

**ALPINE CITY COUNCIL MEETING**  
**Alpine City Hall, 20 N. Main, Alpine, UT**  
**August 22, 2017**

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

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

Mayor Sheldon Wimmer

Council Members present: Troy Stout, Ramon Beck, Kimberly Bryant, Lon Lott

Council Members not present. Roger Bennett was on a safari in Africa and was excused.

Staff: Shane Sorensen, David Church, Chief Brian Gwilliam.

Others: Sullivan Love, Loraine Lott, Mary Wimmer, Melanie Ewing, Judi Pickell, Noah Thurlow, Ben Thurlow, Ed Bush, Ken Walker, Sylvia Christiansen, Will Jones, Tres Hatch, David Hatch, Sherman Myers, Sam Wolf

**B. Prayer:** Ramon Beck

**C. Pledge of Allegiance:** David Hatch

**II. PUBLIC COMMENT:** David Hatch said that for his Eagle project he would be painting the curbs red in front of the fire hydrants in the North Stake Area of Alpine.

Sherman Myers on Lakeview Drive thanked the City for putting up the “Authorized Vehicles Only” sign on the road going up to the covered reservoir. Fewer vehicles were driving up there, but apparently, there were still some people who felt they were authorized vehicles. He asked if, when the police were called up there, were they telling people that they were not supposed to be driving up that road? Chief Gwilliam said they were.

Ed Bush on Box Elder Drive commended the City Council for their quick action in trying to curtail the shooting that was going on by Lambert Park. He said he hadn’t heard shots in the last several weeks. The Wasatch Wranglers were up there over Alpine Days cleaning up trash including TVs that had been used for target practice. He thanked the Lone Peak Police Department for their presence in the park after the ban on motorized vehicles. They had been very effective. Regarding the Alpine Nature Center website, he said its following was growing. They had about 65 visitors a day to the website and about 50 followers on their Facebook page. He said he and his wife walked the trails in Lambert Park almost daily and were working to remind people to stay on the trails. He said there was a lot of unidentified open space areas in Alpine and he suggested it might be an opportunity to name them and recognize some of the citizens in Alpine who had contributed to the community.

Sam Wolf lived in American Fork. He said he was thinking of doing an Eagle scout project in Lambert Park and add some benches around the Middle Spring Trail. Lowes was willing to make a contribution and he was asking if the City would be able to make some contribution. Troy Stout said they had some other benches put in that were very useful. He recommended some kind of fireproof benches such as concrete or rubber coated steel. Sam Wolf said Lowes would contribute material for two concrete benches.

Ken Walker on 300 North said he was there to seek consultation about equipment he’d lost in an accident on 600 East between 100 North and 200 North. He was driving his truck and pulling a trailer when the wheel of the trailer struck a manhole cover, which popped up and did a lot of damage to his equipment and trailer. They were a total loss. He had some pictures of the accident. He said he had filed a claim with

Alpine City's insurance, but the insurance company denied the claim so he was approaching the Council. His own insurance would not cover anything beyond the truck.

Shane Sorensen explained that the night before the accident there had been a storm which undermined the asphalt around the manhole cover over a 36-inch storm drain. When Mr. Walker's truck went over it, the cover flipped up. The insurance company said that since it was related to a storm, it was considered an act of God.

David Church said that like anything else, cities and their insurance were only responsible if they are negligent. Whoever investigated the claim determined that Alpine City did not do anything wrong. A lot of people think that because someone has an unfortunate event on a city road, the city should pay, but the insurance did not pay unless the city had some negligence. He said they could look into the insurance investigation and see what they determined. There were accidents where no one was at fault. Sheldon Wimmer asked David Church to talk to the adjuster about their conclusion and get a statement from Mr. Walker.

Ken Walker said he had just left the stop sign and was going no more than 20 mph but because he fell into the hole, it was like a bomb went off. He asked if it wasn't the responsibility of the city to check manholes after a storm like that. Shane said he had driven around town after the storm but hadn't looked at that street.

### III. CONSENT CALENDAR

**A. Minutes of the City Council meetings of July 18, 2017 and July 25, 2017**

**B. Award Seal Coat Bids**

**C. Three Falls Bond Release #5 – Phases 2 & 3 - \$316,396.06**

Shane Sorensen said the seat coat quotes were in the packet. They had been awarded and were there for ratification.

**MOTION:** Ramon Beck moved to approve the Consent Calendar. Troy Stout seconded Ayes: 4 Nays 0. Ramon Beck, Troy Stout, Kimberly Bryant, Lon Lott voted aye. Motion passed.

