

ALPINE CITY COUNCIL MEETING
Alpine City Hall, 20 N. Main, Alpine, UT
May 23, 2017

I. CALL TO ORDER: The meeting was called to order at 6:05 pm by Mayor Sheldon Wimmer.

Roll Call: The following were present:

Mayor Wimmer

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

Staff: Shane Sorensen, Charmayne Warnock, David Church

Others: Barry Johnson

II. ADJOURN TO EXECUTIVE SESSION 6:05 pm.

MOTION: Troy Stout moved to go into Executive Session to discuss litigation strategy. Lon Lott seconded. Ayes: 4 Nays: 0. Troy Stout, Ramon Beck, Roger Bennett, Lon Lott voted aye. Motion passed. Kimberly Bryant was not present at the Executive Session.

III. RETURN TO OPEN MEETING at 7:05 pm.

A. Roll Call

Mayor Sheldon Wimmer

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

Staff: Shane Sorensen, Charmayne Warnock, David Church, Jason Bond, Police Chief Brian Gwilliam, Fire Chief Brad Freeman

Others: Judy Bush, Ed Bush, Chad Bellon, Fred Dawson, Steve Cosper, Carla Merrill, Holly Nash, Loraine Lott, Taylor Anderson, Ecqueadee Anderson, Bryce Huff, Sylvia Christiansen, Ford Nelson, Will Jones, Karissa Neely – Daily Herald, Breezy Anson, Mike Russon, Greg Smith, Ken Berg, Ross Welch, Melanie Ewing

B. Pledge of Allegiance: Taylor Anderson

C. Prayer: Roger Bennett

IV. PUBLIC COMMENT

- Fred Dawson said he was building a home on Sunrise Drive and was seeking a reduction in the amount of his pressurized irrigation assessment. He was building on a two-acre lot but would be landscaping only half of it. His impact fee for pressurized irrigation was based on a two-acre lot and he would like it adjusted to reflect one acre of landscaping.

Shane Sorensen explained that the ordinance specified the City Council as the Board of Equalization for a reduction of fees so he sent Mr. Dawson to the Council. He said the challenge was that Mr. Dawson may intend to landscape only half the lot, but the lot could be sold and the subsequent owner may decide to landscape the entire piece.

David Church said the Council could not make a final determination on the issue because it was not an agenda item but they could give Mr. Dawson direction and prepare paper work if they wanted to reduce his fee. An agreement could be recorded against the property stating the owner could landscape only so many square feet. A new owner would have to pay an additional fee if he chose to landscape more. The agreement would run with the land. He suggested that Mr. Dawson pay the full permit fee if he wanted to move forward with his building permit. If the City Council chose to reduce the PI Impact Fee, they could refund a portion of the payment.

- Mike Simmons said he lived on Stonehedge Lane and was very concerned about fireworks in July because the weeds in the open space were already very high. He was discouraged when the City Council opened up almost the entire area of Alpine to fireworks. Other cities in Utah didn't allow them at all. Alpine was

surrounded by forests and open space, and he felt fireworks should not be allowed in Alpine at all. Also, he had a concern about kids digging holes and making mounds in the open space so they could ride their bikes over them. They were also building teepees. He was directed to speak with Jason Bond who was the code enforcement officer.

- Taylor Anderson said that for his Eagle Scout project, he planned to remove the dead shrubs in Moyle Park and replace them with lilacs. He had already talked to the caretaker and had 20 to 25 people committed to help. He estimated it would take about 70 man-hours. He planned to fund the cost of the lilacs and had raised \$600 so far. He still need to talk to the adjacent property owner about his project. Lon Lott suggested the lilacs have netting around them to protect them from deer until they were tall enough to not be affected.
- Will Jones wanted to thank the City for their help on the Trail Day in Lambert Park. There were well over a hundred people there. The forest service was also there. He thanked Trail Committee members Evertt Williams and Breezy Anson. He also thanked Fire Chief Brad Freeman and Police Chief Brian Gwilliam for the work they did. He'd heard people complain about what the officers were paid but they should see the work they had to do.

V. CONSENT CALENDAR

A. Approve City Council minutes from May 9, 2017 meeting

B. Payment to Concrete Innovations for Salt Shed - \$23,375

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

VI. REPORTS AND PRESENTATIONS

A. Youth Council Swearing-in: Shane Sorensen said there was a miscommunication on this item and it would be on a future agenda.

