

ALPINE CITY COUNCIL MEETING
Alpine City Hall, 20 North Main, Alpine, UT
May 9, 2017

I. CALL MEETING TO ORDER: Mayor Sheldon Wimmer called the meeting to order at 6:02 pm.

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

Mayor Sheldon Wimmer
 Council Members: Ramon Beck, Roger Bennett, Lon Lott
 Staff: Shane Sorensen, Charmayne Warnock, David Church
 Others: Robert Wallace of the Kirton McConkie law firm

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

The City Council went into closed session at 6:03 pm.

II. RETURN TO OPEN MEETING: The City Council returned to open session at 7:10 pm.

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

Mayor Sheldon Wimmer
 Council Members: Ramon Beck, Roger Bennett, Lon Lott, Troy Stout, Kimberly Bryant
 Staff: Shane Sorensen, Charmayne Warnock, David Church, Jason Bond, Alice Winberg
 Others: Ed Bush, Judy Bush, Loraine Lott, Bryan Irving, Kevin Paul, Evertt Williams, Jessica Smuin, Mike Russon, Cori Russon, Brad Arnold, Ross Welch

B. Prayer: Lon Lott
C. Pledge of Allegiance: Sheldon Wimmer

III. PUBLIC COMMENT:

Kevin Paul said that for his Eagle project he would be replacing a bridge on a trail in Lambert Park. Since the bridge was located on a riverbend, it was being eroded. The bridge was 18 feet long and he would probably extend it and put in a cement skirt to prevent erosion. He anticipated a cost of around \$2,800. He would provide the labor but would like the City to participate in the funding. He also planned to raise donations. Brian Irving would be helping him. They would work with Shane Sorensen on the design.

Will Jones said that Saturday, May 20th was Trail Day in Lambert Park from 8 am to 10 am. They were looking for volunteers to help with trail maintenance and removal of toxic and invasive weeds. He said one of the big issues they were facing in the park was the shooting on forest service land. Troy Stout said it was one of the biggest threats to safety. They were also dumping a lot of trash. Shane Sorensen said the City would be putting boulders in to discourage access.

Brian Irving on Matterhorn Drive talked about the water management program the City published in the Newline. He questioned if there was really a need to schedule watering. He said there was plenty of water, and the scarcity mentality made people water even more than they would otherwise. He said the watering restriction pitted neighbor against neighbor and it wasn't necessary. It was the responsibility of the City to provide water for the citizens and if they had to raise the cost, they should do that. Troy Stout said there had been droughts in the past and there would be again. It was a matter of establishing a procedure and a habit.

Brian Irving said the City had CUP water. They had plenty of water. Shane Sorensen said Alpine was actually the only city that didn't have a turnout and couldn't use CUP water. However, a CUP representative had met with the Council in a previous meeting and talked about the possibility of piping water to Alpine. In addition, the City had applied for a grant to begin metering the pressurized irrigation water, which would be a two-year project.

Ed Bush – Box Elder Drive. Mr. Bush said he and his wife had moved to Alpine last year and found it to be a great community. They had been working with Holly Nash on community interaction with wildlife, specifically on the Nature Center. He said they were hoping to be on the agenda in two weeks and give a short presentation. He asked the Council if the city had a nonprofit foundation so people and corporations could make donations. Shane Sorensen said the city accepted donations but they didn't have a foundation. Mr. Busk suggested it was something they may want to look into. Provo had a foundation and had collected \$300,000 the previous year with which they purchased the entire front side of Rock Canyon.

Brad Arnold – Fort Canyon Road. Mr. Arnold said he had concerns about the road construction in Fort Canyon. He asked who was responsible to help and protect the citizens when there were problems. He had full dump trucks turning around in his driveway and it had damaged the concrete. He said Sherry Nash was not a paid consultant. Her job was to listen and inform. He said the residents needed to know who to complain to when they had damage. Shane Sorensen said he had spoken with Mr. Arnold's wife and told her the construction company should cover any damage that occurred. Sheldon Wimmer agreed that the contractor was responsible. If there were questions they could call the City because they were ultimately responsible.