### IV. REPORTS AND PRESENTATIONS

**A. Review Primary Election Returns:** Shane Sorensen said he would take care of this in the absence of Charmayne Warnock. She had broken her leg and was still pretty immobile. She had contacted the County who said the final results would be available on August 29th. They would need to hold a special meeting on the 29<sup>th</sup> to canvass the official results. The latest election results were:

Melanie Ewing	374
Troy Stout	876
Rob Schoen	277
Sheldon Wimmer	1,021

The voter turnout was 43.33%

**B. Review of Alpine Days:** Shane Sorensen said he had met with Lon Lott and Melanie Ewing earlier that morning to review Alpine Days. He passed out a spreadsheet summary of expenses and revenues. He said it went really well, and thanked Melanie Ewing for chairing the event.

Lon Lott thanked Melanie Ewing and all the volunteers who worked very hard to make it a success. He said they came in under budget. They spent \$105,000 and had a revenue of \$77,000. The party would cost the City \$28,000, which if divided by 5,000 people worked out to between \$5 to \$10 per person.

Melanie Ewing reported on some of the highlights. She said the car show had over a hundred cars and it was well attended. The RC car racing was a huge success. It was a two-day event and Jed Muhlstein was the grand winner. They would definitely be doing that event again. She said another event they did that was new was how they handled the art show. They partnered with the Alpine Art Center and brought in some amazing artists. They took in \$43,000 in revenue for the art show. Alpine City took in 2%, the Art Center got 10%, and the rest went to the artists.

For the concert, they had eleven musicians or groups, and seven of them were from Alpine. They had a lot of amazing talent in Alpine. One-third of the food vendors were from Alpine and they sold out. Fifty percent of the boutique vendors were from Alpine. One girl sold \$1,000 worth of slime. She said the website sales were through the roof. Very few came into City Hall to buy tickets. The tickets could be purchased online, printed and scanned. The ladies in the front office were happy because there wasn't much traffic.

Melanie Ewing reported that the teen party was a success. Unlike previous years, there were no problems. The trick was to not charge them. They had a full stage and lighting for the event. She said the concert was great and probably went too late. The fireworks didn't start until 10:30 pm which was too late for families with children. It wouldn't be that late again. She said that between the concert and the fireworks, there had to be 5,000 people there.

The rodeo did \$12,000 in online ticket sales. Cody Smith said it went very smoothly and Saturday night was sold out.

Shane Sorensen said they would schedule a future meeting to go over the details. Troy Stout asked if there had been any complaints about the concert from residents who lived by the park. Shane Sorensen said he hadn't heard any.

## **V. ACTION AND DISCUSSION ITEMS**

**A. Main Street Beautification:** Shane Sorensen said the beautification of Main Street with flowers and lampposts had been discussed in the past. He had contacted Vernal City since they had quite a flower program. They said they spent \$50,000 a year on just the flowers. They had three full-time employees that spent the whole summer taking care of the flowers and in the winter, they plowed snow. Bugs had been a problem and they spent \$2,000 on pesticides. They were considering changing the types of flowers to something not susceptible to bugs. The estimated overall cost of the program was \$250,000 a year. He said they had a much longer route for flowers. The display started at the entrance to Vernal but were more closely spaced in the center of town. They had a much longer Main Street than Alpine.

Troy Stout said the town of Holladay had a display that was maybe a block long. He was thinking they could do something in Alpine that extended from the roundabout to 200 North, and spread them out. He felt it was something they could do fairly inexpensively.

Shane Sorensen said the trick would be getting water to the flowers. If they were located along the park where they had a sprinkler system, it would be fairly easy. Other areas could be a problem. Troy Stout suggested that maybe some of the businesses along Main Street would allow them to tap into their watering system.

Lon Lott said he would like to see an overall plan drawn up. The Planning Commission had done some work on a design for Main Street and this could be coordinated with it. If they had someone draw up a plan, they could project the costs. Sheldon Wimmer agreed, saying he would like to look at it holistically.

Troy Stout asked if they could allocate some time and money to seeing it done next spring. He would also like to look at lampposts. He said he'd like to start with something and see if it was financially feasible.

Lon Lott said that if they identified the areas and had a plan, they could see if people along Main Street wanted to participate by putting in a planter. He didn't want it to look like 800 South where some homes had curb and gutter and others did not. They didn't want a basket here and nothing there.

Shane Sorensen said one of the challenges was that the sidewalks along Main Street weren't very wide. If they placed pots on the sidewalk, it could be an issue. Troy Stout said he envisioned them hanging from lampposts. Shane Sorensen said they had some money from UDOT that they could use to put streetlights on the roundabout.

