

ALPINE CITY COUNCIL MEETING
Alpine City Hall, 20 N. Main, Alpine, UT
January 24, 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: Lon Lott, Ramon Beck, Roger Bennett

Council Members not present: Troy Stout and Kimberly Bryant were excused.

Staff: Shane Sorensen – City Administrator, Charmayne Warnock – City Recorder, David Church – City Attorney

Others: Loraine Lott, Jack Taylor, Erick Kelley, Vanee” B Ashby, Kelsi Taylor, Kara Kelley, Karl Kelley, Mark Kelley, Luke Kelley, Kelsey Yates, Brayden Yates, Dylan Yates, Carson Yates, Ella Yates, Pam Christensen, Eli Tadjji, Cammie Audoban, Will Jones, Diane Hunsaker, Susan Ham, Kelly Bravan, Ryan Meyring, Joshua Crump, Augustine Ghecin, Josh Hilton, Jake Hilton, Teri Boggess, Noah, Finn Hall, Isaac Leishman, Andre J. Sheet, Gavin Fietkav, Joe Wright, Max Wright, Mac Graham, Porter McEvoy, Kathy Plier, Ramio Kirton Griffin Johnson, Sylvian Christiansen, Daniel Zappala

B. Prayer: Ramon Beck

C. Pledge of Allegiance: Jack Taylor

II. PUBLIC COMMENT: None

III. CONSENT CALENDAR

A. Approve minutes of January 10, 2017

MOTION: Lon Lott moved to approve the Consent Calendar with the minutes of January 10, 2017 as corrected. Ramon Beck seconded. Ayes: 3 Nays: 0. Lon Lott, Ramon Beck, Roger Bennett voted aye. Motion passed unanimously.

IV. REPORTS AND PRESENTATION

A. Pressurized Irrigation Water Usage: Shane Sorensen presented graphs which showed the pressurized irrigation water usage since 2010. He noted that in 2013, the PI usage went down, which was when the City began restricting PI usage and prescribed days and times when water users could sprinkle. The usage in 2016 increased over 2015 because it was a hot dry summer. Mr. Sorensen said he was looking forward to a good water year in 2017 because there was a lot of snow pack, but it needed to melt slowly over the summer. When it came down all at once, it ended up in the lake since the reservoir didn't hold more than a day's worth of water. It also created flooding problems when it warmed up too fast.

Mr. Sorensen said they budgeted \$200,000 a year to pump water for pressurized irrigation use. There was only one year they exceeded that budget. Shane Sorensen said 100% of the culinary water came from Grove Spring. Since most of the culinary water for the town came through gravity feed, they only had to pump culinary water to the Box Elder and Willow Canyon subdivisions. In the event Grove Spring became contaminated, the city had two wells for backup.

B. Organizational Chart: With the retirement of Rich Nelson, Shane Sorensen was selected by the City Council to be the new City Administrator. Mr. Sorensen had previously been the City Engineer and Public Works Director. He would continue as the Public Works Director along with being the City Administrator but Jed Muhlestein would become the City Engineer. Mr. Sorensen proposed the Council consider two new positions. One would be a fulltime engineering technician to assist Jed Muhlestein in engineering and Greg Kmetzsch in the water department and Blue Staking. The other position would be a contract position to be the City Event Coordinator and Sports Coordinator. That person would run Alpine Days along with other City activities and schedule the ballfields for the various sports organizations and Lambert Park for the mountain biking teams.

Mayor Wimmer said they had ignored the problem of scheduling the ballfields for so long that there were many issues. The position would be a contract position so the City would save the cost of benefits.

Roger Bennett said the contract person would have to be financially responsible and report to someone. Lon Lott asked if the position had to be advertised. David Church said there was no legal requirement to advertise it.

V. ACTION AND DISCUSSION ITEMS

A. Alpine West Meadows Subdivision – Final plat approval- Griff Johnson: Shane Sorensen said the proposed subdivision would consist of 25 lots on 16.23 acres in the CR-20,000 zone. It was located north of Westfield Elementary and west of Timberline Middle School in the area previously rezoned from one-acre lots to half-acre lots. The Planning Commission had reviewed it at their previous meeting and recommended final approval. The development would provide another connection to Westfield Road and result in better traffic flow. There were several small detention basins with storm runoff piped to Dry Creek. Mr. Sorensen noted that the study showed collapsible soils in the area so inspections would need to be done.

MOTION: Roger Bennett moved to grant final approval to Alpine West Meadows subdivision with the following conditions:

1. The developer fix minor redlines on the plat
2. The developer meet the water policy.
3. The developer provide Alpine City with a construction cost estimate.

Lon Lott seconded. Ayes: 3 Nays: 0. Roger Bennett, Ramon Beck, Lon Lott voted aye. Motion passed unanimously.

B. Salt Shed Site Plan: Shane Sorensen said they'd had a salt shed in the budget for the past few years and had rolled it into the current year's budget. It would be constructed on the lower end of the public works lot tucked in next to the Purple business. It would be 30' x 30' and was similar to the building in Cedar Hills. The Planning Commission saw it at their last meeting but it wasn't on their agenda so they took no official action. He said staff was asking for approval from the Council to go ahead and purchase the steel building because the price went up in February. It would be on the Planning Commission's next agenda with an official site plan. It would have a minimum setback of ten feet.

Roger Bennett said he would like to make sure the cement floor was six inches thick with rebar so it wouldn't break. He said they should also look at installing doors on it in the future.

MOTION: Lon Lott moved to conditionally approve the salt shed so the steel building could be purchased, with the pending approval of the site plan by the Planning Commission. The site plan should show a floor that is six inches thick with rebar with the possibility of installing doors on it in the future. Ramon Beck seconded. Ayes: 3 Nays: 0. Lon Lott, Roger Bennett, Ramon Beck voted aye. Motion passed unanimously.

