

ALPINE CITY COUNCIL MEETING
Alpine City Hall, 20 N. Main, Alpine, UT
January 10, 2017

I. CALL MEETING TO ORDER: Mayor Sheldon Wimmer called the meeting to order at 6:05 pm.

A. Roll Call: The following were present:

Mayor Sheldon Wimmer
Council Members: Troy Stout, Ramon Beck, Roger Bennett, Lon Lott, Kimberly Bryant
Staff: Shane Sorensen, City Administrator, Charmayne Warnock – City Recorder, David Church – City Attorney
Others: Barry Johnson – Legal Counsel from Bennett, Tueller, Johnson & Deere

II. EXECUTIVE SESSION

MOTION: Lon Lott moved to go into executive session to discuss litigation. Roger Bennett seconded. Ayes: 4
Nays: 0. Lon Lott, Roger Bennett, Ramon Beck, Troy Stout voted aye. Motion passed. Kimberly Bryant was not
present at the time of the motion but she arrived later during executive session.

III. RETURN TO OPEN MEETING at 7:05 pm

A. Roll Call: The following were present for the regular City Council meeting.

Mayor Sheldon Wimmer
Council Members: Ramon Beck, Roger Bennett, Kimberly Bryant, Lon Lott, Troy Stout
Staff: Shane Sorensen – City Administrator, Charmayne Warnock – City Recorder, David Church – City Attorney,
Jason Bond – City Planner, Alice Winberg – Finance Officer
Others: Steve Cosper, Colleen Santos, Ryan Blake, Riley Merrill, Cate Allen, Carla Merrill, Matthew Mabey,
Madison Buckner, Ryan Blake, Heather Allen, Rich Hartvigsen, Karolyn Smith, Melanie Ewing, Will Jones, Taylor
Smith, Mark Wells, Skylor Smith, Terry Smith, Ron Beckstrom, Rebecca Spencer

- B. Prayer:** Roger Bennett
- C. Pledge of Allegiance:** Sheldon Wimmer

IV. PUBLIC COMMENT: Youth from the Lego Team said they had created a flyer and a website to give
information about how to live with deer. They called it Animal Allies. They would be handing out flyers door-to-
door and invite people to visit their website and learn how to make their own repellent and keep deer out of their
yards. They said they would appreciate feedback and questions, and introduced themselves as Riley Merrill, Cate
Allen, Madison Bunker, Matthew Mabey, Alec ???, Ryan Blake.

V. CONSENT CALENDAR

- A. Approve minutes of December 13, 2016**
- B. Resolution No. R2017-03, Dissolution of the North Utah County Aquifer Association and
terminating the Interlocal Agreement.**
- C. Resolution No. R2017-04, Authorization to execute the Interlocal Agreement creating the North
Utah County Aquifer Council.**

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

VI. REPORTS AND PRESENTATIONS

A. Financial Report – Alice Winberg: Mrs. Winberg said that currently the City had \$284,997 in the
Bank of American Fork, \$13,114,159 in the Public Treasurer’s Investment Fund, and \$1,000 in petty cash. She said
they were about half way through the fiscal year and had received 90% of the projected property tax revenue and

about 80% of the projected revenue for building permits. Other revenue was at around 50% except for business license revenue which was at 11%. Business licenses renewed every calendar year rather than the fiscal year so most of the revenue from licenses came in during the second half of the fiscal year. She also presented graphs which showed the revenue trend in the different departments over that last three to four years.

Pending projects for 2017 that would utilize impact fees were: 1) 100 South improvement; 2) Smooth Canyon Park playground; 3) 600 N. Storm drain improvements. The budget process for fiscal year 2017-18 would begin in January and continue through June with adoption of the final budget.

Alice Winberg said the only budget item that was in trouble was Alpine Days. They would probably need to amend the budget for fiscal year 2016-17 to transfer funds in order to balance the budget. She had provided an Alpine Days analysis which showed the City had budgeted \$40,000 for expenses and anticipated a revenue of \$20,000. The actual expenditures for Alpine Days was \$141,092 and the revenue was \$81,890. The City had subsidized the shortfall of \$59,202. Mrs. Winberg said they may need to reconsider how they allowed the events coordinator to spend money. Previously it had been agreed that the coordinator could spend all the budgeted amount plus whatever revenue came in from the events. The problem was that the revenue was unknown until after the event was over. The Council discussed how they might better anticipate what the revenue would be so they had a better idea of how much to budget.

Troy Stout asked why they couldn't simply use the revenue from the previous year. David Church said that Alpine Days expenses came out of the General Fund which had to be balanced every year and there could be no carry over. Enterprise funds could run at a profit or loss from year to year. They would have to create an enterprise fund for Alpine Days but it was such a small project, they generally didn't do that.

