

**ALPINE CITY COUNCIL MEETING  
Alpine City Hall, 20 N. Main, Alpine, UT  
June 25, 2019**

**I. CALL MEETING TO ORDER.** The meeting was called to order at 7:00 pm by Mayor Troy Stout.

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

Mayor Troy Stout

Council Members: Jason Thelin, Ramon Beck, Carla Merrill, Lon Lott, Kimberly Bryant

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

Others: Stewart Black, Tanya Black, Ian Black, Devyn Black, Carley Porter, Scott Rice, Sylvia Christiansen, Will Jones

**B. Prayer:** Carla Merrill

**C. Pledge of Allegiance:** Devin Black

**II. CONSENT CALENDAR**

- A. Minutes of the City Council Meeting June 25, 2019**
- B. Award Bid for Blue Spruce Road Reconstruction – Red Pine Construction: \$41,714.00**
- C. Partial Bond Release #5 – Alpine View Estates: \$148,091.65**
- D. Final Bond Release – North Point View, Plat C: \$28,121.75**
- E. Bertha’s Place Subdivision – Paper Bond Release - \$164,777.73**
- F. Interlocal Agreement with Utah County Relating to the Community Development Block Grant Program**
- G. Expenditure of Park Impact Fees for Restroom Facility in Smooth Canyon Park - \$115,139.00**

Shane Sorensen said that they would be moving the existing restroom in Smooth Canyon Park to Healey Park and building a larger restroom for Smooth Canyon Park in a location that would allow them to expand the parking lot to the east instead of the north, which would work better for everyone.

**MOTION:** Lon Lott moved to approve the Consent Calendar. Ramon Beck seconded. Ayes: 4 Nays: 0. Motion passed. Kimberly Bryant was not present at the time of the motion.

<u>Ayes</u>	<u>Nays</u>
Jason Thelin	none
Ramon Beck	
Carla Merrill	
Lon Lott	

**III. PUBLIC COMMENT.** There were no comments.

**IV. REPORTS and PRESENTATIONS**

**A. Financial Report- May 2019.** Shane Sorensen presented the Financial Report as of May 2019.

**V. DISCUSSION/ACTION ITEMS**

**A. PUBLIC HEARING – ALPINE CITY BUDGET FISCAL YEAR 2019-20**

Shane Sorensen introduced the proposed budget which anticipated a tax increase. He said the increase would mainly cover the increased costs of the Lone Peak Public Safety District, which included the cost of Cedar Hills leaving the District and an increase in police salaries and benefits to improve recruitment and retention of qualified police officers. There was a lot of competition with other cities for good officers because fewer and fewer people were

opting to enter police service. Mr. Sorensen explained that the budget they adopted that evening would be more of a tentative budget pending the Truth and Taxation Hearing scheduled for August 20, 2019. After the Hearing, the final budget would be adopted along with the new tax rate before September 1<sup>st</sup>. He said the proposed budget was balanced. The proposed tax increase would be 31% for Alpine City's share, which translated to about \$35.50 per year for every \$100,000 in home value. The tax increase for a home valued at \$600,000 would be about \$211 a year.

Mayor Stout noted that the Council held a special meeting on June 6<sup>th</sup> to discuss the proposed tax increase and to receive public input. Those who attended generally support the proposed tax increase.

Mayor Stout open the Hearing to public comment.

Will Jones – Grove Drive. He said there were two points he wanted to make. First, if the City Council had annexed the Lambert Park Estates subdivision as requested by the developers, it would have increased the City's revenue by \$70,000 a year with no costs. Instead, all the taxes, building permit fees, and impact fees would be going to the County. Second, he proposed that instead of raising taxes, the Council impose a fee on the utility bill for public safety services. The homes in the TR-10,000 zone, which mostly had smaller homes and residents on fixed incomes would pay a lesser fee. The fee for the other zones, CR-20,000, CR-40,000 would increase as the lot and home size increased and people generally had more money. That way they city would start getting increase revenue immediately instead of waiting until November when taxes were due.

Ramon Beck asked David Church if that would be legal fee.

David Church said that, in his opinion, it would not be a legal method of increasing revenue. He said cities didn't have the authority for that kind of tax and in other communities where it was done, it was being challenged. He said he had researched it over the years and advised cities that it was risky to provide public safety on a fee basis. If they did charge a fee, they could not justify it based on the zone. It had to be based on service, and typically residents in poorer neighborhoods placed a greater demand on police and EMS services. In addition, taxes were deductible and fees were not. He said that if elderly people had trouble paying their taxes, they could always apply for a circuit breaker for assistance with taxes. That option was not available to the elderly to offset fees.

