

ALPINE CITY COUNCIL MEETING and HEARING
Alpine City Hall, 20 North Main, Alpine, UT
May 24, 2016

I. CALL MEETING TO ORDER: The meeting was called to order at 7:05 pm by Mayor Sheldon Wimmer.

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

Mayor Sheldon Wimmer

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

Staff: Charmayne Warnock, David Church, Shane Sorensen, Jason Bond, Steve Cosper. Rich Nelson was excused on family issues.

Others: Maureen Kilgour, Jim Kilgour, Griff Johnson, Jason Rosvall, Chris Paulson, Loraine Lott, Sylvia Christiansen, Ron Beckstrom, Rob Clauson, Will Jones, Conner Rugg, Kedar Rugg, Robin Hironaka, Eileen Tuttle, Glen Tuttle, Mary Ann Richards, Dana Beck

B. Prayer: Lon Lott
C. Pledge of Allegiance: Jason Rosvall

II. PUBLIC COMMENT

Robin Hironaka said she lived on the corner of Grove Drive and Alpine Boulevard. She had sent a letter to the City Council concerning the lack of regulation on residential lighting. One of the big reasons she moved to Alpine was the beauty of the area, the mountains, and the view both during the day time and the night time. She was a member of the Astronomical Society. She was concerned that they were losing their night sky. She said she had no problem with lighting for safety and streetlights, but there was a lot of extra lighting coming in from private residences with sport courts, swimming pools, etc. Someone was putting in a larger soccer field behind them and she was concerned about that. She said she'd been told the City had no regulations on lighting regarding the hours and the spread. She requested the Council to look into regulating lighting in terms of the hours and containing the lighting on the property. She said that anyone who had the money to put in a soccer field could put in lights that didn't encroach on others.

Troy Stout and Kimberly Bryant agreed that they needed to talk about regulating lights. Kimberly Bryant said she'd also heard complaints about people renting out their gyms for use by ball teams.

Glen Tuttle said he lived at 1040 N. Grove Drive and was also concerned about the light pollution. He said when he went to bed at 11 pm the lights were blasting into his bedroom. He would like to see some regulation so the lighting didn't impact the neighbors.

Jim Kilgour lived on 300 North. He said people lived in Alpine for a certain reasons - frequently for the beauty of nature. He said he was from upstate New York in the Hudson Valley and he thought there was no other place that beautiful until he came to Alpine. He chose to live here because it was beautiful and clean. People should not be allowed to destroy the nature and beauty of the place. He said he had attended the meeting on another matter but wanted to comment.

Kimberly Bryant and Troy Stout agreed there should be a balance between preserving the land and developing the land.

Ilene Tuttle said she lived on north Grove Drive and quality of life was an issue from them. They had glaring lights from a soccer field shining into their homes. It would be lovely if there were some regulations requiring the lights to be turned off by 11 pm and have some language to control the intensity as well.

III. CONSENT CALENDAR

A. Approve the minutes of May 10, 2016

B. Approve bid for Alpine Boulevard waterline relocation: Shane Sorensen said the bid to relocate the waterline came in a little higher than he thought it would because they had to loop the line under the storm drain. The low bid was from Carltons, Inc. for \$79,236.90.

MOTION: Ramon Beck moved to accept the bid from Carlton, Inc. for relocating the waterline in Alpine Boulevard in the amount of \$79,236.90. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Ramon Beck, Troy Stout, Roger Bennett, Kimberly Bryant, Lon Lott voted aye. Motion passed.

MOTION: Lon Lott moved to accept the minutes of May 10, 2016 as noted. Ramon Beck seconded. Ayes: 4 Nays: 0. Lon Lott, Kimberly Bryant, Ramon Beck, Troy Stout voted aye. Roger Bennett abstained saying he was present for only half the meeting. Motion passed.

IV. REPORTS AND PRESENTATIONS

Jason Rosvall reported that for his Eagle Scout project he transplanted poppies onto the Dry Creek Trail area from Troy Stout's backyard. He said he had good participation from the deacons, leaders, and his cousin. He would be monitoring the poppies and watering them until they were established.

Conner Rugg reported that for his Eagle Scout project he had cleared out the garbage and deadfall from the Dry Creek Trail area. He had 25 volunteers and spent 97.5 hours on the project.