Steve Cospers said the Planning Commission had begun work on what they call the Historic Gateway entrance to Alpine, but with the construction of some buildings that were more modern, the historic part went away and they just called it the Gateway zone. They had gotten complaints about some of the buildings that had come in. He said they had spent a lot of time working on the guidelines, but they were just guidelines. They needed to do more work on preserving Main Street for the future.

Lon Lott said he would support Troy Stout on moving forward with this project. They should start by setting aside some money.

Judi Pickell said flowers and streetlights were a great idea, but only if they were part of a comprehensive plan. She said the street in Vernal looked like frosting exploded all over. The sidewalks in Alpine were too narrow and they would have to look at a way to handle that. There were no bike lanes along the road. Perhaps they could do foldouts but plowing around them in the winter would be difficult. She urged the Council to have a comprehensive plan. Guidelines were great but unless they were adopted, they were just a suggestion. She said that if businesses knew it was a community effort, they would jump on it.

Shane Sorensen said seasonal workers were really hard to hire. Vernal watered their flowers seven days a week and the hanging pots had to be watered twice daily.

Sylvia Christensen said she had called either Roosevelt or Duchesne and they contracted with some service for their flower program.

**B. Oberre Annexation Agreement Changes:** Shane Sorensen said this would be postponed.

**C. Three Fall Plat Amendment – Plat E.** Shane Sorensen said there were adjustments that needed to be made to several lots. The proposed amended plat was included in the packet.

Will Jones said a stream went through four of the lots. They had based the lot lines on that, then learned that the lot line was in the middle of the creek, which affected where they could place the building envelope. They were moving the lot line so they could better utilize the lots. There was private open space on the other side which would allow them to build up to the easement. They would be increasing the building area somewhat on lot 24. He explained that the plan can look good on paper but when they got into the actual construction, they had to make some adjustments. If the land was flat, the survey was accurate but it became more complex when they were working with slopes.

Troy Stout asked if the amendment would reduce the amount of public open space. Will Jones said they had about ten extra acres of open space so they were well within range.

Troy Stout asked if it would change the number of lots. Will Jones said it would remain the same. They were just redrawing them. They were moving lot 57 to where it would work.

**MOTION:** Troy Stout moved to grant the developer's request to approve Three Falls Plat E, amending the original plat as long as the current water requirements were met. Ramon Beck seconded. Ayes: 4 Nays: 0. Troy Stout, Ramon Beck, Kimberly Bryant, Lon Lott voted aye. Motion passed.

Will Jones briefly reviewed the progress on the trails, Fort Canyon Road and the water tank in the Three Falls subdivision.

#### **D. Lambert Park Issues**

Access to the south restrooms for parking: Sheldon Wimmer said he'd been approached about access to the restrooms on the south end of the park. The Council had discussed have a parking lot by the restrooms, but when the roads were closed down, the parking had been pushed to the LDS Church parking lot. He suggested they grade the parking lot by the restrooms and allow people to access that parking lot so they weren't imposing on the church.

Troy Stout said they had talked about having ten or twelve spaces but they would probably need more. They should also fence the parking lot so it didn't go beyond that. Accessing the parking lot should be the extent of motorized vehicle use in the Park.

Fencing: Sheldon Wimmer showed pictures of the buck and pole fencing that had been proposed for Lambert Park. He said Shane Sorensen had been in contact with contractors who put in that type of fence. It would be ten dollars per foot. He said he wanted the Council to see pictures of the fence to make sure it was what everyone was thinking about. It was the type of fence they built in Wyoming that could withstand snow and wind. It would be constructed on the south side of the park and around the Box Elder South subdivision. They had sufficient funds to build it.

Troy Stout said the City had \$20,000 per year on the books for Lambert Park maintenance. He would prefer to not spend it all on the fence so they could do other things.

Lon Lott said he would like to include the Dry Creek Corridor Trail and other trails in the City when they were looking at funding for projects. Troy Stout said some funds were specifically designated for Lambert Park.

Shane Sorensen said they needed to make a decision on how to handle fencing were there were road crossings. Did they want to put in gates and if so, what type of gate? There were also several trail crossings.

Troy Stout said he thought they should just leave small openings for the trails.

Sheldon Wimmer said they wouldn't want to fence off the roads in case there was a fire. Currently they had Jersey barriers blocking the upper road which would make it hard for emergency vehicles to get through. Shane Sorensen said that sixteen-foot gates would allow a firetruck to get through.

Troy Stout noted that the road was on the boundary of Lambert Park. Were they going to fence the road inside the park or outside the park? If they were once again going to allow motorized vehicles into the park, how would that affect the decision. Lon Lott asked what the location of the fence would tell people in terms of encroachment.