David Church said the legislature determined what taxes were available to fund cities. Cities had authority for property tax, sales tax, and a tax on gas, power and phone. Cities were given a portion of state taxes for roads. He said Alpine City was at the maximum assessment on energy and sales tax, but not on phone tax, so they could consider increasing the phone tax. Shane Sorensen said that based on 2018, raising the phone tax would not generate what they needed.

David Church said people should be aware of that fact that the city spent almost 100% of the property taxes on police and fire service along with a bulk of the sales taxes. The rest of the city was operated on water and sewer fees. There was no fluff in Alpine City's budget. The Council could reduce their budget if they quit funding parks and recreation because that was about the only place where they could cut it.

Sylvia Christiansen – High Bench Road. She thanked the Council for taking care of their money. She said she had two questions. First, what was the redemption tax and what were tipping fees for trash service.

David Church said the redemption tax was the property taxes that were paid late. He said property owners had up to five years to pay their past due property taxes before the property went to a tax sale.

Shane Sorensen said the tipping fees were paid when the garbage was taken to the landfill. The City paid that fee directly to the landfill for the use of the landfill. The other line item for trash service was for the trucks that picked it up.

Kimberly Bryant arrived at 7:35 pm.

There were no more comments and Mayor Stout closed the public hearing.

## **B. Ordinance No. 2019-15 - Adoption of Budget FY2019-20**

**MOTION:** Ramon Beck moved approve Ordinance No. 2019-15 approving the Budget for Fiscal Year 2019-20 and schedule a Truth in Taxation hearing for August 20, 2019. Carla Merrill seconded. Ayes: 5 Nays: 0. Motion passed.

<u>Ayes</u>	<u>Nays</u>
Jason Thelin	none
Ramon Beck	
Carla Merrill	
Kimberly Bryant	
Lon Lott	

#### **C. PUBLIC HEARING – AMENDED BUDGET FISCAL YEAR 2018-19**

Shane Sorensen explained that the first two amendments dealt with the recent lawsuit which transferred \$1,000,000 from the Capital Project Fund into the General Fund in order to pay the judgement to Patterson. The second transfer was to cover the court costs which exceeded what was budgeted for court costs.

Mayor Troy Stout opened the Hearing for public comment. There were no comments and the Hearing was closed.

#### **D. Ordinance No. 2019-16 – Amending the Budget for FY2018-19**

**MOTION:** Ramon Beck moved to approve Ordinance No. 2019-16 Amending the Budget for Fiscal Year 2018-19. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Motion passed.

<u>Ayes</u>	<u>Nays</u>
Jason Thelin	none
Ramon Beck	
Carla Merrill	
Kimberly Bryant	
Lon Lott	

#### **E. Request to pay cash in lieu of water rights for Conrad’s Landing Subdivision, Plat C – Steve McArthur.**

Shane Sorensen said the developer was attempting to purchase water rights to meet the water requirement for the 7-lot subdivision, but in the event that he was unable to obtain them, he had requested to pay cash for water rights. He needed 9 acre-feet of water. For a cash payment in lieu of water rights, the ordinance required 125% of the cost of the water. A primary share of Alpine Irrigation water was valued at \$6,000. There were three acre-feet in a primary share, which would make the cost \$22,500. Shane Sorensen said the City used the cash to purchase shares as people wanted to sell them.

**MOTION:** Ramon Beck moved to approve Steve McArthur’s request to pay cash in lieu of water rights for Conrad’s Landing, Plat C at cost of \$22,500. Lon Lott seconded. Ayes: 5 Nays: 0. Motion passed.

<u>Ayes</u>	<u>Nays</u>
Jason Thelin	none
Ramon Beck	
Carla Merrill	
Kimberly Bryant	
Lon Lott	

**F. Fireworks Restriction Map for 2019**

Fire Chief Reed Thompson said the proposed map from 2019 had not changed from the map they approved for 2018. Cities were required by the state legislature to adopt a map showing where fireworks were restricted.

**MOTION:** Lon Lott moved to approve the Fire Restriction map for 2019. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Motion passed.

<u>Ayes</u>	<u>Nays</u>
Jason Thelin	none
Ramon Beck	
Carla Merrill	
Kimberly Bryant	
Lon Lott	

**G. Site Plan – Setback Exception in BC Zone – Paul Anderson.**

Austin Roy said Paul Anderson had withdrawn his request to have this on the agenda.