V. ACTION/DISCUSSION ITEMS.

A. Alpine City Tentative Budget - FY 2016-17: Alice Winberg presented the tentative budget. She said it was posted on the Alpine City website and a paper copy was available to the public. Some changes had been made since it was previously discussed. They had taken off the electronic meter read for the pressurized irrigation system but the culinary meter reading system was still in the budget. Sheldon Wimmer explained that it would cost around 2.8 million for the PI system, which was more than they wanted to spend this year.

Regarding road improvements, Shane Sorensen said the 600 North expansion would be \$250,000. They budgeted \$400,000 for other road maintenance. Those expenses would come from the Class C Road Fund.

Alice Winberg said they were budgeting for a Fort Canyon road inspector for \$60,000. Shane Sorensen said they would need more involvement because of the retaining walls that would be constructed, plus Landon Wallace who already did road inspections for the City was stretched. The developer would pay for the material testing and the City checked for compliance.

Kimberly Bryant asked about the funding for the Youth Council. Alice Winberg said the Youth Council had a revenue side and an expense side. They were hoping the Youth Council would earn at least \$1300 and they would get to spend that.

Alice Winberg said the budget reflected \$80,000 for the construction of a pickle ball court on 300 North which would come from impact fees. \$50,000 was budgeted for the repair of basketball courts in Burgess Park and \$20,000 for the Dry Creek Trail. Troy Stout wondered if they were being aggressive enough about putting in the Dry Creek Trail since \$20,000 didn't seem like that much compared to other budget items.

The budget reflected \$60,000 for the sidewalk along Westfield Road. The school and Highland City were also supposed to be participating in the cost. Lon Lott asked why it was so high if others were participating. Alice Winberg said they liked to budget the expenditures on the high side and the revenue on the low side.

Roger Bennett asked if there was enough money in the capital improvement fund to cover \$700,000 worth of expenses. Alice Winberg and David Church explained that they needed to transfer money from the General Fund into the Capital Improvement Fund. By law a city could hold only between 5% and 25% in the General Fund so at the end of the year if there was excess in the General Fund, it was traditionally budgeted into the Capital Improvement Fund. Cities had a choice to either save the excess in the Capital Improvement Fund or return it to the

tax payers. David Church said Alpine City had capital improvement projects totally about 1.2 million dollars which they needed to prioritize.

Alice Winberg said other expenditures included the removal of trees in Peterson Park plus upgrading the watering system Creekside Park and sidewalk repair in the park. They had \$5,000 budgeted for the amphitheater. The Moyle Park house remodel was budgeted at \$70,000 along with repairing the bell tower and replacing the front door in City Hall. The park maintenance building was budgeted at \$300,000 and the fire station remodel at \$100,000.

Mr. Kilgour asked if the location of the park maintenance building was set. He was told the staff was planning on 300 North but the Council needed to make a formal decision on it.

Regarding the equipment schedule, Shane Sorensen said the big project was converting a truck to a hook lift which would cost about \$85,000. The cost of the truck was spread over different funds.

B. PUBLIC HEARING – Tentative Budget

Maurine Kilgore asked why they budgeted \$80,000 for a pickle ball court when they had a million dollars in wishes? She said that seemed excessive, especially after talking about the problem of light and noise pollution. She questioned the wisdom of building a noisy pickle ball court next to people's houses. There were a number of lawsuits filed across the country against pickle ball courts because of their intrusive nature. They violated ordinances on daytime noise and nighttime lighting. She suggested the \$80,000 would be better spent on developing the Dry Creek Trail which would be used by a much wider range of Alpine citizens.

Troy Stout said he was neutral on pickle ball courts but he was a big advocate of trails. He said he would like to readdress constructing a pickle ball court on 300 North. He believed more people would benefit from a developed trail that ran through town than from a pickle ball court.

Mary Ann Richards said she lived at 389 Bristol Court and agreed that more people would enjoy the trail than a pickle ball court. She said she was also very concerned about the proposal for a maintenance building on 300 North. It was a busy street next to a school with a lot of children being picked up and dropped off, and she was concerned about safety.

Jim Kilgour said he agreed with his wife about the pickle ball court. He suggested that a more appropriate location for the maintenance building would be in the park area by the fire station. Except for jumping equipment during Alpine Days, it was used very little. Or perhaps they could locate it in Lambert Park by the rodeo ground where it was such a mess.

Will Jones asked if funds were budgeted for the Relic Hall. Shane Sorensen said the Relic Hall was included in the current year budget. Alice Winberg said that if they didn't begin work on it this year, they would put it in next year's budget.

