

ALPINE CITY COUNCIL MEETING
Alpine City Hall, 20 North Main, Alpine, UT
April 9, 2013

I. CALL MEETING TO ORDER: The meeting was called to order at 7:00 pm by Mayor Hunt Willoughby.

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

Mayor Hunt Willoughby

Council Members: Will Jones, Bradley Reneer, Mel Clement, Kimberly Bryant

Council Member not present: Troy Stout

Staff: Charmayne Warnock, Shane Sorensen, Jason Bond, Ron Devey

Others: Marla Fox, Curry Jones, Danielle Jones, Alex Powers

B. Prayer: Will Jones

C. Pledge of Allegiance: Bradley Reneer

II. PUBLIC COMMENT: Will Jones left his seat with the Council went to the public microphone and said he had been at an earlier Planning Commission meeting and presented a site plan for a new office building by the roundabout. His issue was the parking requirement. The current ordinance required parking based on gross square footage including restrooms, utility closets, etc. He said he would like to move all the utilities to the basement of his proposed office building and use it for storage, and not have the basement assessed in the parking requirement. He said he realized that had been a problem with other office buildings where the owner said they would be using the basement only for storage then later turned it into office or retail space. He said he would sign a deed restriction stating that the basement would only be used as storage.

Mayor Willoughby suggested that a way to keep it as storage may be to not put in windows. Will Jones said he would be happy to do that. Mel Clement said he would be turning a typical office upside down. Most of those things were roof-mounted. Will Jones said that the office was by the roundabout and anything on the roof would be visible. He'd like to keep it in the basement.

Shane Sorensen explained that the parking requirement for commercial had originally been based on net usable space but it got to be a problem because developers would mark something as a closet on the plans so they didn't have to provide parking, then they would turn it into office space which resulted in inadequate parking. Because of those problems, the ordinance on parking requirements was amended. To accommodate Mr. Jones' request, they would have to amend the ordinance again.

Jason Bond said 3.24.4 of the Off-Street Parking Ordinance allowed the City Council to reduce the parking requirement based on: 1) The unique nature of the existing or proposed land use, or an unusually large number of pedestrian or transit trips or below-normal parking demands will be generated; and 2) A reduced number of off-street parking spaces will meet the demands of the proposed use without increasing traffic or on-street parking problems in adjacent areas and neighborhoods.

Will Jones said they would have less parking than the two businesses that were already in the complex. Buildings for dentists and chiropractors used more parking than they would be using. Mel Clement pointed out that you never knew who your tenant was going to be five years down the road.

Mr. Jones noted that the parking in the adjacent senior living developments was very inadequate.

III. CONSENT CALENDAR

A. Approve Minutes of March 26, 2013

B. Award bid on NRCS for Quail fire Project in Lambert Park: Shane Sorensen said there was a miscommunication and this item would actually be on the next agenda.

C. Bond Release for River Meadow Senior Housing PRD - \$161,500.80: Shane Sorensen said the River Meadows PRD was not actually recorded. The release was to provide a paper record of improvements the developers had done prior to recording. The City held 10 percent of the total bond after all the improvements were in and this would ensure that it showed up and was included in the 10 percent. It would also have the effect of approving a reduction in the bond they would post. He had inspected the improvements to date.

MOTION: Will Jones moved to approve the Consent Calendar including approval of the minutes of March 26, 2013 as corrected and the bond release for River Meadows Senior Housing PRD. Mel Clement seconded. Ayes: 3 Nays: 0. Motion passed. Will Jones, Bradley Reneer, Mel Clement voted aye. Kimberly Bryant was not present at the time of the motion.

IV. REPORTS AND PRESENTATIONS

A. Alpine Days Report: Curry Jones reported that they got a late start on Alpine Days last year but the City Administration had been great to work with. He offered a huge "thank you" to Ron Devey and Cal Christensen of the public works department. He said it would not have been successful without them. They had great participation in the events that did happen. The Tour of Utah going through after the parade created its own challenge but it worked out well. They came in under budget. They had \$25,000 to begin with and had \$15,000 remaining.

Curry Jones said that they were planning a theme for the next five years that would highlight different sites in Alpine that reflected Alpine's heritage. This year they would highlight Moyle Park. Other sites would be places like Sliding Rock and the Relic Hall. Mel Clement suggested they involve the schools and the kids. That always got the parents involved.

Curry Jones said that would work out well since they wanted to keep the focus on family and the community family. He said the biggest issue would be changing location. He'd like to hold Alpine Days in the new Creekside Park. It would allow for more events and they could spread out. Also, it would keep the main part of Alpine open for traffic. The quilt and art show would be a challenge. It was suggested they see if they could locate them in Alpine Elementary or possibly a covered tent.

He said they would also like to change the parade route. They would start at Mountainville Academy and come up 100 South past the bank and end up on the northeast corner of Creekside Park.

