

**ALPINE CITY COUNCIL MEETING**  
**Alpine City Hall, 20 N. Main Alpine, UT**  
**April 25, 2017**

**I. CALL MEETING TO ORDER**

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

Mayor Sheldon Wimmer

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

Staff: Shane Sorensen, Charmayne Warnock, David Church, Alice Winberg, Jason Bond, Chief Brian Gwilliam,

Others: Neil Hanse, Mike Kennedy, Maggie Staib, Sylvia Christiansen

**B. Prayer:** Troy Stout

**C. Pledge of Allegiance:** Nathan Hunter

**II. PUBLIC COMMENT**

Nathan Hunter said that for his Eagle Scout project he would work on the rodeo trail in Lambert Park. It was badly eroded and rutted. He would rake the trail and fill in the ruts with new dirt. He would also put stickers on the signs that warned people not to ride when it was muddy. He asked if the City could help out with the cost of the stickers, and the Council indicated they would. Troy Stout said there were types of dirt that resisted erosion. He suggested they get a group together and discuss the best way to do it.

Maggie Staib said she lived on Cascade Avenue and her lot backed up to the public open space. She asked the Council if it would be okay to access the back of their property via the road through the city property. The Council indicated that would be fine, and thanked her for asking for permission.

**III. CONSENT CALENDAR**

**A. Minutes of April 11, 2017 City Council meeting**

**B. Purchase of a 2017 Ford Truck - \$24,660.00**

**C. Resolution No. R2017-07 Municipal Wastewater Planning Program Annual Report**

Shane Sorensen explained that the truck was actually in next year's budget but if they ordered it now, they would get a lower price. It would be paid for out of the next year's budget.

In regard to the wastewater report, Roger Bennett asked about improving the ratings of the public works employees to get a better score. Shane Sorensen said he sent at least two down to St. George every year for training, but would look hard for opportunities for training. Lon Lott said there were online training opportunities.

**MOTION:** Kimberly Bryant moved to approve the Consent Calendar. Lon Lott seconded. Ayes: 5 Nays: 0. Lon Lott, Kimberly Bryant, Roger Bennett, Ramon Beck, Troy Stout voted aye. Motion passed.

**IV. REPORTS AND PRESENTATION:**

**A. Legislative Update – David Church:** David Church said the state legislature had passed 104 different bills that affected cities one way or another. Some of them limited what the cities could do; others provided opportunity to do more or changed the way cities did thing. He reported on a few that were most relevant to Alpine.

- The fire code was amended to limit cities' ability to require fire sprinklers in homes.
- Plan check reviews for new construction had to be done with 14 days after they were submitted.
- If an elected official missed meetings for more than 60 days straight, they were deemed to have vacated their position, unless they had received specific permission from the council to be absent.
- Candidates in elections could not use city supplied email to solicit donations.
- Local budget hearings had to be noticed on the state website, local website, and newspaper.

- Public funds had to be deposited at least once every three banking days.
- Transfers from the enterprise funds had to go through a formal process with notices and advertising.
- Previous law stated that the treasurer and recorder were to be reappointed every two years. The two-year term was taken out.
- Job applications to the city could not screen out applicants based on a criminal background, meaning that the application could not state that if the person had a criminal record, he/she could not apply. However, the issue could be brought up in an interview.
- New rules were adopted on reimbursement from employees using city credit cards for personal items.
- A business license fee could no longer be charged for home occupations unless the business spilled out of the home, but cities could still require a license.
- Cities could not require a food truck to get a business license if the truck was already licensed in some other city and had a food handlers permit. Cities could not prohibit food trucks in the commercial zone or on private property.
- In matters of civil enforcement such as a zoning ordinance, misdemeanors could only be issued by a policeman.
- Ambiguities in land use ordinance were interpreted in favor of the citizen.
- The definition of land use was broadened to include specification such as the thickness of the asphalt on a road. They were considered land use regulations and had to be adopted by a government body.
- Cities could not prohibit the advertising of short-term rentals on a website, nor could such advertisement be used as evidence of a short-term rental. Cities could still prohibit short-term rentals or regulate them but they could not prohibit advertising.
- Impact fee amounts had to be included in each fiscal year report.
- Public meetings minutes were not required to have as much detail but could have bullet points and the tape recording on the meeting should be available online.
- Disclosure regarding responsibility for sewer laterals and water service must be made to the customer two times per calendar year. Homeowners were responsible for the water line from the meter to the house, and for the sewer line from the sewer main to the house. David Church recommended making it a permanent disclosure on the utility bill.