B. Nature Center Presentation: Ed Bush thanked Holly Nash for getting the Nature Center going. He and his wife Judy were working with Mrs. Nash in creating a Nature Center website. He presented a power point demonstration of the website and stressed the mission of this volunteer effort which was to educate people about how to interact with the wildlife. Alpine was surrounded by mountains on the north and east and bordered the national forest, which made it a unique community. One of their committee's goals was to educate people on how to live with the deer. He encouraged the Council to set up a nonprofit foundation so they could accept donations for different projects.

C. Lone Peak Policy and Fire Budget Presentations

Chief Brad Freeman reviewed the accomplishments and proposed budget of the Lone Peak Fire Department. They were proposing a 3% merit increase but not every officer would get 3%. They had two vacancies in the department but were only filling one. Alpine's portion of the budget was \$683,374 which was only 11% over what it had been six years ago.

Chief Brian Gwilliam reviewed the proposed budget for the police department. He said the budget was based strictly on population. Since Alpine had a smaller population than Highland, and Highland was growing much faster, their portion of the budget was larger. He said there was no increase in Alpine's portion of the budget for this fiscal year because of the population spread. They were also proposing a 3% merit increase for the officers. Some officers who were receiving a higher wage had retired so that created a reduction in expenses. They had also decreased part-time wages.

Mayor Wimmer thanked both organization for their work, saying they had a tough job.

VII. ACTION AND DISCUSSION ITEMS

A. Hi-Light Dance Studio – 81 South 110 West – Dan Nelson: Jason Bond said the owners of the existing dance studio wanted to add onto the building and create some additional parking on the adjacent land. The Planning commission had reviewed the plan and recommended approval subject to several conditions.

Roger Bennett asked if the parking shown on the plan would be sufficient for their needs. Jason Bond said it had been reviewed and it should be since many of the students were dropped off and picked up.

Lon Lott had a question about the layout on the north. He said he wouldn't be opposed to it staying the way it was rather than tapering it down. He also asked about the lighting plan. Jason Bond said they were downward facing lights.

MOTION: Lon Lott moved to approve the Hi-Light Dance Studio site plan as presented with the following conditions:

1. The north side stay as it was.
2. The parking stalls within the 30-foot setback be eliminated and replaced with landscaping.
3. Work with the City Engineer on a lighting plan.
4. Provide the City with a materials list including colors and materials.

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

B. Ordinance No. 2017-06, Amended Annexation Policy Plan: The Public Hearing for the Proposed Amendment to the Annexation Policy Plan was held at the previous meeting on May 9, 2017, but a decision was tabled until the financial projections were done. The amended plan would include two more properties: Pine Grove consisting of 157.86 acres with a projection of 24 lots and North Area consisting of 70.72 acres with a projection of 31 lots.

Jason Bond said the policy plan included financial projections which included average cost and revenue per household. A copy of the plan had been emailed to representatives of the two new areas.

Roger Bennett said that item #3 stated that the proposed annexation would not create an island or a peninsula. If Alpine Cove wasn't annexed and these properties were, it would create an island or peninsula. Sheldon Wimmer said that state law had changed to allow the creation of a peninsular or island, and they needed to remove #3 in the Annexation Policy Plan to reflect the change.

Roger Bennett said they should also want to take out the language that stated the City would only annex property where they could provide urban services. That wouldn't work for Schoolhouse Springs because it wasn't going to be developed.

Troy Stout asked if any of those properties had submitted annexation petitions because he didn't want to create the expectation that a property would be annexed just because it was in the plan. Sheldon Wimmer said Alpine Cove had submitted an annexation petition. The Melby property (North area) had been sent to them by the county because they had applied for development in the county. Pine Grove had also submitted an annexation petition.

Roger Bennett said it stated in the Annexation Policy Plan that being included in the Plan did not guarantee annexation.

Troy Stout said he understood that the City would have more influence over the development if it was annexed, but he was still concerned about creating a sense of entitlement.

Lon Lott said that the expectations for development were already set in another arena. Alpine Cove had 62 lots. Box Elder South (Lambert Park Estates) had 59 lots. The East Area could have about 12 lots. Pine Grove had already been rezoned by the county and could be developed in the county. It appeared that the expectations were already laid out on the table.

Sheldon Wimmer said that the City was not bound by the county. The City could decide what density they wanted. If the landowner didn't like what the City would allow, they could develop in the county.