Mr. Arnold said he had other issues. The road was not being graded and he was having to get out of his car and remove rocks in the road. There were several hours between daytime construction and nighttime construction when the contractors could grade the road. Regarding access in and out of the canyon during nighttime construction, he said it didn't work very well. He didn't appreciate traveling down the canyon in an open Ranger and getting soaking wet. The first night he required transport down the canyon to get to the hospital (he was an on-call doctor), it took 20 minutes to get a ride. He said that the previous Friday when his son needed a ride up the canyon, no one was answering the phone. He asked what he needed to do to make sure residents could get up and down the canyon at night. His work was a life and death situation and he had to get to the hospital when he was on call. The phone numbers they had been given to call for transportation had failed last Friday. Shane Sorensen said they needed more than two numbers.

Will Jones said that if Mr. Arnold had talked to Sherry Nash about the various problems, they could have addressed them. This was the first he'd heard about any of those issues. Sherry Nash had met with them that morning and had reported nothing more than minor problems. He said that all the parties liable for construction issues were present at the meeting with Mrs. Nash every Tuesday morning, and that was where problems were communicated. He had not known about the lack of transportation at night. If Mrs. Nash had reported the problem, they could have remedied it, and made sure someone was there. The people providing transportation were supposed to get there in five minutes, not twenty minutes. He said he received texts from Sherry Nash every day. Residents in the canyon needed to talk to her if there were problems so she could communicate with him. Mr. Jones said the water in the river was as high as it had been all year and it was going to get higher. He'd instructed the workers to put in more rock around the culvert so it didn't erode. He said that if there was a challenge up Fort Canyon, he was happy to go up there anytime.

V. CONSENT CALENDAR

- A. **Minutes of April 25, 2017 City Council Meeting**
- B. **Resolution No. R2017-08, Appoint Lt. David W. Boerner as representative to the North Utah Valley Animal Shelter District**
- C. **Resolution No. R2017-09 Fire Service Interlocal Agreement with Utah County**
- D. **Partial Bond Release – Three Falls Ranch Phase 2 - \$269,715.00**
- E. **Salt Shed – Payment to Concrete Solutions and Innovations - \$46,060.00**

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

VI. ACTION/DISCUSSION ITEMS

A. **Tentative Budget - Fiscal Year 2017-18.** Shane Sorensen said the Tentative Budget was in the packet. Some updates were passed out that evening, which included funds for deer control. It would be a new line item so it

was easier to track. Also, there would be money added to the election fund. Other than that, there were no large changes from the previous year's budget. Some changes in salary included Annette Scott's retirement as a part-time person and replacement with a full-time person. There was over-time for inspections made by the City. He said they were actually under budget for this time of year.

Roger Bennett asked about the PI revenue. He said it didn't add up so he assumed there was a faulty number. Shane Sorensen and Alice Winberg said they would look into it.

Kimberly Bryant said she had a citizen asked her about the miscellaneous expenses on page one. Shane Sorensen said the City would be spending money on maintenance but they were unsure what would need to be done, especially on Grove Drive. It depended on what happened on the Oberee development. He put \$400,000 in the budget for projects. Troy Stout asked for a map of those projects for the next meeting.

Shane Sorensen asked the Council if they had any other questions or wanted to discuss it in more detail. The final budget would be on the agenda in four weeks. If there were transfers from the enterprise funds to the general fund, the state legislature recently passed a law requiring noticing and public hearings for such transfers.

MOTION: Troy Stout moved to accept the Tentative Budget for fiscal year 2017-2018 with the correction to the PI revenue as discussed. Ramon Beck seconded. Ayes: 4 Nays: 1. Troy Stout, Ramon Beck, Kimberly Bryant, Lon Lott voted aye. Roger Bennett voted nay stating that he thought the \$134,450 budgeted for Alpine Days was excessive. Motion passed.

B. PUBLIC HEARING ON AMENDMENT TO ANNEXATION POLICY PLAN

Jason Bond introduced the proposed amendment to the Alpine City Annexation Policy Plan which would include Pine Grove (approximately 158 acres) and the North Area/Melby Property (approximately 70 acres) in the Annexation Policy Plan. He said the population and revenue projections were very general. The Planning Commission had reviewed the amendment and recommended approval. He clarified that this was not a petition for annexation; it was a proposal to include the properties in the Plan.

