

ALPINE CITY COUNCIL MEETING
Alpine City Hall, 20 N. Main, Alpine, UT
February 14, 2017

I. CALL MEETING TO ORDER: The meeting was called to order at 5:45 pm by Mayor Sheldon Wimmer. The following were present:

Mayor Sheldon Wimmer
Council Members: Lon Lott, Roger Bennett, Ramon Beck, Troy Stout
Council Members not present: Kimberly Bryant was excused.
Staff: Shane Sorensen, Charmayne Warnock, David Church,
Others: Barry Johnson

II. EXECUTIVE SESSION: Discuss litigation, property acquisition, or the professional character, conduct or competency of personnel.

MOTION: Troy Stout moved to go into closed session to discuss litigation. Lon Lott seconded. Ayes: 4 Nays: 0. Troy Stout, Ramon Beck, Roger Bennett, Lon Lott voted aye. Motion passed unanimously.

The City Council adjourned to closed session at 5:50 pm.

The City Council returned to open session at 6:50 pm and recessed for ten minutes.

III. RETURN TO OPEN MEETING

Mayor Sheldon Wimmer called the City Council Meeting to order at 7:00 pm.

A. Roll Call: The following were present:

Mayor Sheldon Wimmer
Council Members: Lon Lott, Roger Bennett, Ramon Beck, Troy Stout
Council Members not present: Kimberly Bryant was excused.
Staff: Shane Sorensen, Charmayne Warnock, David Church, Jason Bond, Carolyn Riley, Chief Brian Gwilliam
Others: Barry Johnson, Jeff Smith, Wayne Patterson, Loraine Lott, Scott Riley, Rob Antrim, Ray Warner, Sylvia Christiansen, Melanie Ewing, Ross Welch, Skylor Smith, Terry Smith, Steve Cosper,

B. Prayer: Troy Stout
C. Pledge of Allegiance: Mayor Sheldon Wimmer

IV. PUBLIC COMMENT: There were no comments.

V. CONSENT CALENDAR

A. Approve the minutes of the City Council meeting held January 24, 2017
B. Council Assignments

MOTION: Ramon Beck moved to approve the items on the Consent Calendar. Lon Lott seconded. Ayes: 4 Nays: 0. Ramon Beck, Lon Lott, Roger Bennett, Troy Stout voted aye. Motion passed unanimously.

VI. REPORTS AND PRESENTATIONS: None

VII. ACTION/DISCUSSION ITEMS

A. PUBLIC HEARING: AMENDMENTS TO THE ALPINE CITY ANNEXATION POLICY PLAN AND MAP: David Church said that under Utah law, a city was required to adopt an annexation policy plan. It put the county and other cities on notice as to the intentions of the city. Information that should be contained in the

annexation policy plan included the expected density of the area to be annexed, infrastructure needs, public and emergency services, economic impact on the city, etc. Having an annexation policy plan in place was a prerequisite for annexation. Several months ago, the City received an annexation petition from residents in the Alpine Cove subdivision. The City Council voted to accept the petition and to begin the annexation process. The next step in the process was to certify the petition. One of the requirements for certifying the petition is that the area had to be included in the annexation policy plan. Since Alpine Cove was not included in Alpine City Annexation Policy Plan, it could not be certified. Steps were then taken to update Alpine City's Annexation Policy Plan, and include Alpine Cove. Mr. Church said that approving the amendments to the Annexation Policy Plan did not automatically annex the property. It merely laid out the policy and described the possible effect of annexation should the current council or a future council decide to annex the land.

Jason Bond presented the amended Annexation Policy Plan and Map. He said a lot of things remained the same. The area south of Box Elder subdivision was already included in the plan along with the "East" area consisting of 20 acres, which was previously known as the Fitzgerald property. The two areas that were new to the plan were the Alpine Cove subdivision and Schoolhouse Springs. Schoolhouse Springs was owned by Lehi City and would remain undeveloped and be designated as a watershed. Some areas shown in the previous annexation plan were already annexed into the city. The unannexed areas included in the new plan were:

Alpine Cove	76.21 acres	62 lots
South of Box Elder	41 acres	59 lots
East area	20 acres	12 lots
Schoolhouse Springs	280.56 acre	0 lots

Jason Bond said the finance director, Alice Winberg, had prepared charts showing the projected cost of municipal services for each area along with projected tax revenue from the annexed areas. These charts were shown in the Annexation Policy Plan.