Lon Lott asked about the expenses and revenues from the rodeo, which were kept separate from Alpine Days. Alice Winberg said the rodeo usually made a profit but that was typically reinvested in the rodeo grounds.

Shane Sorensen said Melanie Ewing had said the rodeo received some benefits from Alpine Days because of the Alpine Days, and she would like to reconsider including it with the Alpine Days budget. He added that she was contracting to work on the next Alpine Days and it would be good to get an idea of what the budget would be because there were discounts available when events were scheduled early.

B. Creekside Estates, Plat A Minor Subdivision, Final Approval – Tom & Shelby Andra: Jason Bond said the Creekside Estates minor subdivision was a two-lot subdivision created out of one larger lot of record. In order to create frontage for another lot, the developer planned to acquire some private open space in the existing Alpine Cottages subdivision which had frontage on a public street. The developer would trade an equal amount of land in exchange for the open space he would need. The Alpine Cottages PRD plat would need to be amended, and all the property owners in the Alpine Cottages subdivision would need to sign off on it. Mr. Andra was working to get the necessary signatures. The Planning Commission had reviewed the subdivision at their previous meeting and recommended approval subject to a number of conditions.

MOTION: Ramon Beck moved to approve the final plat for the Creekside Estates, Plat A minor subdivision subject to the following conditions:

1. The developer finalize and record the Alpine Cottages plat amendment that reflected the private open space boundary line adjustment.
2. The developer meet the water policy.
3. The developer provide a construction cost estimate for bonding purposes.

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

C. Summit Pointe Subdivision Concept Plan, Mark Wells and Taylor Smith: Jason Bond said the Planning Commission had reviewed and approved the concept plan. The City Council had seen the concept plan at their previous meeting. The development was previously known as Eagle Point and had 14 lots on 32.9 acres but the developers decided to change it to a four-lot subdivision and call it Summit Pointe. The four lots ranged in size from

approximately 4 acres to 12 acres. One of the lots was an existing lot in the Falcon Ridge PRD subdivision located adjacent to the proposed development. The lot would be vacated and added to Summit Pointe to provide the necessary frontage on Hog Hollow Road for the four lots. The subdivision would be accessed by Lakeview Drive. A long, private driveway would then lead to each of the four lots.

Jason Bond said the property owner to the north, Richard Hartgivson, had concerns about the proposed development affecting access to his property, and had attended the staff meeting on Monday to discuss Alpine City Ordinance, Article 4.10 which required developments to provide a stub street to adjacent properties to avoid landlocking them.

David Church said the ordinance was written as an attempt to provide stub streets to adjoining parcels. There were a couple of issues that had to be addressed in providing a stub street. First, who paid for the road, and second, was it to be a complete street? He said the City was not the party that determined if a stub street was possible. The developer designed the stub street and determined if it was feasible. If the applicant would not benefit from the stub street, he could just give the right-of-way. It would be up to the adjoining property owner to build the road. If the applicant's engineer determined that the stub street was not feasible, the adjoining property owner could hire his own engineer to evaluate it. Mr. Hartvigsen had retained an engineer to study the feasibility of a stub street. If his engineer came to a conclusion that differed from the developer's engineer, they would need to come to some kind of agreement.

Mr. Church said that in order to have the necessary frontage, the lots were shaped oddly. The City had approved other developments with oddly shaped lots. The ordinance did not prohibit shared driveways. The new, four-lot design eliminated the need for the expensive road and retaining walls shown in the 14-lot version. He said the Council would not be resolving the issue of access to the adjoining parcel that evening. The Hartvigsens might have access over one of the existing dirt roads, and whoever bought the lots or lots in the subdivision would need to be aware that there would be an easement over their land so the owners of the adjoining parcel could access their land.

Roger Bennett asked if the development would have a second access since it was in the urban wildland interface area. David Church said that in the present configuration, they did not. The main question was would there be adequate access for a fire truck. The letter from the fire marshal identified fire concerns and requirements.

Mark Wells said that the building envelopes were very close to the shared driveway. The fire marshal imposed a requirement that the homes would be fire sprinkled. He said the driveway would be twenty feet wide and have an all-weather surface with fire hydrants located along the road.

Troy Stout asked about the limit on the length of culdesacs. David Church said Alpine City's restriction was 450 feet which was much shorter than culdesac lengths in other cities and the county. David Church said the design technically complied with Alpine City's ordinance, whether it met the spirit or not. They would have to work through the issue of the neighboring parcel. The development could not put the neighboring property owners in a worse position that they had been.