Troy Stout asked when they had last amended the Annexation Policy Plan. Jason Bond said they had amended it at the City Council meeting of February 14, 2017 to include Schoolhouse Springs and Alpine Cove. At that time a motion was made to again amend the Annexation Policy Plan to include Pine Grove and the Melby property.

Sheldon Wimmer opened the hearing to public comment.

Will Jones said that one of the challenges over the years was that, without a plan, the City couldn't even consider annexing a piece of ground. Some of those pieces were rezoned by the county where they could be developed. He said the City needed to decide what their long-term goal was. When a property was developed in the county, the city didn't get any of the property taxes or impact fees, but they got the impact of the development. He said that when Lambert Park Estates (Box Elder South) first came to Alpine City with an annexation petition, they had a development plan with 27 lots. Alpine City denied the petition so the developer when to the county and received approval for a development with 59 lots. If the City had approved the annexation, they would have fewer lots and would receive the property taxes and development fees. If the City had property in the annexation plan, they could analyze it and if it didn't work, they didn't have to annex it. He said he represented the Melby property. If the City wasn't interested in including it in the Annexation Policy Plan, he would go down to the county the next day and start working with them.

There were no other comments.

Mayor Wimmer closed the public hearing and invited Council discussion.

Troy Stout said he understood the need for a plan and to include properties they intended to annex, but there was the argument that once a property was in the plan, the City was obligated to annex it. The developers of the Oberee property had said that loud and clear when they petitioned for annexation. They said they had purchased the land for a lot of money with the intent to annex and develop, and the City needed to annex it. For that reason, he was hesitant

to include properties in the plan until they were ready to annex. Being on the plan created a degree of expectation from the owner.

Ramon Beck said the City lost control if they waited and then they were at the mercy of the county. There were some water issues that concerned him, but the City needed to control the lands around them. He didn't want to have another Box Elder South.

Kimberly Bryant said she didn't understand the rush to get all the lands included in the plan.

Roger Bennett said the Oberee property had already gone through the annexation process earlier then withdrew. The City had already said they would annex the property.

Lon Lott said Troy Stout made a good point about expectation. When Oberee was on the table, they hadn't updated the existing plan for many years.

Troy Stout said the City should at least break even when annexing, but he didn't see a long-term gain for the City by annexing. As the City got bigger and bigger, they would need more staff and services to support the expansion.

Sheldon Wimmer said he'd been involved in annexations around Alpine for 37 years. In 1980, the Council debated annexing Alpine Cove. Issues were discussed and there was a fight, and the property was developed in the county. If a property was in the Annexation Plan, the City would have an opportunity to dictate how they would come into the City. If a property was developed in the county, the City STILL provided their sewer, and would probably also have an obligation to provide storm drain. The annexed areas would pay the same rates as the other citizens, but they would also pay their property taxes to Alpine City. He said that over the years, they had fought about annexing Alpine Cove, the Oberee property, Box Elder South, and the Kester Freeze property (Willow Canyon). Because the City refused to consider annexing Box Elder South, it was approved in the county with twice the number of lots, and Alpine City was still providing sewer and water service to them.

Troy Stout said a survey was passed around Alpine years ago. The overwhelming response was that the residents wanted to protect the hillsides and open space, and preserve the small, bedroom neighborhood community. He said that whether the City annexed those areas or not, they would be developed, and it would be nice to have control, but it was also nice to have the views of the citizens reflected in their decisions. This would define the texture of the community for years to come.

Sheldon Wimmer said that the Kester Freeze annexation went to a referendum, and 65% of the voters supported the annexation. He had watched Draper City developments come over the hill because Alpine didn't want to annex the ground.

Kimberly Bryant said she wasn't against annexation, but she felt it should be done when it was time to develop.

Jason Bond said it was his understanding that the owners of the Melby property and Pine Grove were interested in annexation and development, but they couldn't have a discussion about the details until it was in the Annexation Policy Plan. There was a lot of work that went into the details. He said the Annexation Plan stated that inclusion in the plan did not guarantee that it would be annexed. He said there still needed to be an analysis of the tax rates, etc. before the amended Annexation Policy Plan was ready to adopt.