Jason Bond said Utah State law required cities to justify the exclusion of territory from its expansion area if the territory contained urban development and was within a half-mile of the municipality's boundary, which described Alpine Cove. In previous plans, Alpine Cove had been excluded because its residents indicated they didn't want to be annexed. Since that time, a number of residents had indicated they wanted to be annexed so it was being included. Mr. Bond said there was some dispute about the signatures on the petition, and whether or not enough of the residents wanted to be annexed to meet the requirements. It was possible they may need to submit a new petition.

Jason Bond reviewed the population projections and showed the proposed Annexation Map. He said there was some interest in including other areas such as Pine Grove and the Melby properties in the Annexation Policy Plan and Map, but the Planning Commission could begin work on that later. He recommended the Council adopt the amended plan as shown.

Sheldon Wimmer opened the Public Hearing to comment. There were no comments so he closed the Hearing.

B. Ordinance No. 2017-03, Adopting Amendments to the Alpine Annexation Policy Plan and Map:
Mayor Wimmer opened the discussion to the City Council.

Troy Stout said annexing Schoolhouse Springs had obvious benefits. He questioned if annexing Alpine Cove would benefit the City since it was already developed, and they wouldn't be receiving any impact fees. He asked if the reduction in sewer revenue was considered when making the financial projections.

Jason Bond said they had not considered some of those items at this stage. When they went through the actual annexation process, they would make a more detailed analysis of the revenues and expenses. Sheldon Wimmer said the fees from the county for fire suppression would also go away if Alpine Cove was annexed.

Troy Stout said he also had questions about the area south of the Box Elder subdivision. If they annexed that land, would it create the requisite that the City pave the road through Lambert Park?

Sheldon Wimmer said the last time they met with Utah County, it was identified as a gravel road. Mr. Stout said he knew that was the current designation but was concerned that it could change in the near future.

Ramon Beck said the Planning Commission had recommended approving the amendment to the Annexation Policy Plan with a four to three vote. He asked about the reasons for that.

Steve Cosper, Chairman of the Planning Commission, said there was a lot of discussion from people in the audience who were opposed to annexing Alpine Cove, which probably swayed the vote.

Roger Bennett said he didn't think the proposed amendment went far enough. He felt the Annexation Plan should include the Melby property and the Pine Grove property as well. However, he understood that people wanted to move forward with what they had that evening, and he supported it. He then recommended that the Planning Commission consider updating the plan again to include the Melby and Pine Grove properties.

Jason Bond said there were questions about whether or not the petition was valid. There needed to be enough signatures to represent a majority of the owners of the land area. There may need to be a new petition.

David Church said it was an open question if they needed a new petition. When a petition was filed with the City Recorder, she sent it to the City Council who voted to deny or accept it. If it was accepted, it started the process. The City Recorder then certified the petition stating that it met the requirements for annexation. In this case, the Recorder could not certify it because it was not included in Alpine City's Annexation Policy Plan. At that point the City began the process to amend the Annexation Policy Plan and include Alpine Cove and Schoolhouse Springs in the Plan. If the amended Annexation Plan was adopted, and the petition was certified, the annexation process would continue.

Sheldon Wimmer called attention to the map in the packet which showed the proposed watershed protection areas. It included Schoolhouse Springs and Lambert Park and other properties. It would be in conjunction with Draper City and their open space with the appropriate trails. The watershed would protect the aquifers.

MOTION: Roger Bennett moved to adopt the Amended Annexation Policy Plan and Map as written to include Alpine Cove and Schoolhouse Springs. Ramon Beck seconded. Ayes: 4 Nays: 0. Lon Lott, Roger Bennett, Ramon Beck, Troy Stout voted aye. Motion passed unanimously.

Sheldon Wimmer said the Melby property had been rezoned to TR5 by the County, which would enable it to go down to half-acre lots. In Alpine City's plan, the zoning for the Melby property would be a minimum lot size of one acre. The only properties with a CE1 zoning in the county were the East Area property (formerly known as the Fitzgerald property) and the Lehi property.

MOTION: Roger Bennett moved to instruct the Planning Commission to begin the study on another amendment to the Alpine Annexation Policy Plan to include the Pine Grove and Melby properties. Ramon Beck seconded. Ayes: 3 Nays: 1. Lon Lott, Roger Bennett, Ramon Beck voted aye. Troy Stout voted nay. Motion passed.

C. Summit Pointe Preliminary Plan: Jason Bond said that normally the City Council did not review the preliminary plats for subdivisions. The reason it was before them that evening was to review the alignment of the right-of-way that would access the adjacent property belonging to Rich Hartvigsen. He said the Planning Commission wanted the right-of-way issue resolved before the developers came back with a final plat.