David Church said those were the changes that affected the city directly. There were other changes in elections laws, referendums, and the annexation of islands, bonds and financing. He said the City needed to tighten up the zoning ordinance and eliminate the ambiguity.

#### **B. Report on Legislative Session: Representative Mike Kennedy**

Representative Mike Kennedy thanked David Church for his thorough review of legislative action. He said one of his goals on the legislature was to watch the money being spent. This session they spent 16.2 billion dollars. He asked for input from the cities and if they had issues with some of the proposed bills, he would like to hear from them. He had developer colleagues who were interested in seeing things happen fast, and if he didn't hear from his constituents, he tended to go along with the bill they proposed.

Mr. Kennedy said the bill on Airbnbs was very long but grew smaller as time went by. It did impose some infringements on city council's but it allowed someone to use their property as they wanted. He said it was a pleasure to serve this district and noted that Alpine City did an outstanding job taking care of the basics such as pothole repair. He mentioned he had a pothole near his home.

Mayor Wimmer asked him about safety inspections on cars. Mr. Kennedy said they had eliminated the requirement for safety inspections but emission testing was still required. It would go into effect next year.

Troy Stout asked about the death penalty for sex offenders. Mr. Kennedy said there was a concern that they would be adding more people to death row, and the bill died. Mr. Stout also asked about gravel trucks that spewed gravel all over the road and had a sign on them that said they were not liable. David Church said they could have the sign on their truck but it didn't mean they were not responsible.

Representative Kennedy said he was working with Representative Hemmert on trying to get the east/west corridor between Alpine Highway and 4800 West.

## V. ACTION/DISCUSSION ITEMS

**A. Budget Discussion – Fiscal Year 2017-18:** Shane Sorensen said the earlier version of the Tentative Budget was included in the packet along with the Capital Outlay detail, a budget summary from the Lone Peak PSD, and an Equipment Replacement Schedule. At the meeting, he provided additional information in the form of an outline of the budget, which he reviewed it.

Some of the budget items Mr. Sorensen reviewed in slightly more detail were:

- Building permits for new homes had declined since 2014 but he anticipated they would increase significantly when the subdivisions in process began selling lots.
- The current finance director, Alice Winberg, would be leaving and they were looking at different options to replace her. The finance director for Lehi City had contacted him and said he contracted with smaller cities to do some of their financial work so they were considering using him. Shane Sorensen said he was planning to increase the hours of Cortnie Graham who worked as the part-time administrative assistant for Public Works. She would take on HR and payroll. They would be meeting the following week with staff to discuss other aspects of the job.
- In regard to utility rates, Shane Sorensen said they would finalize the study on the Box Elder rates, evaluate the PI rates as they moved forward with the metering project, and increase the rates for trash and recycling (second cans) since ACE was increasing their rates.
- It was proposed they look at increasing the salaries for the mayor and city council, and create a policy to provide funding for electronic devices.
- It was proposed the budget include \$10,000 to \$20,000 for deer control and removal.
- The Alpine Days budget was previously approved at \$134,450. The budget for the rodeo was \$25,000 along with funds to replace the wood bleachers with aluminum.
- Other items proposed to be included in the budget were: 1) a server for the Public Works Department; 2) City Hall security and council room upgrades.