MOTION: Kimberly Bryant moved to table the amended Annexation Policy Plan until it was cleaned up. Troy Stout seconded. Ayes: 3 Nays: 2. Kimberly Bryant, Troy Stout, Ramon Beck voted aye. Lon Lott and Roger Bennett voted nay. Motion passed.

C. Alpine Olde Towne Center Lot B Amended – Larry Hilton: Jason Bond said that Larry Hilton owned the commercial condominium building at 341 S. Main Street. He had received previous approval for two condominium units and was amending it to make it into three units. The Planning Commission had reviewed Mr. Hilton's application and recommended approval. He had turned in the necessary paperwork.

MOTION: Kimberly Bryant moved to approve the amendment to Alpine Olde Town Center, Lot B. Ramon Beck seconded. Ayes: 5 Nays: 0. Lon Lott, Kimberly Bryant, Roger Bennett, Ramon Beck, Troy Stout voted aye. Motion passed.

D. Heritage Hills, Plat C – Property Exchange: Shane Sorensen said staff had been working with Downing Akin, the developer of Heritage Hills, to exchange some property in order to drill a well. A copy of the amended plat was included along with a Memorandum of Understanding to move forward with the amendment. There were eight lots in Plat C and open space which would have minor adjustments. There were no additional lots, in fact there would be fewer because they were planning to combine two of the lots.

MOTION: Troy Stout moved to approve the Heritage Hills, Plat C land exchange in order to drill a well. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Troy Stout, Ramon Beck, Roger Bennett, Kimberly Bryant, Lon Lott voted aye. Motion passed.

E. Ordinance No. 2017-05 Amending the Municipal Code, Part 13-240 – Dog Registration and Licensing: This item was postponed.

F. Resolution No. R2017-10 Interlocal Agreement with Highland City. Shane Sorensen said Alpine City would be cooperating with Highland City in the widening of 4800 West and the construction of a southbound right-hand turn lane. Alpine City's cost would be a little over \$11,000.

MOTION: Lon Lott moved to approve Resolution No. R2017-10, Interlocal Agreement with Highland City to widen 4800 West and construct a right-hand turn lane. Troy Stout seconded. Ayes: 5 Nays: 0. Lon Lott, Kimberly Bryant, Roger Bennett, Ramon Beck, Troy Stout voted aye. Motion passed.

G. Resolution No. R2017-11 Interlocal Agreement with Utah County. Charmayne Warnock explained that the City Council had previously agreed to have Utah County administer the Alpine City 2017 Vote-by-mail Municipal Election. The resolution would formalize the agreement. The cost identified in the agreement was for both a primary and general election. If there weren't enough candidates to hold a primary election, the cost would be significantly reduced.

MOTION: Lon Lott moved to approve Resolution No. R2017-11 Interlocal Agreement with Utah County to administer the 2017 Municipal Election for Alpine City. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Lon Lott, Kimberly Bryant, Roger Bennett, Ramon Beck, Troy Stout voted aye. Motion passed.

H. Contract for Accounting Services with Dave Sanderson: Shane Sorensen said he had mentioned the possibility of contracting with Dave Sanderson at the last Council meeting. Alpine City's Finance Director, Alice Winberg, would be leaving so he had been investigating different possibilities for the position. Dave Sanderson was the finance director for Lehi City, but would contract with Alpine City to do the audit, bank reconciliations, and provide a monthly statement. The cost would be \$1000 a month plus \$6000 for the audit. Shane Sorensen would handle the budget. The other responsibilities of Mrs. Winberg's job would be taken over by other staff members. It would cost the City much less than hiring another fulltime employee. He said they would leave money in the budget for that position if it didn't work out.

MOTION: Troy Stout moved to approve the contract for accounting services with Dave Sanderson for the first year. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Lon Lott, Kimberly Bryant, Roger Bennett, Ramon Beck, Troy Stout voted aye. Motion passed.