Ross Welch said the county rezoned Pine Grove to TR-5 with a minimum lots size of one acre. He didn't agree with the projection of 24 lots because the concept plan they took to the county contained 100 acres. They actually had 150 acres so he planned on 34 lots on the entire acreage.

MOTION: Roger Bennett moved to adopt Ordinance No. 2017-06 Amending the Annexation Policy Plan to include Pine Grove and the North Area, and delete #3 in the expansion area map section and delete the policy statement about urban services. Ramon Beck seconded. Ayes: 4 Nays: 1. Roger Bennett, Ramon Beck, Lon Lott, Troy Stout voted aye. Kimberly Bryant voted nay. Motion passed.

Troy Stout said he was hesitant about approving it because they had been burned before, and he didn't want to be shoved around by the county. The City should bring in a certain property under a certain density and stick to it. He said he voted aye because the landowners had already petitioned or were currently petitioning, and because including them in the Plan was not an agreement to annex.

C. Lambert Park Master Plan: Troy Stout said the traffic on the biking trails in Lambert Park had tripled in the last year or two. As the pressure on the park increased, the complexion of the park would change. There were assets in the park that could not be replaced and they needed to put protections in place. He said the ultimate goal was to preserve the park as a permanent wild open space with no pavement, no commercialization, and no structures that were not related to supporting the park. He wanted to be realistic, though. If the City needed a well they may look to the park, but he wanted it to be a place of solitude and enjoyment.

He reviewed a list of priorities.

- Treat the entire park as one whole piece
- Lines (fences) of demarcation
- Defined trail heads
- Parking lots (road base vs asphalt)
- Signage: Trailheads, on-trail, demarcation
- Annual funds in the budget for upkeep and improvements
- Enforcement in the park
- Creation of a foundation for contributions from citizens and groups
- Long-term protection

Ramon Beck asked if motorized vehicles would be allowed, noting that there were those who wanted to enjoy parts of the park but couldn't walk.

Roger Bennett said that in the past, the City sold a portion of the Lambert Park to build Burgess Park and Creekside Park. The City had just picked up a lot of natural open space with the recordation of Three Falls. Where would they put more soccer fields?

Jason Bond said he would take the discussion points to the Planning Commission to begin work on the Master Plan for Lambert Park.

Troy Stout said he would like to see a timeline with the delineation of the park done before the first snow. Also, he would like to have Lambert Park on the agenda at least once a month for updates. He suggested that for delineation of the park, they build a split rail fence or a buck and pole fence as suggested by Sheldon Wimmer.

Will Jones said people were dumping garbage in the park. There was green waste dumped by the poppies at the Lambert Homestead. People couldn't dump their trash so readily if they couldn't drive up there. Regarding the Bowery, he had someone who would draw a design. He wanted to put in a good fire pit and build an amphitheater.

There should be water buckets to put out the fire. Currently the fire pit was located under the trees and that needed to be moved.

Relating to Smooth Canyon park, Will Jones said the restroom were locked during the soccer games. It was noted that there had been problems with vandalism in the restrooms. Shane Sorensen said the restrooms in Lambert Park were almost ready for use.

D. Ordinance No. 2017-05, Amending Municipal Code, Section 13-240, Registration and Licensing of Dogs: The proposed amendment would amend Item B to allow four dogs and eliminate Item D permitting a Hobby Breeder License. The City Council had reviewed this item at the meetings of April 23, 2017 and May 9, 2017.

MOTION: Ramon Beck approve Ordinance No. 2017-05 amending the ordinance on the registration and licensing of dogs. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Ramon Beck, Kimberly Bryant, Lon Lott, Roger Bennett, Troy Stout voted aye. Motion passed.

E. Ordinance No. 2017-07. Minor Subdivision Approval. Jason Bond said the proposed ordinance would allow staff to review and approve minor subdivisions, which would make the process go faster.

Lon Lott said he had attended the Planning Commission meeting where this was discussed and there were those who were adamant that they wanted to review the minor subdivisions.

Planning Commission members Carla Merrill said there were usually only three or four minor subdivision a year and the Planning Commission was fine with having them on their agenda. She said she felt strongly, as did a majority of the Planning Commission members, that the ordinance should be left as it was.

Ramon Beck said he believed the intent was to streamline the process. He agreed with turning it over to staff.

