

ALPINE CITY COUNCIL MEETING
Alpine City Hall, 20 N. Main, Alpine, UT
September 10, 2019

I. CALL MEETING TO ORDER. The meeting was called to order at 7:00 pm by Mayor pro tem Lon Lott. Mayor Troy Stout was excused.

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

Mayor pro tem Lon Lott

Councilmembers: Ramon Beck, Carla Merrill, Kimberly Bryant

Councilmembers not present: Jason Thelin

Staff: Shane Sorensen, Charmayne Warnock, David Church, Austin Roy

Others: Kent Millington, Loraine Lott, Sylvia Christiansen, Terry Moore, Brent Bingham, Hayden Carver, Mike Carver

B. Prayer: Lon Lott

C. Pledge of Allegiance: Hayden Carver

II. CONSENT CALENDAR

A. Approve City Council minutes of August 20, 2019 and August 27, 2019

B. Bond Release #4 – The Ridge at Alpine, Phase I 0 \$172,387.35

C. Payment: Holbrook Asphalt - \$53,806.20

MOTION: Ramon moved to approve the Consent Calendar. Carla Merrill seconded. Ayes: 3 Nays: 0. Kimberly Bryant was not present at the time of the motion but arrived later in the meeting.

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

III. PUBLIC COMMENT:

Hayden Carver said he'd begun planning an Eagle project in Alpine back in 2017, then moved out of town. He'd recently moved back to Alpine and was proposing to clean out the weeds along the trail behind Twin River Loop. Once the weeds were out, he would put down a weed barrier and rocks. He said the City had previously agreed to provide the weed barrier and he would supply the rocks. Shane Sorensen said the City would still provide the weed barrier and asked him to work with Councilman Lott and Cal Christensen in public works before he started.

Mike Carver – Sycamore Lane. He said his road intersected with Westfield and Long Drive which had a lot of traffic because of Timberline Middle School and the sporting events, etc. There was a lot of speeding and a lot of children on the road. He asked about the possibility of putting in some speed bumps that would not interfere with the snowplows. Also, he asked about the possibility of painting the curb red and putting up signs that said no parking during sporting events.

Kimberly Bryant arrived at 7:10 pm.

IV. REPORTS AND PRESENTATIONS

A. Financial Report

Shane Sorensen said the financial report was in the packet. Due to the lawsuit, the City had postponed some capital projects, but they still met the required minimum balance that needed to be held by the City. The independent auditor was working on the audit, which would be presented in a couple of weeks.

B. Utah Transit Authority (UTA) Presentation

Kent Millington said there were three members on the Utah Board of Trustees for the Utah Transit Authority. Carlton Christensen was the chair and represented Salt Lake County. Beth Holbrook represented Davis, Weber, and Box Elder Counties. Kent Millington was the representative for Utah and Tooele Counties. He said he lived in Highland and had served for 13 years on the State Transportation Committee.

Mr. Millington said that last year they had started the UVX or Utah Valley Express line which had carried over 2.5 million passengers since it opened. When BYU and UVU were in session they averaged 10,000 riders a day. During off-school time, it dropped to 7,000 a day. Both schools had reported that the sales of parking passes were down so now people could find a place to park. The schools were sending a message to parents of incoming students that the students would be able to get around town within cars because of the bus service. He said BYU and UVU were paying UTA a million dollars a year for bus service, so students and their parents rode free. It was also free for the next two years for members of the community because of extra funds they had received.

UTA was currently looking at a new circulation through Thanksgiving Point which would enable people who worked at businesses in the area to ride the bus to the restaurants in the area. It would start at the Frontrunner station and circulate every 30 minutes. Since Alpine, Highland, and Cedar Hills were growing, they were looking at the need for transit services in this area. In South Salt Lake, they had a pilot program for a micro transit service which would be on-call, similar to Uber and Lyft. He said that if the Council had ideas or concerns, to contact him with their questions.

V. ACTION/DISCUSSION ITEMS

A. Alpine Ridge Estates Subdivision- Request for a PRD

Austin Roy said the proposed development consisted of 9 lots on 9.775 acres in the CR-20,000 zone at approximately 430 North 400 West. The plan anticipated acquiring a piece of the adjoining Whitby Woodlands development. He said the developers were not ready to present a formal concept but would like approval for PRD status. There would be a large open space section, which would be 59% of the total area. The ordinance required at least 25%. They planned to leave the open space in its natural condition which was largely scrub oak.

To qualify as a PRD, a project had to 1) recognize and incorporate natural conditions of the site; 2) efficiently utilize land resources and benefit the public in delivery of utilities and services; 3) provide increased variety and quality to style of dwellings available; 4) preserve open space for recreational, scenic, or public service needs; 5) be consistent with the objectives of underlying zones.