Shane Sorensen noted that Three Falls subdivision also had lots with private shared driveways.

C. Parks Maintenance Building on 300 North: Jason Bond said the Planning Commission held a design charrette and delivered invitations to the neighboring property owners. One resident attended the charrette. Another neighbor, who was unable to attend, sent an email. Curtis Miner Architecture designed the conceptual site plan, which was displayed.

Mr. Bond pointed out that if the building had a hip roof, it would extend a few feet over the 8-foot masonry fence between the site and neighboring residences. The hip roof had a more residential look. A flat shed roof would be lower and less visible, but gave it a more commercial look. Ramon Beck suggested they check with the neighbors and see which style they preferred. Lon Lott said that plantings such as columnar trees would help hide the building along with dropping it lower in the ground.

Shane Sorensen said they wanted to get to a certain point in the approval process before they went out to bid for architectural services. He asked the Council if they wanted to see a 3D rendering before they sent out RFPs, and if they want to see renderings of more than one roof design. They indicated that they would like to see renderings of both designs. Troy Stout asked if there would be a noise issue. Shane Sorensen said there wouldn't be much noise.

D. Ordinance No. 2017-01, Fence Ordinance: Jason Bond said there had been instances where people living on sloped ground had built a retaining wall to level their yard. Then they would build a fence on top of the retaining wall to prevent children from climbing onto the wall. For people living on the other side of the wall, it created an extremely high wall or fence. The proposed amendment would require a fence to be set back at least four feet from a retaining wall, and under no condition would a fence and wall exceed nine feet high on the same plane.

MOTION: Troy Stout moved to adopt Ordinance No. 2017-01, amending the fence ordinance (Section 3.21.6.7). Ramon Beck seconded. Ayes: 5 Nays: 0. Troy Stout, Ramon Beck, Roger Bennett, Kimberly Bryant, Lon Lott voted aye. Motion passed unanimously.

E. Ordinance No. 2017-02, Financial Responsibility: The current ordinance required a performance and warranty bond of 120% for subdivision improvements. Shane Sorensen said the proposed amendment would change Article 4.10 on Financial Responsibility to 110%, and bring the City's ordinance into line with the state regulations.

MOTION: Lon Lott moved to approve Ordinance No. 2017-02, amending Article 4.10 on Financial Responsibility regarding the performance bond for subdivision improvements from 120% to 110%. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Lon Lott, Kimberly Bryant, Roger Bennett, Ramon Beck, Troy Stout voted aye. Motion passed unanimously.

F. Resolution No. R2017-01, Murdock Connector Road: Mayor Sheldon Wimmer said Highland City had been working for some time to build an east/west connector road between 4800 West and the Alpine Highway (SR-74). The land it would cross was state-owned land and was dedicated for the benefit of individuals living at the Utah State Developmental Center. Highland City was trying to get support from all the cities in the area to take the issue to the state legislature. Shane Sorensen said the money for the road was in place but they needed to obtain the right-of-way. The Council agreed it was a much-needed road that would greatly improve circulation and lessen the traffic burden on existing roads.

MOTION: Lon Lott moved to approve Resolution No. R2017-01, Supporting the Murdock Connector Road. Troy Stout seconded. Ayes: 5 Nays: 0. Lon Lott, Troy Stout, Ramon Beck, Roger Bennett, Kimberly Bryant voted aye. Motion passed unanimously.

G. Resolution No. 2017-02, Application for Grant to Install Pressurized Irrigation Meters: Shane Sorensen said he had sent an email to the Council at the end of 2016 explaining the WaterSmart Grant Program. He had been looking at options for funding the installation of PI meters throughout the city, and came across the WaterSmart Grant which was administered through the Bureau of Reclamation. Applicants could apply for a grant of up to one million dollars per project. The applicant had to be capable of sharing 50% or more of the total cost of the project. He said he had Horrocks Engineers put together a grant application since they had staff that specialized in grants. One of the requirements in applying for the WaterSmirt Grant was that the legislative body had to adopt a resolution giving authorization to commit financial and legal obligations associated with receipt of financial assistance. There was a deadline and the Council would need to approve a resolution that evening.

In addition, Shane Sorensen said the Division of Water Resources was offering a new, low-interest loan dedicated to assisting cities with PI metering projects. He said Alpine was the first city to talk to them about the loan so he felt there was a good chance of getting it. The person he talked to said that conserving water was a big deal in the state and she felt that they would make more money available for the loans. He said he was going to talk to them about the possibility of using the loan to meet the city's share of the grant. There was also an opportunity for in-kind work. Some of the meter installation could be done in house but he knew they didn't have the manpower to make the changes themselves. He said they would outline their approach in the grant application and know by June of this year if it was approved. Since they were in a budget year, he would be asking them to commit funds for a future budget year.