The Council discussed concerns about vandalism of gates.

Ed Bush on Box Elder said the Box Elder South subdivision would have 59 homes. There was a hesitancy to pave Moyle Drive because it would extend the road and divide the park and cross a number of trails. The issue he saw was that the people in those homes would funnel more traffic onto Box Elder Drive and cross those bike paths. They may want to think about another paved access for those homes.

Troy Stout said a lot of people accessed the park from the south; he hoped a trail could be maintained through that area to keep the route open. He would like to talk to the landowners about that possibility. The City still had a sliver that they could possibly trade with some of the private landowners to create a second access to Box Elder South. If they were successful in trading for a secondary access, they would still put in the fence but create an entrance to Lambert Park.

Shane Sorensen said the Wadsworth Meadows subdivision was coming in for approval and it would be in that area. It would consist of 15 acres in city limits.

Sheldon Wimmer said they also needed to look at the Fitzgerald property. It was presently in foreclosure. He would like to seriously look at annexing it so they had control of it, then they could negotiate to maintain the trails. They could do the same thing with Wadsworth Meadows.

Shane Sorensen said he would like to discuss the possibilities further when the Wadsworth Meadows development came to Planning Commission in a couple of weeks. They had some options for open space.

Troy Stout asked Shane Sorensen if they could schedule the construction of the fence builders. Shane Sorensen said he could do that.

Permanent Sign Language: Shane Sorensen said they already up some signs in Lambert Park. They had to get something up there quickly so they printed and laminated them. He didn't want to print permanent signs until he was certain of what language the Council wanted. A copy of the current language on the signs was provided in the packet.

David Church said the City's ordinance said it was class C misdemeanor to take motorized vehicles on roads and trails where they were not specifically allowed. It was punishable up to \$500. The judge determined the fine, not the City. He said the language on the current sign was correct.

Lon Lott asked if they needed something bolder that said "No Motorized Vehicles." People drove by the signs all the time and didn't see them. David Church said that according to the ordinance, unless the road was signed as allowing motorized vehicles, the park was closed to motorized vehicles. The Council passed the ordinance years ago.

Shane Sorensen verified that everyone was happy with the language on the sign before they printed the permanent signs.

Ideas for properties surrounding Lambert Park – Troy Stout: Discuss closing off the north end of Bald Mountain Drive, and ideas for controlling shooting on the east side of Lambert Park.

Councilman Troy Stout said he had met with neighbors on Bald Mountain Drive to discuss options to protect Lambert Park. There were some Jersey barriers at the end of Bald Mountain Drive but people just drove around them. He said most of the vehicles that drove to the shooting range accessed from the end of Bald Mountain Drive. He said they couldn't control the shooting range but they could control the access. He would like to find out exactly where the City had jurisdiction and block that off. He said he was meeting with Ross Welch the next day to see if Patterson would be willing to block it off. He had already met with the Fitzgeralds. He said the neighbors on Bald Mountain said they could still hear shooting up there, even after the City closed the park to motorized vehicles.

Sheldon Wimmer said that in the packet was a copy of the letter he'd sent to the forest service supervisor about permanently fixing the problem of shooting by Lambert Park. The letter asked them to close it so there was no shooting within a half mile of Alpine's boundary using their language and their law. He said he had talked to Senator Mike Lee about the problem, and he was interested in pushing the forest service to do something. A copy of the letter went to County Commissioner Lee, Lt. Governor Spencer Cox, Senator Mike Lee, the regional forest ranger, the forest supervisor, and the forest district ranger. He said that currently people with guns could go up in the forest service behind people's homes where they abut on forest service land, and start shooting. That would include properties on the Alpine boundaries on the east and north.

Mark Basal said he lived on Bald Mountain Drive. On Saturday they heard shooting up there. He said they would see people drive up there and then they heard shooting.

Sheldon Wimmer said there was another option. The law prohibits shooting within 150 of a structure. They could put up a kiosk in Lambert Park that explains things about the park, which would require the forest service to enforce their own ordinance. That would, however, be a temporary solution. It wouldn't solve the problem of shooting behind people's backyards.

David Church said that regardless of who owned the land at the end of Bald Mountain Drive, he and Shane Sorensen would figure out a way of keeping people from driving through there. There was the issue of private property access. The property owners would need to be involved up front. If there was a gate, they could be issued a key. Shane Sorensen said they would want to leave an opening for bikes, equestrians, and hikers.