There was a lot of discussion about changing the location of the events and the parade route. Many residents did not like to alter the tradition. There were three options. 1) The parade and events would stay on Main Street as had been done for years.; 2) Move the events to Creekside Park but keep the parade route the same; 3) Move the events to Creekside Park and change the parade route. No final decision was reached.

Curry Jones said he planned to use a lot of social media such as Facebook and Twitter to keep residents informed. He wanted to involve as many people as possible. They also needed to establish some ground rules, particularly in accounting. Some events shouldn't cost as much as they had in past years. He said the pet show had cost \$1000 in a previous year. They spent \$100. Each child got a ribbon and a picture and a candy bar, and they were happy. He said he would be meeting with the chairmen of all the events and letting them know about the budget and how the funding would be handled.

Kimberly Bryant said that the Youth Council leaders would like to be involved in the planning meetings. They wanted to help but they wanted to be informed. The Youth Council lost a lot of money on the Coke trailer because events such as movie night and Alpine's Got Talent were changed and they didn't know about it. The Coke trailer was their biggest fund raiser. Curry Jones said he already had them on the list to come to the meetings. They were a huge asset last year.

Curry Jones said one of the challenges was the events used as fundraisers. Did the City want all the revenue to go to the school groups or did some need to come back to the city? How did they decide who would operate the events, and be fair. Some events were more profitable than others and more groups wanted those events. It was hard to get volunteers for some events but school groups were usually willing to do it as a fundraiser. It was suggested there be

a rotation from year to year so different groups had an opportunity to run the most lucrative events. He noted that the band probably would not be in the parade again because they wanted to be paid and the City couldn't pay them.

Curry Jones asked the Council how they felt about inflatables at Creekside Park. The proposed mass gathering ordinance would prohibit them. Ron Devey indicated he did not have a problem with inflatables as long as they didn't involve water. Mr. Jones also said he'd like to turn the splash pad off on Friday and Saturday for safety reasons.

Regarding the budget, Curry Jones asked if they would be rolling over the unspent \$15,000 from last year into this year's budget. Mayor Willoughby said he would have to talk to Rich Nelson and Annalisa Beck about that. Fireworks would need to be included in the budget since the unused fireworks from 2012 were used on New Year's Eve.

Regarding food booths, Kimberly Bryant said it would be better to not have two groups selling the same food item. She'd had a lot of complaints about that from groups that lost money. It was also discussed that Alpine residents had first priority on food booths. The second priority would be the date they applied. If an Alpiner applied after a nonresident for the same type of food booth, the Alpiner would be selected.

Kimberly Bryant said she'd like to see more things for the kids to do besides inflatables. The fish grab had been a huge success in the past. Mel Clement asked about the boutique booths. Will Jones said they paid Alpine \$3,000 in booth fees to be there last year.

Regarding the rodeo, the accounting would be handled separately from Alpine Days except for the ticket sales and tee shirt sales because it would be simpler to have one location for people to buy tickets for the different events. It was suggested they also have the rodeo people come in and report to the Council.

B. Financial Report for March 2013: The Council had reviewed the financial report in the packet. It was not discussed.

V. ACTION/DISCUSSION ITEMS

A. Mass Gathering Ordinance: Jason Bond reviewed the proposed Mass Gathering Ordinance which had already been through the Planning Commission. One of the main issues they had talked about was the definition of a mass gathering and when it would apply. The Planning Commission was not comfortable with having events that were held on private property such as weddings and family reunions be subject to the Mass Gathering Ordinances. They would also exclude church events held on church property. The Council discussed school events and agreed that even though school programs, etc. were generally considered public events, the schools were owned by the school district.

There was a discussion about the Live Nativity which was held on private property. It had grown into a huge event and continued to grow. It had some impact on the City. Will Jones said he felt they would comply with the regulations in the Mass Gathering Ordinance. City streets would be involved and potentially public safety personnel.

Events on City-owned property such as biking events and races, large parties held in the parks, etc. would be subject to the Mass Gathering Ordinance, or if an event utilized city personnel or public safety personnel. There was a question about Alpine Days which violated all the restrictions on mass gatherings that were outlined in the ordinance. Jason Bond said Alpine Days would have its own set of regulations.

Another issue that was discussed was the number of people at which the Mass Gathering Ordinance would take effect. Jason Bond recommended 250 people. Ron Devey said the size of the event affected how many restrooms would be needed and the amount of trash generated.

Jason Bond said there was some flexibility in the ordinance and the applicants would be required to come to DRC so staff could determine what requirements would apply.

There was a discussion about the booth fee of \$500. Ron Devey said the intent was to discourage groups from coming into Alpine and using City property to make money. The large gatherings had a negative impact on the grass. He said one of the race events was funding their race off the booths that were coming in, and they hadn't been charged anything for the booth.