Shane Sorensen said he had prepared the subdivision reviews for 22 years and it was his experience that one's employment life was dictated by someone submitting a development plan. The subdivision reviews took a long time to prepare, which were done two weeks in advance of the agenda item. He said that most of the minor subdivisions were very straightforward. If there was anything controversial, they would come to the Council for review.

MOTION: Roger Bennett moved to approve Ordinance No. 2017-07, allowing staff to review and approve minor subdivisions. Troy Stout seconded. Ayes: 5 Nays: 0. Troy Stout, Ramon Beck, Roger Bennett, Kimberly Bryant, Lon Lott voted aye. Motion passed.

F. Ordinance No. 2017-09, Amending Section 3-818 of the Alpine Municipal Code setting the compensation for the mayor and councilmembers, and per diem for members of the planning commission. David Church said this item would need a public hearing so it would be on the next agenda with a public hearing and as an action item. He said the proposed amendment would raise the monthly compensation of the mayor from \$800/month to \$1000/month. The council compensation would increase from \$400/month to \$500/month. Planning commission member compensation would be \$50 per meeting and \$75 for the chair. For the council and mayor, there would be an additional compensation of \$500 per term for an electronic device such as a tablet or computer to receive communication.

G. UCMC Utility Audit – Bryce Huff: Shane Sorensen introduced Bryce Huff from UCMC, which specialized in auditing utilities bills for various institutions to discover ways they could save money. UCMC had looked at Alpine City's costs for utilities and found \$63,000 worth of savings that could be made, particularly with Rocky Mountain metering. Different types of meters had different rate schedules and there were some places in the city where they could switch to a different meter and save money. UCMC would review the rates on a monthly basis and note if something was not right on a bill. They charged 50% of the amount they saved the city on the monthly bill. The contract would be for a period of five years.

Troy Stout left the meeting.

Lon Lott asked if there was an escape clause after two years if it didn't prove to be useful. Bryce Huff said that if the city wasn't saving money, they wouldn't be paid. If they city wanted out, they could say they were not applying the knowledge they gained. The company audited the utility bills every month then told the city how much they would have paid before they made the rate changes. Lon Lot said he would like to see more information before he approved the contract.

MOTION: Ramon Beck moved to approve a utility audit with UCMC. Lon Lott seconded. Ayes: 2 Nays: 2. Ramon Beck and Kimberly Bryant voted aye. Lon Lott and Roger Bennett voted nay saying they would like more information. Troy Stout was not present at the time of the motion. Motion failed.

VIII. STAFF REPORTS

Jason Bond reported that work on the corridor trail along Dry Creek would begin that week. Notification letters had been sent to the people who lived next to it.

Charmayne Warnock said the filing dates to run for mayor and two city council seats would begin on June 1st and end on June 7th. The Lt. Governor's office had verified that the 3rd Congressional seat vacated by Jason Chaffetz would be on the municipal ballots. There would definitely be a primary election for the congressional seat because there were a lot who registered. If the City did not need to hold a primary election, the state would pay for it. If there were enough municipal candidates to hold a primary election, the city would pay for it.

Shane Sorensen reported on the following:

- The Youth Council had planted flowers in the cemetery.
- He had received an email from Chris Bagley about the lines on pickleball courts. She was concerned that as pickleball became more popular, it would crowd out other sports
- The City had contracted with Sunrise Engineering to come up with a plan for the cemetery expansion. They would be starting right away.
- Construction on Fort Canyon Road was going pretty well. There were little problems every day, such as issues with blue stakes.
- He asked the Council if they wanted to provide a Citizen Budget this year. It wasn't required by law. There wasn't much cost involved in putting one together but it did take some time.
- The weather was getting hotter and there was a lot of snow left. They should caution people to watch children by waterways.

IX. COUNCIL COMMUNICATION

Kimberly Bryant said she had to work every Tuesday until 7 pm and was unable to make it to the Executive Sessions. She said that in the past they had always been at the end of the meeting so it wasn't a problem. Sheldon Wimmer said they would schedule them later in the meeting.

X. EXECUTIVE SESSION: None held

MOTION: Ramon Beck moved to adjourn. Lon Lott seconded. Ayes: 4 Nays: 0. Ramon Beck, Roger Bennett, Kimberly Bryant, Lon Lott voted aye. Motion passed.

The meeting was adjourned at 10:35 pm.