show blatant disregard for those people that made arrangement to be there to show they care about the future of Lambert Park. We all care about Lambert Park and want a voice in its future.

In April Newline not February as the Mayor Troy Stout had said "I'd love to see the designation become permanent, but for first steps, a 20–30 year agreement, with a chance to reevaluate and renew at the end of the term is a good start. Public input will be a big part of the process. I encourage you to attend our upcoming meetings, to hear the facts and participate in the process. Your voice will be heard."

Jessica Smuin in the June Newline said, "Not just one person, one committee, a council or group can accomplish this vision unless we all work together as a team".

When the community gets more educated about the easement, we are voicing more opinion. The actions of the mayor are just proof that these words are just words to quite the community. Actions such as holding a meeting on election night no involving of considering the Planning Commission as a valued role in this process to declare moving forward with the easement before spending one minute going over the objections to the easement. The council said they have heard enough input from the public.

According to Mayor Troy Stout in the October Newline he said "98% of those responding in that survey express support for a conservation easement, with a few people expressing some degree of concern about the unknowns".

How can the council interpret the survey as in favor of the Conservation Easement when there is not a single question on the survey saying anything about a Conservation Easement? The questions that were asked were basically saying do the residents love Lambert Park and they do. The council has never put together a list of pros and cons of a Conservation Easement and asked residents to weigh in. Instead, the council has continued to produce a document and asked residents to weigh in on wording without asking if we want the Conservation Easement in the first place.

Mayor Troy Stout addressed the Planning Commission public hearing on Election night and that it had been cancelled. The city does require a public hearing at the Planning Commission level even though the City Council had already had one.

Lane Frank
866 N Country Manor Lane

Lane Frank said he is representing the group in favor of the Conservation Easement for Lambert Park. He believes it unethical the attacks on the process. We have not heard any alternative ways to protect Lambert Park from the people who are in favor of the Conservation Easement. He said he believe the council has taken a lot of the fear out of the Conservation Easement. We are open to moving forward with the easement know that more information will come out in the process. He said he believe this is a learning process for both the council and the community. We all want to protect Alpine.

April Cooper
717 East 100 South

April Cooper representing the people who are not in favor of the Conservation Easement said even with all the meeting and public hearings being held three minutes is not enough. She said she believe the City Council should hold a meeting where all issues can be addressed, and the council can get resident's input. She asked if the resolution tonight takes a super major vote. If the resolution passes tonight does that mean it will only take a simple majority vote for the Conservation Easement itself. Everyone that won in the last election are in favor of the Conservation Easement and won with 60% of the vote. So, you could take that to mean 60% of the residents want the Conservation Easement and 40% do not. If the council truly represent its residents that three of the council will vote in favor and two will vote against. Carla Merrill said at the August 4th, 2021, City Council meeting that she wants a Conservation Easement but she also wants to hear from all the residents. At that same meeting Wendy Fisher from Utah Open Lands said she did not have all the information she needed. In the 30-page document the city provided for the public to go over list several exhibits yet no exhibits are to be found in the document. This is a failure on the City Councils end and until the city can provide the resident with a completed draft to go over, we should not be having any public hearings. If you want to get to 80% of the city in favor of the Conservation Easement then you will incorporate some compromises into the document such as a term (20- 30 years not forever),

write the agreement more in the resident's favor, and take out the extinguishment clause. The council keeps hearing from us because we feel we are not being heard.

Shane Sorensen said the city has a PR (preliminary title report) it has not been completed yet. There has not been a boundary survey done. Craig Hall said we have to have a perfect survey of the property before recording the Conservation Easement. Right now, we have overlaps and it will take 90 -120 days, no one has looked at this property for a very long time. The council has said it would like to see a draft of the Management Plan before moving forward, they do not need to be adopted at the same time. We have talked about how long we would be having the Conservation Easement 20, 40, 50 years or forever. This is a working document.