I. Fireworks/Open Fire Policy: Shane Sorensen said this was on the agenda in advance of the fire season so they could get the information in the June issue of the Newsliner. Jed Muhelestein had prepared the map showing the boundary restrictions for fireworks and open burns. It was the same as the map for 2016 except he had removed two of the bullet points relating to fire pits in resident's backyards. Permits for open burns were applied for online with the Utah Division of Clean Air, but Alpine City could prescribe where the burns took place. It had been a wet winter and there would be more grass and greater possibility of fire as it dried out.

Shane Sorensen said Melanie Ewing had brought up the idea of having the City sponsor a 24th of July fireworks show instead of allowing people to light fireworks in the park, but it was only two weeks before Alpine Days when they held fireworks.

Ramon Beck said that if the City did have a fireworks show on the holiday, people would still be lighting their own fireworks on one of the other days during the period allowing fireworks.

MOTION: Ramon Beck moved to approve the Fireworks and Open Fire Restriction Map as proposed. Troy Stout seconded. Ayes: 5 Nays: 0. Troy Stout, Ramon Beck, Roger Bennett, Kimberly Bryant, Lon Lott voted aye. Motion passed.

J. Lambert Park Master Plan: This item was postponed.

VII. STAFF REPORTS

Jason Bond reported on the following:

- Juab County had asked to be included in the Utah County Dispatch District, and he wanted the Council's input on that. Sheldon Wimmer said the cities and county had just spent four million dollars on the new dispatch center and it was capable of serving a larger area. Juab County went to the Nevada border but it had fewer calls. It would be a big win for Juab County. Jason Bond said it would be Juab County's responsibility to upgrade their system to 800 megahertz, but Utah County was experiencing tremendous growth and may need the extra room. He said most of Juab County calls were for accidents at the sand dunes.
- The Planning Commission would have a site visit to the Dry Creek Trail or Corridor Trail at their next meeting. The City Council was invited.
- He was working on a draft for the Lambert Park Master Plan. Troy Stout said he would like to be involved in that.

Charmayne Warnock reported that there had been calls from citizens in response to the notice about dumping green waste and trash in the open space. Residents had requested green waste recycling cans. Others had requested there be a day or two every year where large items like sofas, etc, could be picked up from the curb since not everyone had trucks to haul things to the landfill.

Shane Sorensen reminded the Council that the candidate filing period would begin in about three weeks. Regarding Fort Canyon, he said that they had a grader up there now. They were making good progress on the road.

VIII. COUNCIL COMMUNICATION

Lon Lott said he had calls from citizens wondering about a public hearing on the proposed PI metering. There were citizens who didn't want it metered. Shane Sorensen said it was an administrative action and a public hearing was not required, but Saratoga Springs had gone out of their way to educate the citizens when they installed the PI meters and it went much more smoothly. If people were abusing the system they would be charged more. People did tend to overwater.

Troy Stout said that at the last three elections, the turnout for the Meet the Candidate Night had been disappointing. He suggested they advertise them widely and have at least two Meet the Candidate Nights. Kimberly Bryant said they had a much better turnout at the one in 2015 because the Youth Council members were required to bring their parents.

Sheldon Wimmer discussed the following:

- There was still a concern about Planning Commission member attendance. At the last meeting, four of the seven members were absent. One more showed up later in the meeting to make a quorum but it was difficult to conduct business. He was ready to go with five members.

- Construction equipment belonging to Dana Beck had been vandalized resulting in about \$20,000 worth of damage. Vandalism had also taken place on construction equipment in Fort Canyon and on two new homes under construction behind the church on Healey Boulevard. The bathrooms in Burgess Park were also vandalized. He said someone had tried to break into his home at 8 am the other day.
- Joan Norton had come in with an offer of a \$5000 donation to put toward a senior citizen reading room/library. Bill Kirkpatrick had volunteered to work with the seniors in town, interviewing them and taping the interviews. Joan Norton's son had done an Eagle project years ago where he interviewed the old timers. It was videotaped and transferred to DVDs. There were plans to put a link to the videos to the city website.
- Bill Kirkpatrick had also recommended getting the older folks together and to have them be a group of Grand Marshals for Alpine Days. They may not be around much longer.

IX. EXECUTIVE SESSION: None held.

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

The meeting was adjourned at 9:45 pm.