David Church said that the grant application required the resolution by the Council so they knew the project was supported by the decision makers and not just being done by a staff person who couldn't pay the funds.

MOTION: Troy Stout moved to approve Resolution No. R2017-02 Authorizing the City to submit a grant application for funding to install PI meters. Roger Bennett seconded. Ayes: 5 Nays: 0. Troy Stout, Roger Bennett, Ramon Beck, Kimberly Bryant, Lon Lott voted aye. Motion passed unanimously.

VIII. STAFF REPORTS

Jason Bond reported the following:

- Utah County was amending their general plan which may or may not affect unincorporated land around Alpine. If the Council wanted to be involved, they needed to talk to Jason Bond about the details.
- The Planning Commission had their first meeting on amending the Annexation Policy Plan to include Schoolhouse Springs and Alpine Cove. Notification letters were sent to affected entities inviting them to attend the meeting. Other areas that may be considered for annexation would be dealt with later. A public hearing on the amended Annexation Policy Plan was scheduled for the next Planning Commission meeting. It would be discussed by the City Council sometime in February.
- Other items on the upcoming Planning Commission agenda were final approval for Alpine West Meadows subdivision (previously known as Westwood and before that it was Harvest Meadows); and preliminary approval for Summit Pointe. The Commission was also trying work on updating the General Plan.

Charmayne Warnock said she still need votes on the art in City Hall from Kimberly Bryant, Ramon Beck and Troy Stout.

Shane Sorensen reported on the following:

- The insurance company paid the claim on the Healey well.
- Mayor and councilmembers who were interested in going to the Utah League of Cities and Towns convention in June would need to reserve hotel rooms soon because they filled up fast. Local official day at the state legislature was also coming up.
- The new entry door on City Hall had been installed. It would have an automatic opening system.
- Utah League of Governments was offering free Arbinger training if the Council was interested.
- There would be a joint meeting for the city councils of Alpine, Highland, and Cedar Hills on January 31st at 6 pm in the fire station in Highland. They would be talking about metrics for the fire department.
- With all the moisture, the public works department had been busy. The water levels were approaching 150%
- Construction had begun for the infrastructure for the White Pine subdivision on 300 North (Clive Walters property). There would be a road closure from Dry Creek to 600 East while they put in the storm drain.
- If Councilmembers were not receiving emails on their city-issued iPads, they needed to bring them into City Hall and have the IT person update them.
- The Council had received an invitation to attend to the open house for the new dispatch center. Jason Bond was an appointed representative and could give them the details.
- He thanked the Council for the opportunity to be the new City Administrator. He would be at the Public Works Building in the morning and at City Hall in the afternoon. They would need to hire someone to help Jed Muhlestein, who was the new city engineer.

IX. COUNCIL COMMUNICATION

Lon Lott said he got an email from another Lego League which also made a resolution to help with the deer control problem. He would be meeting with Robby from the DNR next week. They would start a proposal to do some weed control in Lambert Park and plant some seedlings.

Kimberly Bryant said she worked at Purple and all they talked about was how no city around took care of their roads as well as Alpine. She said Alpine's snowplow drivers were great.

Roger Bennett said he appreciated the work of the snowplow operators. He said one of the problems they faced was having cars parked along the road. He asked if the police go out after a storm and give warnings so the snowplow operators could do their jobs.

Troy Stout said he had two items. First, as he was driving out SR-92 in the express lane, he saw a snowplow on the upper road plowing snow. The snow and ice came down onto the express lane. He was concerned that it could be a serious safety hazard for the cars traveling in the commuter/express lane and possibly break a windshield. He said UDOT needed to know about that. Also, related to SR-92 heading east, he said the green arrow that directed traffic to the high school was gone. Also, the light seemed to be changing quicker again and traffic was backing up. Shane Sorensen said he would talk to them about it.

Sheldon Wimmer commented on several items:

- Regarding security and access to City Hall, he said he was talking to Chief Gwilliam about having ID cards for staff. They would continue to use keys rather than a key pad, but there was no security such as cameras or alarms. He had asked the Executech to look into it.
- He had asked Jason Bond to study the culdesac ordinance.
- The City would begin enforcing the ordinance on delinquent water bills so the Council may be hearing complaints about it.
- Cedar Hills wanted to change the bylaws for the Lone Peak Safety District, and allow them to rotate a representative every year rather than every four years.
- He would be making City Council assignment for 2017.

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

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

The Council returned to open meeting and adjourned at 9:45 pm.