Jason Bond presented the preliminary plat map which showed a shared driveway that ran across four large lots. The developer's engineer had concluded that a road accessing the neighboring property was not feasible. The neighboring property owner, Mr. Hartvigsen, had hired an engineer to determine feasibility. His engineer concluded road access to the adjoining property was possible. Jed Muhlestein, the City Engineer, had looked at the proposed plan which showed a right-of-way along the shared driveway, which then veered off to the Hartvigsen property, and said he thought it could work.

The Planning Commission had made two motions on Summit Pointe preliminary plan. Jason Thelin moved to approve the preliminary plat with three conditions which were: 1) The developer work with Alpine City concerning

the trail indicated on the Trails Master Plan going through the proposed subdivision; 2) The Planning Commission recommended the first option presented by the Summit Pointe developer for access to the property to the north; 3) Building permits would not be issued until the stated off-site improvements were complete.

The second motion made by Bryce Higbee stated that the access to adjoining property would be a right-of-way easement and that the property owner to the north would bear the costs of building a road.

Jason Bond said it was on the City Council agenda because they would need to make a motion regarding the alignment of the right-of-way, and the allocation of cost. If any party chose to appeal the Council's decision, it would go to the Hearing Officer.

Jason Bond said Jed Muhlestein had done a slope analysis which he presented to the Planning Commission. The information was also in the City Council packet. He said the alignment met the grade requirement as set forth in the ordinance. If the road was ever built, the builder would have to address the storm drain and other issues.

David Church said that the City Council had an obligation to not leave a landowner worse off than he was before because of development. According to Mr. Hartvigsen's engineer and the City Engineer, a road could be built. The Planning Commission recommended the option submitted by the developer because the other alignment would significantly impact the proposed development. Mr. Church said that if the developer benefited from the road, he would have to participate in the cost of the road. But the road to the adjoining property provided no benefit to the proposed development so the Planning Commission determined that the adjoining property owner would have to bear the cost of building the road.

Lon Lott noted that either route would be difficult at best. Both of them would require cuts. He felt that this was the best effort to provide access.

MOTION: Ramon Beck moved to approve the right-of-way access across the proposed Summit Pointe subdivision and allocate the cost as recommended by the Planning Commission with the following conditions:

1. The developers work with the City concerning the trail indicated on the Trails Master Plan going through the proposed subdivision.
2. The right-of-way would be the option (first option) presented by the Summit Pointe developer for access to the property to the north.
3. Building permits would not be issued until the stated off-site improvements were complete.

Roger Bennett seconded. Ayes: 4 Nays: 0. Roger Bennett, Ramon Beck, Troy Stout, Lon Lott voted aye. Motion passed unanimously.

D. Parks Maintenance Building – 300 North: Jason Bond said the Planning Commission had reviewed the four options for the parks maintenance building which were: 1) a hip roof with brick facing, 2) a hip roof with concrete masonry unit (CMU), 3) a flat roof with brick facing; 4) a flat roof with CMU facing. He said the Planning Commission recommended a hip roof with CMU facing. They liked the brick but the cost of the CMU was about \$40,000 less. Plus the siding would be largely hidden with berms and landscaping. He said they had one resident attend the meeting and he preferred the hip roof. If the roof were flat, he would see it from his second-story window with all the pipes sticking out.

Shane Sorensen said flat roofs needed a PVC membrane that made a white roof, which was highly visible. A shingle roof would blend in better. Lon Lott said he liked the brick facing but like the Planning Commission, he was in favor of saving money.

David Church said the City didn't have to go out to bid for the design. It could be negotiated. Steve Cosper said there were some good, small architects in the area. They could pick three architects and negotiate rather than sending out an RFP.

MOTION: Troy Stout moved to go forward with plans for the parks maintenance building with a hip roof and CMU facing, and the colors to be designated in the plans. Ramon Beck seconded. Ayes: 4 Nays: 0. Troy Stout, Ramon Beck, Roger Bennett, Lon Lott voted aye. Motion passed unanimously.

E. Alpine Days Budget: Shane Sorensen said that with the change in Council Assignments, Lon Lott would be over Alpine Days and had requested that the Alpine Days budget be on the agenda for discussion.

Lon Lott said that he had asked for a budget analysis of what was spent on the previous Alpine Days events and the rodeo. It appeared that the City subsidized the rodeo as well.

Troy Stout said the City had put in the rodeo lights and was supposed to recoup that expense over time. He asked if that had happened. Shane Sorensen said it was his understanding that it had. Mr. Sorensen said the City had budgeted \$25,000 for the rodeo and hadn't used any of it because of donations. The rodeo made a profit due to sponsorships. He said he had talked to Cody Smith who said they had about \$16,000 in ticket sales. Some of the old wood bleachers at the rodeo grounds were in need of repair and he wanted to spend some of the money from the rodeo on that.