Austin Roy said the staff felt that the proposed development met that criteria. The Planning Commission had reviewed it and recommended approval of a PRD status with a couple of conditions. First, that the open space be private and maintained by the HOA. Second, they rename the subdivision to avoid confusion, especially as related to emergency response calls.

Brent Bingham said he lived on Hillside Circle and was a member of the HOA of the adjoining Mountainville Heights subdivision. The proposed open space in this subdivision would flow into the private open space in the Mountainville Heights subdivision. He said he appreciated the proposed open space and the respect the developers demonstrated for density. He said his HOA would like to make sure there was proper access to the open space for fire and other emergencies.

Carla Merrill asked if there were plans for trails. Mr. Bingham said they currently had trails in their open space.

Austin Roy pointed out the Whitby Woodlands also had private open space.

MOTION: Ramon Beck moved to approve PRD status for the proposed Alpine Ridge Estates Subdivision with the condition that it be private open space and the developer choose a different name for the development. Kimberly Bryant seconded. Ayes: 4 Nays: 0. Motion passed.

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

B. Land Swap and Parking Exception, 235 S. Main – Paul Anderson

Austin Roy said Mr. Anderson had previously asked for front and side-yard setback exceptions at the meeting of August 13, 2019, which were approved. He was now coming to the City with a proposed land swap. Alpine City owned a small triangular piece of ground along Main Street which was left over when the bridge was built. Mr. Anderson would give the City a strip of land along Main Street which would enable the City to access their property without crossing private property. The two pieces of ground were each 234.23 square feet.

Mr. Anderson's second request was to allow parking in the setback. He'd already been granted a front setback exception of 15 feet for his building. He requested the same 15-foot exception to the setback for the parking, which would bring the parking in line with the building.

Carla Merrill said she didn't like always approving exceptions to the setback requirements. A committee had sat down and devised the setback requirements and they had a reason for them. She said she was okay with the land swap but not the parking exception.

After more discussion, a motion was made.

MOTION: Ramon Beck moved to approve the land swap with Paul Anderson at 234 S. Main, and clarify that the setback exception approved for the building also approved a setback of 15 feet for the parking. Lon Lott seconded. Ayes: 3 Nays: 1. Motion passed.

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

C. Appointment of Administrative Law Judge

Shane Sorensen said that several months ago the City had changed some ordinances that provided for code violations to be handled by a City appointed administrative law judge rather than going through the court system. Angela Adams was an attorney who lived in Alpine and said she would be willing to serve as the administrative law judge on a volunteer basis or ad hoc public service.

David Church said this method of handling code violations was friendlier and more effective than hiring attorneys and going to court. In the past, a code violation was deemed a criminal offense and was sent to the court which, became an expensive, drawn-out way of trying to solve the problem. Many cities were going to this system which still gave the offender due process but in friendlier climate. He said there could be more than one judge. Phil Barker had handled appeals for the City in the past.

MOTION: Kimberly Bryant moved to appoint Angela Adams as the Alpine City Administrative Law Judge. Ramon Beck seconded. Ayes: 4 Nays: 0. Motion passed.

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

Alan Gilman asked how often the judge would be used. David Church said dozens of times. There were code violations happening every day.

D. Moderate Income Housing Discussion

Austin Roy said the state required cities to have a plan to address moderate income housing needs in their communities in place by the end of the year or there would be fines. He said there would be no action taken by the Council that evening. It would be a discussion to consider the different options to meet the moderate income housing requirement, then it would go to the Planning Commission.

Shane Sorensen said they wanted to get input from the Council first, so the Planning Commission didn't end up working on something that the Council rejected. He said the City had until the end of the year to adopt a plan that utilized at least three of the options designated in the state code.

Austin Roy said he had emailed the section of the code which identified the various options to the Councilmembers earlier in the week. He said Alpine currently met one of the options by allowing accessory apartments in homes. He said one of the options on the list was preserving current moderate income housing elements in the community.

Carla Merrill asked if the new Montdella would qualify since it was high density senior housing.

David Church said the intent was to make the housing available to people who made 80% of the median income in Utah County, which translated to a dwelling with an approximate mortgage of \$300,000 mortgage or rental that fell in the same monthly price range. The developers of Montdella were planning to sell the units for a minimum of \$400,000, so they would not qualify.

Carla Merrill said that there was no guarantee that if the City downzoned to smaller lots that the developers would sell them at a moderate income housing price.

David Church said that was right. There were some communities that were allowing developers to increase density provided they set aside a number of lots that had to be sold at moderate income housing prices and be deed restricted on the selling price should the property be resold at a later date.