There were no more comments and the Public Hearing was closed.

C. Acceptance of the Alpine City Tentative Budget for fiscal year 2016-2017.

MOTION: Troy Stout moved to accept the Tentative Budget for fiscal year 2016-2017. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Troy Stout, Kimberly Bryant, Lon Lott, Roger Bennett, Ramon Beck voted aye. Motion passed.

MOTION: Kimberly Bryant moved to set the date for the public hearing on the Final Budget for June 14, 2016. Troy Stout seconded. Ayes: 5 Nays: 0. Kimberly Bryant, Troy Stout, Roger Bennett, Lon Lott, Ramon Beck voted aye. Motion passed.

D. Ordinance No. 2016-08, Proposed Accessory Building Setbacks Amendment (Articles 3.2 – 3.7).

Jason Bond said this proposal, which was to reduce the required setback for an accessory building next to a street from 40 feet to 30 feet. but the Council wanted to table it and discuss it further. He said Jason Thelin, a member of the Planning Commission, had proposed the amendment.

Jason Thelin said he'd had calls from three people who had read the minutes and said they agreed with the proposed amendment. They wanted to build a detached garage on their property but the 40-foot setback requirement was too restrictive, especially if they were on a corner lot. However, he'd just found out he was technically not on a corner lot so if it was amended only for corner lots, it wouldn't help him.

Troy Stout agreed that meeting the setbacks on a half-acre lot was difficult.

Steve Cospier said that in his opinion the reason for the 40-foot setback was to accentuate the difference between the house and the detached building. Otherwise it looked like two houses on the same lot. He said the Planning Commission recommended against it 6 to 1.

MOTION: Roger Bennett moved to leave the ordinance the way it was. Lon Lott seconded. Ayes: 2 Nays: 3. Lon Lott and Roger Bennett voted aye. Ramon Beck, Kimberly Bryant, Troy Stout voted nay. Motion failed.

Lon Lott said he'd spent a lot of time looking at the proposed amendment and drawing up the possibilities of what it might look like if they changed the ordinance. In Lehi there could be as little as ten feet in between the houses. In Alpine they were trying to have a more open feeling and this amendment might make it look more closed off. He said he'd looked at the aerials of Alpine and observed that acre lots had more outbuildings. He said the amendment may not make much of a difference to someone on a corner lot, but it may make a difference on a regular lot, which was why he had previously suggested they amend the ordinance for just corner lots.

MOTION: Ramon Beck moved to adopt Ordinance 2016-08 to amend the setback requirement for accessory buildings. Kimberly Bryant seconded. Ayes: 2 Nays: 3 Ramon Beck and Kimberly Bryant voted aye. Troy Stout, Roger Bennett, Lon Lott voted nay. Motion failed.

E. Westfield Zone Change – Direction from the Council: Mayor Wimmer said the Council had heard from Dana Beck regarding the requested zone change for properties in the Westfield area from one home per acre to one home per half-acre. Griff Johnson had requested an opportunity to make a presentation to the Council in favor of rezoning the properties for half-acre lots.

Griff Johnson said he represented the Burgess property which he had under contract to develop. He reviewed the history of the property.

1991	The property was zoned for half-acre lots then rezoned to acre lots.
98-03	Two schools and an LDS stake center were built and Burgess Park was expanded on land which was previously fields.
2007	General Plan updated
08-12	Recession – no development
2015	Pending rezone application

Mr. Johnson said the proposed zone change should not require a change in the General Plan. If the zone change was approved, it would be consistent with the current General Plan, particularly in the section defining different densities. The low density zoning (one home per acre) was described as “located around the periphery of the City . . . where there was the presence of steep slopes, adverse soil characteristics, flood hazard, mudflow or earthquake potential, wildfire hazard or similar critical and sensitive natural conditions . . . environmentally fragile.”

He said the Westfield area better matched the description of medium density which was “traditional agricultural lands and lower undeveloped areas within the City . . . to provide for the perpetuation of the rural and open space image while reducing the impact of development on lands that are highly visible.”

Mr. Johnson said he created a concept plan of the area showing a layout for 42 lots under the one-acre zoning and a concept plan under the half-acre zoning with 69 lots. The density was not doubled by rezoning. There was a difference of only 27 lots. Roads had to be provided for in both zones and the minimum setback requirements in both zones were the same.