**E. Resolution No. R2017-16 Amending the Consolidated Fee Schedule:** Shane Sorensen said the Council had recently amended the Consolidated Fee Schedule. The next day the City got a notice from the Timpanogos Special Service District stating that the TSSD Impact fee had been lowered from \$2,475 to \$1,708, and the cities needed to lower their fee. It was a pass-through fee. The City collected the impact fee when there was a new sewer connection for a house or business, and sent it to the TSSD. The City had begun charging the reduced fee but it needed to be formalized in the fee schedule.

**MOTION:** Lon Lott moved to approve Resolution No. R2017-16 amending the Consolidated Fee Schedule to reduce the TSSD Impact Fee. Ramon Beck seconded. Ayes: 4 Nays: 0. Lon Lott, Kimberly Bryant, Ramon Beck, Troy Stout voted aye. Motion passed.

**F. Cemetery Gates:** Shane Sorensen said he had been working on gates for the cemetery but didn't have the final prices. He also needed to talk to the garage door company about automatic openers for the gates. For the gate on the east side, Northwest Fence suggested a sliding gate that was cantilevered. There wasn't as much space at the west entrance so they were looking at two swinging gates. The bid for the two gates was around \$15,000. They had the option of putting the gates on a timer with an underground loop in case someone got locked in. There could also be a keypad if someone needed to get in afterhours. He said there was a second entrance on Grove Drive that was less used. Some

cemeteries had gates that were permanently closed but opened during heavy use like on Memorial Day. They could consider doing that for the second entrance on Grove Drive. The entrance from 600 North was already semi-gated. They could consider another Jersey barrier for that entrance. He expected to have more details on cost in three weeks.

Lon Lott said sliders always had an issue with snow. Shane Sorensen said they would be up off the ground, but that was something to consider.

**G. Resolution No. R2017-17, NRCS Grant Application:** Shane Sorensen said he had Horrocks put together an application for a grant. It would be part of a long-term plan. They had four to five years to spend the money because it necessitated getting permits. It would give the City a chance to plan financially. The City had to match 25% which would be \$191,750. The grant would cover 75% of the cost.

Lon Lott clarified that the City was aware of the things they were committing to do. Shane Sorensen said they were.

**MOTION:** Troy Stout moved to approve Resolution No. R2017-17 authorizing the NRCS grant application. Ramon Beck seconded. Ayes: 4 Nays: 0. Troy Stout, Ramon Beck, Kimberly Bryant, Lon Lott voted aye. Motion passed.

## VI. STAFF REPORTS

Shane Sorensen said the right-hand turn lane for 4800 West onto SR-92 had not been completed yet. They had been negotiating with property owners for a right-of-way and the bid had come in higher than anticipated. They planned to rebid it in October. They thought they could construct the lane even while school was in session. Sheldon Wimmer suggested they go back to Mountainland Association of Governments (MAG) and request additional funding.

## VII. COUNCIL COMMUNICATION

Lon Lott asked about the encroachment on public open space by Preston Drive, which they had discussed at the meeting of July 25, 2017. Shane Sorensen said the property owners had attended the Monday morning staff meeting with a proposal to split the lot. Staff brought up the problem of the encroachment. The property owner said he was going to try and fix it.

Ramon Beck said he had spoken with someone in Fort Canyon who was worried that the construction in Three Falls was messing with his well rights and he was afraid he was going to lose his water. David Church said the state had been sending out a general letter to water right holders in certain areas concerning adjudication of the water rights. He wondered if that had caused some confusion. Sheldon Wimmer said the state water engineer had sent out 106-page document with 93 recommendations on the allocation of water rights. He hadn't read through all of it yet.

Troy Stout said there had been complaints about the size and placement of campaign signs. There was apparently confusion about whether or not signs could be placed in park strips. He asked if they wanted to amend the ordinance so it specified that election signs could not be placed in park strips, or make it legal.

There was a lengthy discussion about the issue of election signs. David Church said that a city could not make a distinction between election signs or other signs because it was a content based regulation. Signs could not be regulated based on content. If they made allowances for election signs, they would need to make the same allowances for all signs.

Sheldon Wimmer said Susan Richards was a public affairs specialist who lived in Alpine. She had noticed that sometimes when city officials were placed in front of a television camera, they didn't look so good. She had offered to work with the city and be with them when they were interviewed. If the Council was interest, he would schedule a time for them to meet with her. The Council indicated they were interested.

#### **VIII. EXECUTIVE SESSION**

**MOTION:** Lon Lott moved to adjourn to executive session to discuss strategy on litigation. Kimberly Bryant seconded. Ayes: 4 Nays: 0. Lon Lott, Kimberly Bryant, Ramon Beck, Troy Stout voted aye. Motion passed.

The Council adjourned to executive session at 9:30 pm.

The Council returned to open meeting at 10:30 pm and adjourned.