David Church said there was an option for communities that had high land values to allocate funds to other communities that could provide moderate income housing. Cities could also pass an ordinance that discouraged people for tearing down older homes or duplexes that might be affordable.

Lon Lott said one of the options was to allow an accessory dwelling unit to be built on a larger lot. It could be restricted in size and become an affordable rental.

David Church said another option was for the city to waive impact fees to make new construction more affordable. He noted that the cities did not have to begin implementing the plan by the end of the year; they just had to have an adopted plan. The cities had to then send in an annual report every year on what they were doing to provide moderate income housing.

Shane Sorensen said item W stated that cities could set aside money to subsidize rent and utility bills so people could live in the community who might not otherwise be able to do that.

Sylvia Christiansen said that as a realtor, the problem she'd seen was that when affordable houses under \$300,000 would come on the market, investors would come in with cash and scoop them up before families even had a chance to buy them. Something needed to be done about.

Terry Morris – Alpine Highway said he would like to see accessory dwelling units as an option. He had a friend on 800 South who was a single lady and was just barely holding onto her home. Being able to rent a small house on her property would help make ends meet. It would also help people who were going on missions.

David Church said that the moderate income housing plan would be adopted as part of the General Plan, which the Planning Commission would work on and then send to the Council for approval.

E. Short Term Rentals

Austin Roy said this would apply to rentals for less than 30 days. According to the Airbnb and Vrvo websites, there were already 30 to 35 in Alpine. The City had received complaints about one on River Meadow Drive. There had not been any complaints about the other rentals in Alpine. Short-term rentals were technically not allowed by Alpine City's ordinance, but state law said cities could not prohibit property owners from advertising their property as a short-term rental. He said short-term rentals already existed in Alpine. Did they want to just ignore them or allow them and regulate them?

Kimberly Bryant said that if people were going to do it anyway, they needed to regulate them.

Ramon Beck asked if they would be required to get a license. Austin Roy said they would need to have pay for a business license and other possible fees.

Carla Merrill said she had a neighbor with a short-term rental and it hadn't been a problem.

David Church said the benefit of regulating the business was that you had something to revoke if they didn't comply with the regulations such as parking, noise, etc. The city could charge a transient room tax similar to what was paid in a hotel.

Kimberly Bryant said that she felt the City should regulate them and receive some kind of revenue.

Lon Lott said he liked the idea of posting the regulations so the renter would know what they had to comply with. Both the homeowner and the renter would know the rules.

Alan Gilman said it sounded like regulating them was just creating more government.

Shane Sorensen said Ted Stillman had drafted a proposed ordinance to govern short-term rentals. If the Council wanted to pursue it, they would send it on to the Planning Commission to review.

VI. STAFF REPORTS

David Church said the League of Cities and Towns would be holding their convention at the Sheridan in Salt Lake City starting the tomorrow. The Governor would speak at 9 am. Scott Card would be the luncheon speaker.

Shane Sorensen reported on the following:

- The Healey Park restrooms would be relocated in about two weeks. They were requesting bids for the relocation.
- Lambert Park fence. They'd had trouble finding contractors willing to build the fence. Will Jones needed the same type of fence in Three Falls and he had found a supplier. The City would work with him on getting the fence up.
- Lambert Park parking lot. A lot of gravel was being tracked out onto the city streets from the parking lot. If they paved the road to the parking lot, it would help. The Council indicated they would be okay with paving the road to the parking lot.
- The overlay project was completed with the exception of some manholes.
- School crosswalks. He had met with the school district and parents and discussed what could and could not be done to put in some additional crosswalks. There had to be some studies to see if they were justified. He said it was a productive meeting.
- Pickleball lines would be painted on the courts in the next week or two to provide additional playing space.
- The old playground in Burgess Park would be sold as surplus for \$500, and the new one installed.

- Alpine Days. They would be presenting the report on Alpine Days shortly. The events coordinator was no longer with the City so they would have to decide what to do with that position.
- The pretrial on the Quail Fire lawsuit would be on September 23rd. The trial would start in October.

VII. COUNCIL COMMUNICATION

Lon Lott reported that the Alpine City sign that had been posted years ago on Alpine Highway was back up. Steve McArthur, the developer of Diane Teichert's property, had worked with the City to find a location for the sign on a corner of their subdivision after the water district made the City take it down. They needed an artist to paint the black lettering on the sign and come up with some landscaping.

VIII. EXECUTIVE SESSION. None held

MOTION: Kimberly Bryant moved to adjourn. Carla Merrill seconded. Ayes: 4 Nays: 0. Motion passed.
Motion: Kimberly moved to adjourn. Carla seconded. Ayes: 4 Nays: 0. Motion passed.

The meeting was adjourned at 9 pm