Capital Improvement Projects included in the budget were:

- Canyon Crest right-turn lane - \$11,103.
- Fire Station remodel - \$100,000
- Improve Canyon Crest sidewalk, 600 North, Grove Drive - \$200,000 to \$400,000
- Main Street PRV - \$43,000
- 600 North water line
- Waterline replacement project \$100,000
- Fire hydrant replacements \$20,00
- USGS Optimization Model \$10,000 for culinary and PI
- Automated Meter Read System for culinary
- Automated Meter Read for pressurized irrigation. Applying for \$1M grant but will require matching fund from Alpine City for \$500,000
- Drill new well
- A/C in Healey and Ranch wells to keep the motors from burning out.
- 600 North storm drain \$140,000
- Lambert Park improvements
- Dry Creek Trail \$20,000
- Moyle Park improvements
- Burgess Park improvements
- Park Maintenance Building
- Cemetery Expansion

Shane Sorensen briefly reviewed equipment that would need to be replaced. He noted that the City had sold surplus equipment for \$37,711.

**B. Creekside Estates, Minor Subdivision- Final Plat Approval:** The proposed 2-lot subdivision was located on Matisse Lane and consisted of 1.9 acres. The owner was proposing to split a lot with an existing home on it and create two lots, both with frontage on 200 North. Jason Bond explained that the subdivision had gone through two other configurations that didn't work out because members of the homeowners association didn't support it. The Planning Commission had reviewed the plat and recommended final approval.

**MOTION:** Ramon Beck moved to grant final approval to Creekside Estates minor subdivision with the following conditions:

1. The developer meet the water policy.
2. The developer provide a construction cost estimate for bonding purposes.

Troy Stout seconded. Ayes: 5 Nays: 0. Ramon Beck, Troy Stout, Kimberly Bryant, Lon Lott, Roger Bennett voted aye. Motion passed.

**C. Approval of Exotic Animal – Will Jones:** Jason Bond said the ordinance required City Council approval for a resident to keep an exotic animal. He said Will Jones' request to keep a kangaroo had been reviewed by the Planning Commission who recommended approval. Will Jones said it was a small kangaroo, not a large red one which could be aggressive.

**MOTION:** Ramon Beck moved to allow Will Jones to keep a kangaroo. Troy Stout seconded. Ayes: 5 Nays: 0. Ramon Beck, Troy Stout, Roger Bennett, Kimberly Bryant, Lon Lott voted aye. Motion passed.

**D. Municipal Recreation Grant 2017:** Jason Bond said that each year cities could apply for a Municipal Recreation Grant. Grants over two thousand dollars had to be used in the year it was issued rather than rolled over and accumulated as had been done in the past. He proposed the grant be used to grade some sections of the Dry Creek Trail. He described the trail and showed it on the map. He said they still had \$20,000 from the previous year budget which they would apply to the trail. They were hoping to get the trail paved when property transfers were completed. The amount of the grant was \$5,403.73. The funds were payable on a reimbursement basis only.

**MOTION:** Lon Lott moved to approve the application for the 2017 Municipal Recreation Grant with funds to go toward improving the Dry Creek Trail. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Lon Lott, Kimberly Bryant, Roger Bennett, Ramon Beck, Troy Stout voted aye. Motion passed.

**E. Ordinance No. 2017-05. Dog Licensing:** Chief Brian Gwilliam said it had been close to two decades since Alpine City had handled dog licensing for the community. Since that time, the North Utah Valley Animal Shelter had taken over licensing and fees. Everything was done countywide with the Animal Shelter and the Lone Peak Police Department acted as the liaison. The proposed amendment would update the ordinance to reflect what was actually being done. The proposed amendment would also replace the Hobby Breeders Permit with a Kennel Permit.

Neil Hansen – Hillside Circle. Mr. Hansen thanked the Council for their service. He said he had three dogs and had a Hobby Breeders permit, although he did not breed his dogs. He said he had several concerns with the definition of the Kennel permit. It could be construed as requiring an outdoor kennel. He said he kept his dogs in the home with a dog door so they could go outside if they wished. He would like to see the language changed so dogs could be kenneled inside the home. Another concern he had was that is said a female with a litter had to be separately kenneled. It also said they couldn't have cats and dogs together. In many instances homeowners had both cats and dogs. Basically, the regulations read more like what you'd expect for a commercial kennel rather than for homeowners with more than two dogs.