C. Open and Closed Meeting Training – David Church: David Church reviewed the requirements for open and closed meetings along with noticing requirements, recordings, and minutes. The open meeting act applied to all public bodies that were created by ordinance and funded by public money. City councils were required to have at least one meeting a month. The meetings had to be noticed on the state website and news media outlets at least 24 hours before the meeting. Meetings were to be recorded and minutes taken. Recordings were to be available within three days after the meeting and draft minutes within 30 days after the meeting or three days after the minutes were approved.

All open meetings were public meetings, but public comment was at the discretion of the mayor. Closed meetings had to begin and end as an open meeting. The 24-hour noticing rule could be excepted if an emergency meeting was called to address a true emergency such as fire, flooding, etc. If an item was not on the agenda, the council could not take action on it but they could discuss it. In order to take action, there had to be a quorum of the members present.

Mr. Church cautioned the council members about meeting outside a public meeting to discuss issues. If a quorum (3) of Councilmembers met, it was considered a meeting and had to meet the requirements for an open meeting. This did not include chance meetings or social functions. All discussion on an issue had to be public which meant Councilmembers couldn't text each other during a meeting to discuss something or turn off their microphones and discuss an issue.

The reasons for a closed meeting were narrowly and specifically defined to discuss litigation, property acquisition, or the professional character, conduct or competency of personnel, or to deploy security devices. Discussions in a closed meeting could not be shared outside the meeting without the permission of the group. The council could not discuss a person's background if they were applying for a mayor or council seat. That had to be done in an open meeting. Applicants for a staff position or planning commission could be discussed in a closed session. No ordinance, resolution, rule, regulation, contract, or appointment may be approved at a closed meeting.

Mr. Church said it was a crime to knowingly or intentionally violate the open meetings act. If a council took action in violation of the act, the action was voidable if challenged within 90 days, or 30 days if it was a bond issue.

There was a question about whether or not a council member could text or email other council members when not in session. Mr. Church said there was nothing in the code to construe that councilmembers could not text or email outside the meeting. If someone submitted a GRAMA request for texts and emails, the city was required to supply them.

VI. STAFF REPORTS

Mayor Wimmer said Jason Bond was ill and excused him from the meeting.

Shane Sorensen reported on the following:

- The Smartwater Grant application had been completed. If they didn't get the grant, they could use the same information to apply again.
- There was a letter from the Utah Local Governments Trust stating that Alpine City had been awarded \$3,078.35 for completing the Trust Accountability Program (TAP). It was a discount that would be applied to the workers compensation premium. He said he had given Cortnie Graham the task of working on the TAP report and she had completed it.
- There would be a special City Council meeting on January 31st at 6 pm at the fire station in Highland. It would be a joint meeting with the city councils of Highland and Cedar Hills to hear a presentation on metrics for the fire department.
- The building inspector had talked to him about requiring a Geotech report for each home that was built. There were a few cases each year where there had been significant foundation settling. David Church said the building inspector had the authority to require a Geotech report without having the Council tell him to do it. Shane Sorensen said he wasn't telling them the city should do it; he was asking if the Council would support it. They would discuss it further.
- Local Officials Day would be held at the State Capitol Building the next day.

VII. COUNCIL COMMUNICATION

Lon Lott said he had received a complaint from a citizen that the lights on the pickleball courts were left on during the night. The citizen had also wanted to know if the City would leave a broom at the courts so they could sweep them. Shane Sorensen said he would check on the lights. It was uncertain if the broom would stay at the courts.

Roger Bennett expressed appreciation of the public works department and their work on snow removal.

Ramon Beck asked about progress on construction in Fort Canyon. Shane Sorensen said the developers of Three Falls were waiting for better weather to work on the culvert.

Mr. Beck asked why Frazier Bullock was allowed to start building a home in Three Falls before the infrastructure was in. Mr. Sorensen said there was a provision in the agreement that allowed a property owner to do certain things

to get a building permit. David Church said they couldn't occupy a residence until the sewer and water was in place but they could post sureties and bonds and begin construction. He reminded the Council that Ilangeni Estates had been a recorded subdivision for a long time. Three Falls was an amendment to the Ilangeni subdivision.

Ramon Beck asked if there was anything contaminating Fort Creek. Shane Sorensen said they would do everything they could to minimize contamination but there would be dirt in the creek. David Church said the developer did an extensive environmental report and there was no old mining up there. Silt and rocks and dirt would be turned up but no mine tailings.

Mayor Wimmer proposed they put up 64-inch TVs so people in the audience could more easily view the information passed out at the meeting. He suggested they also consider putting consoles in the dais for each Councilmember to view the information. He would get an estimate on the cost from their IT provider.

Sheldon Wimmer said he'd received a phone call about whether or not airbnbs (air bed & breakfasts) were legal in Alpine. David Church said the ordinance did not allow short-term rentals. It had to be rented or leased for at least 30 days. There were some cities who did allow them. He recommended that if the Council did choose to allow them, they should require it to be owner-occupied.

VIII. EXECUTIVE SESSION

MOTION: Roger Bennett moved to go to closed to discuss litigation and strategy. Ramon Beck seconded. Ayes: 3 Nays: 0. Roger Bennett, Ramon Beck, Lon Lott voted aye. Motion passed unanimously.

The Council went into closed session at 8:30 pm.

The Council returned to open meeting at 9:00 pm.

MOTION: Ramon Beck moved to adjourn. Lon Lott seconded. Ayes: 3 Nays: 0. Ramon Beck, Roger Bennett, Lon Lott voted aye. Motion passed.

The meeting was adjourned at 9:00 pm.