He said the General Plan already contemplated a higher density than one-acre lots for the Westfield area. The staff had stated that, conceptually, the sewer and water would work. The traffic study from Hales Engineering stated that the higher density would have a negligible difference. The additional roads would help disperse traffic from the schools.

Reasons for rezoning were: 1) The area was originally zoned for half-acre lots; 2) The rezoning would be consistent with the General Plan; 3) It would be a logical zoning pattern and complete the “wagon wheel” of the CR-20,000 zone. 4) It would provide a crucial road shown on the Street Master Plan; 5) The connection would alleviate pressure on Ranch Drive.

Kimberly Bryant said she was not opposed to rezoning and in ways it made sense, but the Council had charged the Planning Commission with updating the General Plan and she didn't want them to think they didn't respect their work.

Steve Cosper said there were seven members on the Planning Commission. They didn't want to jump and change the zone because their first thought was to first do no harm. He noted that the area to the south with half-acre lots (Twin River subdivision) which actually a PRD with a net density of one home per acre. The area proposed for rezoning would not be a PRD. He said they wanted to consider all the issues and have a comprehensive plan.

Jason Thelin agreed with Steve Cosper. The area with the half-acre lots was not really zoned for half-acre lots. It was zoned for one-acre lots but since it was a PRD with open space, it had half-acre lots.

Ramon Beck said he thought it was time for the City Council to make a decision on it.

Roger Bennett said he didn't have a problem with the concept but he had a concern because Ranch Drive was never going to cross Dry Creek to get traffic out of town. Putting additional homes in that area would put an extra burden on Main Street and Westfield Drive. Griff Johnson said the road across Dry Creek was in the Master Street Plan. Mr. Bennett asked if they could require the developers to put up funds to bridge Dry Creek. David Church said they couldn't make it a requirement.

Ramon Beck said he favored half-acre lots because it would be the last vestige of affordability in Alpine. More one-acre lots just meant more two million dollar homes.

MOTION: Ramon Beck moved to request that the Planning Commission hold another public hearing on the Westfield rezoning and forward a recommendation (positive or negative) to the City Council for final action. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Ramon Beck, Kimberly Bryant, Lon Lott, Roger Bennett, Troy Stout voted aye. Motion passed.

VI. STAFF REPORTS

Jason Bond said he would notice the public hearing for the zone change for the Planning Commission meeting on June 7th.

Shane Sorensen work was underway for the Three Falls subdivision.

VII. COUNCIL COMMUNICATION

Kimberly Bryant said she had started the Memorial Day breakfast years ago as a way to bring citizens together, but last year Mayor Watkins did away with it. She said she would like to continue it and asked the Council to help serve the breakfast. It was too late to do anything for 2016, but she would like to do it the next year. The Councilmembers indicated they would be willing to help with it.

Sheldon Wimmer said the Alpine 4th Ward recently celebrated their 40th Anniversary. It was very successful. Some people had talked to him and asked if the City could sponsor monthly senior dinners. He asked the Council to think about that. There might be funding available from the county.

Roger Bennett said a citizen contacted him about kids trying to cross Main Street by the drinking fountain in Legacy Park. There was a crosswalk but no one would stop and let the kids cross. He asked if they could get the police to enforce the law that motorists yield to pedestrians crossing at a crosswalk. Sheldon Wimmer suggested they also put flags out the way they did in other cities. It seemed to be effective.

Troy Stout said someone had been putting up Redford Run signs in Lambert Park and areas outside the park. He asked if they could take them out. Others indicated they had seen the signs but no one knew who was putting them up. It wasn't the City

Steve Cospers said Evertt Williams had come to the Planning Commission meeting with a long list of items regarding Lambert Park. He felt they were issues that the Council was better equipped to deal with.

VIII. EXECUTIVE SESSION

MOTION: Ramon Beck moved to go into Executive Session to discuss litigation. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Ramon Beck, Troy Stout, Roger Bennett, Kimberly Bryant, Lon Lott voted aye. Motion passed.

The Council went into closed meeting at 9:45 pm.

MOTION: Kimberly Bryant moved to go back into open meeting and adjourn. Lon Lott seconded. Ayes: 5 Nays: 0. Kimberly Bryant, Lon Lott, Troy Stout, Ramon Beck, Roger Bennett voted aye. Motion passed.

The meeting was adjourned at 10:20 pm.