Kimberly Bryant said she thought those were good points, and noted there were people with more than two dogs who took better care of their pets than they did their kids.

Charmayne Warnock said the kennel regulations came from Lehi City's code and may not reflect Alpine City's needs. She said the problem they were running into was that the Alpine's ordinance allowed only two dogs. Alpine residents who had more than two dogs, were licensing only two of them because they didn't want the other dogs confiscated. There needed to be a way to address that situation.

David Church said kennel licenses were a very specific thing and were generally zoned out of residential areas. He said two or three dogs was a common number of dog in other cities. Perhaps the solution to the problem was to change the number of permitted dogs to three or four.

**MOTION:** Troy Stout moved to table the ordinance for further study. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Troy Stout, Ramon Beck, Roger Bennett, Kimberly Bryant, Lon Lott voted aye. Motion passed.

**F. Approve Relocation of Cross-Country Waterline:** Shane Sorensen asked the City Council to consider approving the relocation of a waterline which ran on the uphill side of some houses. It would not be a good situation if the line broke and flooded the homes below. He said the line in question was the sole feed to Lakeview Drive and Fort Canyon. He proposed relocating the 12-inch line to the street. The bid came in at \$75,000, which would be taken from the unappropriated fund balance. It might require a budget opening.

**MOTION:** Troy Stout moved to approve the relocation of the 12-inch water line to the street. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Troy Stout, Ramon Beck, Roger Bennett, Kimberly Bryant, Lon Lott voted aye. Motion passed.

## **VI. STAFF REPORTS**

Jason Bond reported on the following.

- The Moyle Park Committee had a meeting to review updates to the Moyle Park Master Plan.
- Larry Hilton was amending his condominium plan for the office building by the roundabout.
- The Hartvigsen Appeal on the Summit Point approval would be May 18<sup>th</sup>.

David Church said the Council needed to make a decision on whether or not they would condemn the sewer for the Oberee development. They also needed to discuss condemning the necessary ROW for Grove Drive. The agreement on the annexation stated that the developer would cover the costs if eminent domain became necessary. If a majority of the Council was opposed to condemnation, they needed to let the staff know before staff spent a lot of time and money on the process. If they did not choose to condemn an easement for the sewer, the other option would be to allow a lift station. He said the developer would pay for the condemnation process but the City would hire the attorney. He recommended Jody Burnett. Troy Stout said he would be inclined to vote no and Kimberly Bryant agreed with Mr. Stout.

Shane Sorensen reported on the following:

- The nightwork on the Fort Canyon Road was going well.
- The snow report showed Snowbird with 52 inches of water. They were at 195 percent of normal.
- They would probably have Rob Wallace at the next Council meeting
- If Councilmembers had changes to the budget, they were to let him know.

## **VII. COUNCIL COMMUNICATION**

Lon Lott reported on the meeting with the DNR to discuss Lambert Park. Troy Stout was present and it was a very productive meeting. They DNR was working expanding the bow hunt area for deer which would allow them to come into Alpine's open space areas. Sheldon Wimmer said the DNR would show them how to do the nonlethal method of transporting the deer.

Kimberly Bryant said the Easter Egg Hunt was very successful. She thanked Lon Lott and the Mayor for attending.

Roger Bennett said he still had concerns about the business Purple which was parking commercial trucks on 200 North. It was seriously changing the character of their neighborhood. Shane Sorensen said a scout was supposed to be painting the curbs to restrict parking.

Ramon Beck asked if the police could patrol Main Street and issues citations. Speeding was a problem.

Sheldon Wimmer passed out some information on the proposed Alpine Cove Annexation for review. He said it would be on a future agenda as well as Lambert Park Estates.

Relative to the lawsuits, Mayor Wimmer told the Council that he had received a message from Barry Johnson asking him to remind the Council to be careful and not divulge any of the information that was being discussed.

**MOTION:** Troy Stout moved to adjourn. Ramon Beck seconded. Ayes: 5 Nays: 0. Troy Stout, Ramon Beck, Roger Bennett, Kimberly Bryant, Lon Lott voted aye. Motion passed.

The meeting was adjourned at 9:30 pm.