Lane Frank

866 N Country Manor Lane

Lane Frank said he would like to know what are the alternatives. He would like to hear the opposing sides. Everyone in the room tonight can agree on the fact that we all want to protect Lambert Park.

Mayor Troy Stout said super majority vote would not be tonight but would be when voting on the Conservation Easement. The vote tonight is to just continue forward talking about the Conservation Easement. Shane Sorensen said a baseline data is missing.

Mayor Troy Stout asked if the document were to change to a 25-year agreement would that change peoples minds in favor of the easement. Some in the audience said that would be a step in the right direction.

Someone in the audience brought up water rights and School House Springs. Shane Sorensen explained the suit with the water rights traded between Lehi and Alpine. Mayor Troy Stout said in 2004 or 2005 there was a bond for the city to buy Three Falls and sliding rock. It would raise taxes the voters said no. We should be talking about how we can work together in the right direction. No one is here to do this for their own personal interest. taken

Motion: Lon Lott moved to extent the meeting to 9:30 pm. Jessica Smuin seconded the motion. There were 5 Ayes and 0 Nays, as recorded below. The Motion passed unanimously.

Ayes

Jason Thelin
Greg Gordon
Carla Merrill
Lon Lott
Jessica Smuin

Nays

Jason Thelin said when sending this to the Planning Commission many of them did not like the word perpetuity. He said he would have like them to suggest an alternative. Greg Gordon said he thinks language needs to be changed before a vote be taken. He thinks tonight having input from both sides has been very beneficial.

Motion: Jessica Smuin moved to approve Resolution R2021-18 a resolution of intent to impose a Conservation Easement on Lambert Park with the following conditions: change “the” to “a” in the three locations noted by Craig Hall, the last paragraph of the document reading “Now therefore be it resolved that the city council of Alpine city hereby expresses its intent to continue to draft a conservation easement and management plan for the preservation of Lambert Park as public natural open space free from private residential, commercial, or industrial development. The specific terms of the conservation easement and management plan for Lamber Park are yet to be finalized. Upon review of an acceptable easement document and management plan, the City Council fully intends to bring to a vote the formal documents which may authorize the execution according to the conservation easement for the benefit of the city and its residents.” and in the 4th add the word “may” before be pressure to develop and paragraph 5 strike the word “critical”. Carla Merrill seconded motion

Ayes

Carla Merrill
Jason Thelin
Greg Gordon
Jessica Smuin

Nays

Lon Lott

D. Ordinance 2021-20: Guest Houses

Austin Roy said Alpine resident Scott Johnson, owner of Lot 54 in the Three Falls Subdivision, is requesting that the ordinance regarding guest houses be amended to allow for exceptions to the shared driveway requirements.

The Development Code states:

Vehicular access to the guest house shall be over the same driveway as for the primary dwelling.

Mr. Johnson is hoping that this ordinance can be changed to allow for exceptions at the discretion of the Planning Commission and City Council.

On November 16, 2021, the Planning Commission reviewed the proposed ordinance. The Planning Commission did not want to create an exception clause, but they recommended that a guest house should be allowed to have a separate driveway when the guest house can be accessed from a separate right-of-way than the main residence.

Mayor Troy Stout asked what assurances does the city have that it will not become a short-term rental. Austin Roy said the city has an ordinance against short-term rentals. It could be an accessory apartment. There is no restriction on square footage on guest houses. Lon Lott said there are set back that the property owner will have to follow.

Motion: Jason Thelin moved to approve Ordinance 2021-20 Guest Houses as proposed. Lon Lott seconded the motion. There were 5 Ayes and 0 Nays, as recorded below. The Motion passed unanimously.