Marla Fox said one of the problems was that they had two family reunions scheduled in the park, but the park was over-run by the races and there was no parking.

Ron Devey asked why the City allowed someone to come in and use the parks and make money off it when the City was getting nothing off it, and still had to maintain it. He said the Frozen Hog bike race used Lambert Park. They cleaned up after themselves for the most part, and gave the City a check for \$1000 at the end of the event. Other events did not do that.

Mel Clement said they could treat the various events like zoning. Some events would be permitted, some would be conditional and others would be prohibited.

Jason Bond said he would review the input from the Council and bring the ordinance back. They needed a clear definition of "public."

B. Park Usage and Regulations: Jason Bond said that in conjunction with the Mass Gathering Ordinance, they would discuss park fees and rules. The Park Committee had met and come up with a summary of their suggestions for Park Fees and Regulation. Lambert Park and the Rodeo Grounds were handled separately from the other parks. The summary was as follows:

Lambert Park

- Races: \$500 + Mass Gathering permit (\$150) + \$1000 deposit
- Events \$25 resident/\$75 nonresident + \$150 deposit
- Consider the following:
 - Outlaws motorized vehicles
 - A pond (Ron Devey said he was opposed to a pond.)

Rodeo Grounds

- Unscheduled use (free but they need to receive code to gate from City Hall)
- Scheduled events \$25 resident/\$75 nonresident + \$1000 deposit

General City Park Usage

- \$25 resident/\$75 nonresident for scheduled use of park pavilions
- \$150 deposit regardless of residency
- No amplified sound between the hours of 10 pm and 7 am.
- City park curfew between 11:00 pm and 5:00 am. (post on signs)
- No inflatable devices or slippery slides. However, a slippery slide area may be designated and used after a fee is paid. (Inflatable restriction does not apply to Alpine Days)
- Profit-generating businesses who use City Parks
 - Tennis courts - can't provide private lessons between the hours of 6 am to 10 am.
 - Rugby, soccer, football, baseball, etc. - \$2 per kid for field maintenance
 - Outside baseball leagues - charge \$10 per game to help with park maintenance
- Meet with all organized sporting leagues each year at the end of February

The Council had a lengthy discussion about the subject of park fees and usage. In response to a question about the Bowery, Ron Devey said camping was available there. It was one of the most heavily scheduled areas for scouts.

Regarding scheduling in the parks, Marla Fox said they had an issue with the tennis courts. People were coming in and using the courts for tennis lessons and other people could not use them. She also asked if the City was getting any money from the baseball tournaments. They were huge events that essentially monopolized the park and no one

else could use it. She said the rugby team was charged \$300 and used it two weekends so the City got \$600. The baseball people used the park almost every weekend and the City received nothing. Ron Devey agreed saying Rocky Mtn Baseball had a three-day tournament on Memorial Day weekend that had a tremendous impact on the parks and surrounding areas, and the City received nothing from it, although the baseball association was collecting money. In addition, the Association wanted the City to build upgrades to the parks every year, although when they wore out the park fences, they split the cost with the City.

Bradley Reneer said he'd like to see the police enforce no-curb-parking at the baseball tournaments. It was dangerous with little kids running around.

Mayor Willoughby said the sports associations did benefit the City in that they didn't have to hire a fulltime person to run a recreation program.

Marla Fox said they did offer a program for Alpine kids, but they took it farther and made money on the side. Super Saturdays did not have anything to do with Alpine. She said her kids had participated in the baseball program and paid \$100 a year. In return they got a tee shirt and ball cap. None of that money came back to the City. Mel Clement said it probably went to pay competitive travel costs for the older teams.

Ron Devey said he was in favor of charging kids who participated in the sports \$2 that would come back to the city to maintain the areas. The parks were getting hammered. He said he was in favor of the groups running the recreation program when it was for Alpine kids, but when it was taking away from Alpine kids, he was not in favor of it. Will Jones said there had been a lot of pressure from the leagues to use Creekside Park. It was designated as a family park.

C. Accessory Apartments and Detached Accessory Dwellings: Jason Bond said he got a lot of calls about problems with accessory apartments. The purpose of allowing accessory apartments was to comply with moderate income housing requirements, but accessory apartments were hard to monitor and most were not registered so the City received no credit for having them.

He had included information in the packet about detached accessory dwellings. It was a small, free-standing accessory dwelling on a building pad of about 650 square feet. A detached accessory dwelling would be easier to monitor and would accomplish the same purpose under moderate income housing. The accessory dwelling unit would be much smaller, and would accommodate an older couple who perhaps didn't want to move into retirement housing. The main home could be occupied by a married child who was raising a family and needed a larger home. Or the accessory dwelling could be occupied by a young couple who couldn't afford to buy a home. A building permit would be required. The City would limit the number of accessory dwelling unit permits to about 10 a year. There would need to be a minimum acreage to qualify.