Lon Lott said he was going to suggest that they first make a budget for expenditures then hope they had the revenue come in to cover the expenditures.

Mayor Wimmer suggested that Councilman Lott and Melanie Ewing sit down and discuss what was needed for Alpine Days.

Roger Bennett said the Council needed to decide how much of their disposable income they wanted to spend on Alpine Days. Troy Stout said that while they were considering the issue, they would want to take into account the wear and tear on city facilities. He said the tennis courts were in bad shape after the teen dance. Gates were broken and the fence damaged because kids were climbing over it.

Roger Bennett said that while they were planning events for Alpine Days, they should have activities for the youth, teenagers, and adults.

Melanie Ewing said she would appreciate direction on Alpine Days. She said there wasn't enough money to hire people to help so they needed more volunteers.

Troy Stout said one of the events they needed to look at was the teen dance. There were always difficulties with it.

Lon Lott said he would meet with Melanie Ewing and come back with a proposal. He would like to have Shane Sorensen and Cody Smith at the meeting as well.

Melanie Ewing asked about combining the revenue from the rodeo and the Alpine Days events since she put a lot of time into the website for the rodeo and ticket sales.

VIII. STAFF REPORTS

Jason showed the plans for the trail in the proposed Summit Pointe development. It would be a six-foot wide trail along the property frontage. He noted that Chief Brian Gwilliam had been elected as the new president of the Operations Dispatch Board.

Chief Gwilliam said the state legislature was looking at SB198 which would redistribute 911 fees. He said that if it passed, they stood to lose between \$300,000 to \$500,000. The Utah League of Cities and Towns was going to oppose the bill so it was something to be aware of.

Charmayne Warnock said that Alpine City's dog ordinance was seriously outdated and they would be reviewing an updated ordinance at a future meeting. She also reported that Utah County Election Officials had met with all the city recorders in the county and offered to run the upcoming election for the cities as a VBM (vote-by-mail) election. The County had conducted Alpine City's vote-by-mail election in 2015, along with some of the other

cities. Voter turnout in the cities that participated in VBM had increased significantly. Since the County received a special postal rate, their costs were considerably lower than what it would be if the cities did their own. She said the decision of going with the County would be on a future agenda.

Shane Sorensen offered their congratulations to Jason Bond and his wife on the birth of their first baby.

Shane Sorensen said the staff was in the process of trying to collect payment on outstanding water bills. He invited Carolyn Riley who worked in the utility department to report on what they were doing.

Carolyn Riley said there were about 48 accounts that were past due. They had started with the accounts having the highest unpaid balances and let the homeowners know the city would be shutting off their water if the bill was not paid. Thus far they had collected on six of the overdue accounts and there were others who were on a payment plan.

Shane Sorensen said staff needed direction from the Council on how hard of line they wanted to take with past due bills. Ramon Beck asked how many of the overdue bills were from renters. Carolyn Riley said there were a few. There were still cases where the renters moved out in the middle of the night and they didn't have the owners' signatures as the responsible party. She said David Church was going to draw up a contract for the property owners to sign so they would be responsible for the bill.

Shane Sorensen asked the Council if they were okay shutting off people's water if they didn't honor the contract. The Council indicated the water should be shut off. David Church said that if the City wanted people to pay their utility bill, there needed to be a credible way to enforce it. Shane Sorensen said the shut off letter restricted payment to a major credit card or a money order. The Council indicated they agreed with that requirement.

Shane Sorensen said they were working on the budget for the next fiscal year so if there some items that anyone wanted considered in the budget, to let him know. He said they had sold some surplus items for almost \$36,000. Regarding water and potential flooding, he said they had the most snow pack they'd had in 22 years. The water in Hog Hollow was running high enough that they had to tear out a culvert.

David Church recommended that they advise residents to clean out the waterways by their homes to reduce the risk of flooding.

Mayor Wimmer referred to the map in the packet that showed areas in and around Alpine that he wanted to designate as watershed areas. He said they would be discussing that further and consider those areas for an overlay zone.

Ross Welch said it was the tenth anniversary for the River Meadows Senior Living Center and invited the City officials to attend it on May 4th from 2 to 5 pm.

MOTION: Troy Stout moved to adjourn. Ramon Beck seconded. Ayes: 4 Nays: 0. Motion passed unanimously.

The meeting was adjourned at 8:55 pm.