**H. Ordinance No. 2019-11 Amending the Zoning Ordinance.**

Austin Roy said the proposed amendment would require a setback of five feet between the main dwelling and an accessory structure. The other setbacks did not change. He said the Uniform Building Code required a setback of 5 feet between the dwelling and an accessory building.

Kimberly Bryant asked if there had been complaints about accessory buildings being too close to a house. Austin Roy said they'd had a call from someone who thought the house was built too close to the property line, but it was an accessory building built right next to the house and made of the same material so it appeared to be part of the house but was, in fact, a detached accessory building.

Chief Reed Thompson said the reason for the setback was that if a fire engulfed an accessory building or the main structure on one lot, it reduced the exposure to the home or neighboring homes.

The Council discussed the amendment and wondered if it would be overly restrictive. It was suggested there could be language allowing accessory building to be built closer to the house if fire resistant materials were used, but while that language was worked out, they voted to approve the amendment.

**MOTION:** Carla Merrill moved to approve Ordinance No. 2019-11 amending the zoning ordinance to require a setback of five feet between an accessory building and the main dwelling. Lon Lott seconded. Ayes: 3 Nays: 1 Motion passed. Jason Thelin was not present at the time of the motion.

<u>Ayes</u>	<u>Nays</u>
Ramon Beck	Kimberly Bryant
Carla Merrill	
Lon Lott	

Jason Thelin was excused from the meeting.

**I. Ordinance No. 2019-14, Amending Uses in the BC Zone.**

Austin Roy said this amendment was proposed by Jason Thelin. Since he was not present to discuss his reasons for proposing the change, action on the item was postponed.

**MOTION:** Carla Merrill moved to table item I, Ordinance No. 2019-14. Ramon Beck seconded. Ayes: 4 Nays: 0 Motion passed.

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

## VI. COUNCIL COMMUNICATION.

Ramon Beck

- He asked if the annexation petitions from the previous year were still in process. Charmayne Warnock said the applicant had not continued the process and the petition had lapsed.
- He said he'd seen people watering whenever they wanted and wondered if the water schedule was going to be enforced. Shane Sorensen said they did plan to restrict watering to a schedule. It would be enforced when they had to start pumping water for the PI system.

Carla Merrill

- She said she was worried about all the construction trucks coming down the emergency access road in Lambert Park. Shane Sorensen said that if the officers were there to witness it, they would be cited. Troy Stout asked about gating the road. Chief Reed Thompson said that gates added to response time in an emergency.
- She reported that she had been working with a committee to get the Bonneville Shoreline trail through Alpine.

Mayor Stout

- He invited everyone to drive up to the rodeo grounds and look at the hillside where the goats were grazing. Reed Thompson said they were being very effective in creating a fire break. He suggested they reduce the grazing area to a strip that was 50 feet across and make it longer to create a more effective fire break. It would protect a larger area of the park and cost less. Shane Sorensen said the goat owner charged \$1,000 an acre. Troy Stout asked the Chief to identify high risk areas in the park.

Kimberly Bryant

- She asked about the fire drills at the demolition of Bank of American Fork. Chief Thompson said it had been a great way to train new fire fighters and they appreciated the opportunity the bank offered.

Lon Lott

- He reported on the Utah Lake Commission meeting. Utah Lake was 0.59 inches below full. When it was full, they pumped it into the Jordan River. Strawberry Reservoir was 91% full. They estimated a five to ten-year reserve for Strawberry. The Upper Stillwater Reservoir was taller than Niagara Falls.

## VII. STAFF REPORTS

Shane Sorensen

- He'd sent out an email about a task force meeting that week if the Council was interested. UDOT would be doing work on Alpine Highway and SR-92.
- The PI meter project was two weeks from being complete.
- They were working on the storm drain on 600 North. There had been a lot of utility issues, but the pipe was in and they would begin restoration.

Austin Roy said they were facing a challenge with short term rentals. The ordinance did not allow rentals of less than 30 days but there were a number of them already operating in the city. The Council needed to decide what to do. Other cities had decided to allow them and regulate them since people were doing it anyway. Alpine already had about 30 such rentals. The City Council indicated they should look into allowing and regulating short term rentals.

Reed Thompson said Cedar Hills was beginning to move out, so the station in Alpine would have an extra person.

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

**MOTION:** Carla Merrill moved to adjourn. Kimberly Bryant seconded. Ayes: 4 Nay: 0. Jason Thelin was not present at the time of the motion. Motion passed.

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

The meeting was adjourned at 9:30 pm.