The Council discussed the idea. Will Jones and Bradley Reneer indicated they liked the idea of accessory dwelling units. However, people who already had an accessory apartment would not be able to have a separate accessory dwelling, and those with a dwelling would not be able to have an accessory apartment. Mel Clement said he was opposed to it. He said he was a proponent of accessory apartments but the City needed to be more restrictive. The owner of an accessory apartment should have to sign an annual agreement stating they owned the home and they complied with the ordinance. He didn't have a problem with charging people more to have an accessory apartment.

The Council discussed the definition of owner-occupied. The ordinance required the main part of the dwelling to be owner-occupied. A residence was limited to one accessory apartment. There were instances of people who had gone on missions or lived out-of-state for some reason and had a family member such as a married daughter living in the main part of the home while they rented the basement. Some members of the Council felt a member of the immediate family qualified as owner-occupied. Will Jones and Mel Clement felt it needed to be occupied by the owner on the title.

Returning to the subject of detached accessory dwelling units, Ron Devey asked if they wanted the increased density in the City. Shane Sorensen wondered about the impact on the infrastructure. He said the sewer line in 100 South was almost at capacity. Jason Bond pointed out that since they would be very small, smaller even than many

accessory apartments which housed whole families, they wouldn't increase density any more than accessory apartments, and possibly less.

VI. STAFF REPORTS

Jason Bond said he had two items:

- First, he said that Will Jones had talked to the Bangerter family about the possibility of amending the General Plan to identify their property as a commercial zone. The staff envisioned it as a commercial overlay zone that did not change the underlying residential zoning for one-acre lots. The City would realize more tax revenue from a commercial use than a residential use. A specialized food store might be interested in moving in.
- Second, a site plan for Carmela's had been approved by the Planning Commission. Laura Potter who owned Carmela's would add a hotdog business to her current business inside the building. There would be a walkup window where customers could buy hotdogs. That portion of the business would operate from April to October. Mel Clement commented that Carmela's was a wonderful building in a great location. All they needed was a good menu and a good chef and it would thrive as a nice restaurant.

Charmayne Warnock informed the Council that the state legislature had shortened the time frame for Candidate Filing to five days. It would begin on June 3rd at 8 am and ended on June 7th at 5 pm. A candidate had to file in person. Although someone else could nominate them by obtaining signatures on a nomination petition.

VII. COUNCIL COMMUNICATION

Will Jones said the Moyle Park Committee had met and came up with a job description. They would be advertising the position. The public works department would maintain the lawns. The caretaker would be given a list of jobs to do. They based the job list on \$1,000 per month rent plus \$150 for utilities. He would propose a five year master plan for the park. He said according to the original deed, the City could not divest itself of Moyle Park. It would have to be returned to the Moyle family and the City would have to pay them for the previous use.

Bradley Reneer said he had talked to Ron Devey about a service project for the West Stake. Ron Devey said Fort Creek needed to be cleaned out. The north pavilion in Burgess Park needed to be painted. It also needed to be reroofed. He'd like to put up a metal roof.

Bradley Reneer said the committee on the Lambert Park Land Swap had met. Present was a representative of the landowners, Jason Thelin, Jannicke Brewer Troy Stout and himself. He said they felt that if they were to give up that beautiful section of Lambert Park, they would have to receive some land that they considered pretty nice such as five acres somewhere that could be added to the trail system. They weren't interested in money to build a restroom.

Shane Sorensen said the representative of the owner had come to DRC and had mentioned some pretty high numbers that the owner would be willing to pay for it. Hunt Willoughby said they had talked about building a split rail fence in Lambert Park if they disallowed vehicles. It would be a big-ticket item.

Mel Clement said he was concerned about the precedent of selling off open space.

Mayor Willoughby said Lambert Park should be a discussion item when they had a full council.

Bradley Reneer said he had one more item. There was an article in the Newline about home occupations. The way it read was that the Council had amended the ordinance to require people who gave piano lessons, etc. to get a license. The amendment simply changed the process of obtaining a license, not who had to get one.

Will Jones said he had another item. There was a group proposing to build townhouses in Alpine on the ground where they were going to be build the Alpine Community Theater. They wanted to use the same density as the senior housing overlay zone which would be eight units per acres with a minimum acreage of two acres and maximum of ten acres.

Mayor Willoughby said he would appreciate it if residents would contact him directly if they had an issue. While he was on vacation and his daughter was staying at their home, someone left a bag of deer poop on his door step with an unsigned note saying there were too many deer in Alpine. It wasn't a good experience for his daughter.

MOTION: Will Jones moved to adjourn. Bradley Reneer seconded. Ayes: 3 Nays: 0. Motion passed. Kimberly Bryant had left the meeting early.

The meeting was adjourned at 10:30 pm.