Ayes

Jason Thelin
Greg Gordon
Carla Merrill
Lon Lott
Jessica Smuin

Nays

E. Plat Amendment – Three Falls Plat H

Austin Roy said the Three Falls Subdivision Plat H consists of 1 lot on 5.2 acres. The property is located at 2600 North Mountain Springs Road, and in the CE-5 zone. The proposed plat would vacate and amend Lot 54 of Three Falls Subdivision Plat E. The primary reason for the plat amendment is to add a new buildable area in the northeast corner of the lot. The new buildable area would be used as the location of a new accessory building.

Austin Roy said the proposed buildable area meets the City code and staff has no issue with the location. The Planning Commission has reviewed the proposal, at the November 16, 2021, meeting, and recommends that the plat be approved with the condition that the redlines be corrected and a letter of approval be obtained from the Three Falls Architectural Review Committee.

Greg Gordon asked if this would change the open space boundary. Austin Roy said no.

Motion: Jason Thelin moved to approve Plat Amendment Three Falls Plat H as proposed with the following conditions: prior to the recording the property owner address red lines on the plat and plans and second receive a letter of approval from the Three Falls architectural committee for the proposed new buildable area. Carla Merrill seconded the motion. There were 5 Ayes and 0 Nays, as recorded below. The Motion passed unanimously.

Ayes

Jason Thelin
Greg Gordon
Carla Merrill
Lon Lott
Jessica Smuin

Nays

F. Plat Amendment – Three Falls Plat I

Austin Roy said the Three Falls Subdivision Plat I consist of 1 lot on 1.92 acres. The property is located at 2241 North Three Falls Way, and in the CE-5 zone. The proposed plat would vacate and amend Lot 50 of Three Falls Subdivision Plat G. The primary reason for the plat amendment is to adjust boundaries between the lot and private open space, which in turn will adjust boundaries with public open space.

Staff have reviewed the proposal and have found that open space or trails would not be adversely impacted by the proposed boundary line adjustment.

On November 16, 2021, the Planning Commission reviewed the proposal and recommended that it be approved with the condition that the redlines be addressed and a letter of approval be obtained from the Three Falls Architectural Review Committee.

Motion: Lon Lott moved to approve the Plat Amendment Three Falls I as proposed. Jason Thelin seconded motion. There were 5 Ayes and 0 Nays, as recorded below. The Motion passed unanimously.

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

Motion: Jessica Smuin motion to continue the meeting until all Action/Discussion items are complete. Carla Merrill seconded the motion. There were 2 Ayes and 3 Nays, as recorded below. The Motion failed.

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

Motion: Greg Gordon motioned to extend the meeting until 9:45pm. Carla Merrill seconded the motion. There were 5 Ayes and 0 Nays as recorded below. The motion passed unanimously.

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

G. Plat Amendment – Three Falls Plat J

Austin Roy said the Three Falls Subdivision Plat J consists of 1 lot on 2.16 acres. The property is located at 717 East Three Falls Drive, and in the CE-5 zone. The proposed plat would vacate and amend Lot 46 of Three Falls Subdivision Plat E. The primary reason for the plat amendment is to adjust boundaries between the lot and private open space, which in turn will adjust boundaries with public open space.

Staff have reviewed the proposal and have found that open space or trails would not be adversely impacted by the proposed boundary line adjustment. Staff have marked a few minor redlines on the plat that need to be corrected. One notable redline that should be pointed out is that the current plat is showing as “Plat H”, however there is already a “Plat H”. Thus, the plat will have to be renamed to “Plat J” (this has been noted on the redlines sent to the applicant).

On November 16, 2021, the Planning Commission reviewed the proposal and recommended that it be approved with the condition that the redlines be addressed and a letter of approval be obtained from the Three Falls Architectural Review Committee.

Motion: Jason Thelin moved to approve the Plat Amendment Three Falls J as proposed with the following conditions: prior to the recording the property owner address the red line on the plat and receive a letter from the Three Falls architectural review Committee for the new proposed boundary. Carla Merrill seconded motion. There were 5 Ayes and 0 Nays, as recorded below. The Motion passed unanimously.

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

H. 4800 West/Canyon Road Expansion – Project Funding Support

Shane Sorensen said Jed Muhlestein, City Engineer would be joined the meeting via zoom to explain this project. Canyon Crest Road is one of Alpine City's main arterial roads and means of ingress/egress outside the city. During peak hour morning and afternoon time periods this road sees significant traffic congestion. In 2018 Alpine, Highland, and Lehi teamed together and submitted a proposal to Mountainland Association of Governments (MAG) to do a North Utah County/SR-92 traffic study. The purpose of the study was to identify projects that would alleviate traffic congestion north of SR-92. The proposal was accepted, and the study was completed shortly thereafter.

Jed Muhlestein said the study looked at all the major intersections along SR-92, from I-15 in Lehi to the mouth of American Fork Canyon. The study shows a need to add lanes at the intersection of 4800 W / SR-92 and extend those improvements northward into Alpine. This means expanding the current cross section of Canyon Crest Rd from a three-lane road to a five-lane road. The expansion would result in two travel lanes in both directions with a middle turn lane.

Jed Muhlestein said the project will be proposed to be phased into three parts. The first phase would include intersection improvements at the intersection of 4800 W / SR-92 and extend those improvements (adding lanes) to Healey Boulevard in Alpine. If approved, the project would be funded over the next five years and constructed shortly thereafter, assuming all required right-of-way is purchased. The estimated cost for Phase 1 is \$8,944,000 (2025). There is a 6-7% match requirement. Alpine City would only be responsible for matching the portion of roadway costs that is constructed in Alpine City limits.

Shane Sorensen said there could be as little as one phase up to three phases of constructions with this expansion. Staff wanted to make the council aware of this project because the General Plan adopted tonight we will request you to update it because the project will be a five-lane road coming into Alpine. There is an application process that MAG will be doing on our behalf.

I. Cemetery Concept Plan

Shane Sorensen said the new cemetery concept plan would happen in three phases. The first phase would add an additional 1,239 plots which would be available to sale to the public in 2023.

Motion: Greg Gordon moved to approve the proposed concept plan and phasing plan for the expansion of the Cemetery for phase 1 including the lower and middle road. Jason Thelin seconded the motion. There were 5 Ayes and 0 Nays, as recorded below. The Motion passed unanimously.

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

Motion: Jason Thelin motioned to extend the meeting until 9:56pm. 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>
Jason Thelin	
Greg Gordon	
Carla Merrill	
Lon Lott	
Jessica Smuin	

VII. STAFF REPORTS

Chief Brian Patten

Chief Patten said three of his officers have been deployed to southern California for the next 18 days.

Shane Sorensen

Shane Sorensen reported on the following items:

- Three Falls - secondary access they have planted trees

- Box Elder South – has petitioned for annexation into the city
- Lambert Park survey will take some time to complete
- New chairs stackable have arrived in the City Council room
- Fire station – feasibility study is complete for remodel and will bring that at the next meeting
- Lone Peak Public Safety Meeting cancelled on Wednesday December 8th

VIII. COUNCIL COMMUNICATION

Jessica Smuin

Jessica Smuin talked about some community committee she would like to start in January. Craig Hall said he would like to meet with Jessica Smuin to discuss establishing committees to make sure they have a purpose.

Mayor Troy Stout

Mayor Troy Stout gave his final message after 14 years of service to the City of Alpine. He has served on the Planning Commission, City Council and finally as Mayor for the past four year. Many Staff and City Council members thanked him for his service and thank his wife as well.

IX. EXECUTIVE SESSION:

None held

Motion: Jason Thelin moved to adjourn. Lon Lott seconded the motion. There were 5 Ayes and 0 Nays, as recorded below. The Motion passed unanimously.

Ayes

Jason Thelin
Greg Gordon
Carla Merrill
Lon Lott
Jessica Smuin

Nays

Adjourned at 9:53 pm