

**ALPINE CITY PLANNING COMMISSION MEETING at
Alpine City Hall, 20 North Main, Alpine, Utah
May 07, 2013**

I. GENERAL BUSINESS

A. Welcome and Roll Call: The meeting was called to order at 7:04pm by Chairman Jannicke Brewer. The following commission members were present and constituted a quorum.

Chairman: Jannicke Brewer

Commission Members: Steve Cosper, Jason Thelin, Jannicke Brewer, Chuck Castleton, Todd Barney

Commission Members Not Present: Bryce Higbee, Steve Swanson

Staff: Marla Fox, Jason Bond, Shane Sorensen, Rich Nelson

Others: Rock Schutjer, Bob Bowman, Michelle Schirmer, Kristin Eberting, Debbie Newell, Wade Holbrook, Kay Holbrook, Steve Crane, Bill Fairbanks, Lon Nield, Will Jones, Stephanie Tasso

B. Prayer/Opening Comments: Todd Barney

II. PUBLIC COMMENT

Welcome to Chuck Castleton as the newest member of the Planning Commission.

III. ACTION ITEMS

A. PUBLIC HEARING - Development Review Committee Amendment

The Planning Commission will review a proposed amendment regarding the composition of the DRC. Currently the Development Review Committee (DRC) consists of four (4) members: The City Administrator, the City Planner, the City Engineer and the Public Works Director. The Police Chief, the Fire Chief, the City Attorney, and the Chief Building Official are advisors to the DRC. The City Administrator is the chairperson of the DRC.

The Planning Commission recommends that Article 2.4 of the Development Code be amended as proposed so that the DRC may include any staff member the City Administrator deems necessary. Rich Nelson said sometimes the City needs expertise from other staff members and we want the ability to bring them into the meeting. Jason Thelin asked if City Council should be included in this list. Rich Nelson said it would be for staff to come to the meetings to address any issues that are going on. He said he would like to be able to invite the Treasurer or the City Recorder if needed. Steve Cosper suggested saying you can bring other advisors as deemed necessary.

Jannicke Brewer asked if we would be excluding any other people. Steve Cosper said to take out staff member and word it as any individual that the City Administrator deems necessary.

Jason Thelin moved to recommend Article 2.4 of the Development Code be amended to say that other individuals, as the City Administrator deems necessary, may act as advisors to the DRC.

Steve Cosper seconded the motion. The motion passed unanimously with 5 Ayes and 0 Nays. Steve Cosper, Jason Thelin, Jannicke Brewer, Chuck Castleton, and Todd Barney all voted Aye.

B. PUBLIC HEARING - Fence Ordinance Amendment

The Planning Commission will review a proposed amendment regarding a requirement for a permit for all fence installations. Currently, only fences in excess of six (6) feet need to be approved by the Planning and Zoning Department and obtain a building permit. Staff would like to require all fences to obtain a building permit (at no

fee) so that all fences are built up to code. Jason Bond said that if residents build a fence next to a park, we need them to come in to DRC to get approval. Rich Nelson said this is not so the City can make money; it is to catch potential problems that may arise.

Jason Bond said we expect that residents will come in to the Building Department and talk to Charmayne Warnock. She will go over the requirements with them to ensure their fence is built correctly. Chuck Castleton asked if there is a definition of what a fence is in the ordinance because he has a fenced garden area within his yard. Jason Bond said we do have a definition and in ordinance 3.1.11 #18 it states that: A fence shall include any tangible barrier, an obstruction of any material, a line of obstacles, lattice work, screen, wall, hedge, or continuous growth of shrubs with the purpose of preventing passage or view across a boundary or lot line. Rich Nelson said if the wall or fence is not on the lot line then it is not as big of a problem.

Steve Cosper asked if this was really a problem in the City. He said this sounds confusing and a lot of work for the staff. Shane Sorensen said we have to start somewhere. Residents who try to follow the ordinances are frustrated when neighbors don't follow the rules and they want to know why they can't build their fence the same way. It's a matter of educating the residents on the ordinance. Rich Nelson said good fence contractors will read the City ordinance and are good to work with. Shane Sorensen also mentioned that the City could send out notices to all the fence companies to inform them of our ordinance.

Chuck Castleton asked about a fence between a private area and an open area having to come to the DRC. He said he didn't see that in the amendment. Jason Bond said he would like to add five more words to the amendment. Jannicke Brewer said if every fence has to come in for approval then Article 3.21.6 should cover it. Jason Bond said he would like to add that if your fence borders property lines adjacent to a trail or open space, add to the amendment that they must meet with the DRC and meet specific standards.

The Planning Commission said that they would like to think more about Article 3.21.6 of the Development Code and they will put it back on the agenda at a later date.

C. PUBLIC HEARING - Minor Subdivision Process Amendment

The Planning Commission will review a proposed amendment regarding the ability for the DRC to approve minor subdivisions. Minor Subdivisions have been required to go to both Planning Commission and City Council for obtaining approval. A lot of Minor Subdivisions are straightforward but the process for approval can be cumbersome for the applicant. The Proposed amendment would allow the DRC to approve Minor Subdivisions and streamline the process. Therefore, time would be saved for the applicant and for the Planning Commission and City Council to spend on other issues. Rich Nelson said if anything comes through that looks like it might be complicated, they would pass it on through to Planning Commission.

Stephanie Tasso asked what a Minor Subdivision is. Jannicke Brewer said it is no more than 3 lots and has to be on an existing street where water lines and utilities are already in.

Michelle Schirmer said a Minor Subdivision is going in on Cascade in South Pointe. The neighbors don't think this is a Minor Subdivision and she doesn't think that only a couple of people should have a say in whether this gets approved without the input of the neighbors. Jason Bond said that in saying this is a Minor Subdivision doesn't mean that it is not significant; it just means that it is a small subdivision. Stephanie Tasso said she would like to have input even on a Minor Subdivision if it is going in on her street. Jason Bond said notification would be sent out to neighbors.

Jason Thelin said if the subdivision meets code, it is going to happen. In a Minor Subdivision only the adjacent neighbors would be notified. Greg Clark said he lives across the street and asked if he would get a notice. Kristin Eberting said it needs to be within the perimeter of the subdivision because it will impact more than just the adjacent neighbors.

Chuck Castleton asked if letters would be sent out because it looked like this ordinance change would take out that process. Jason Bond said that Minor Subdivisions don't require a hearing. Steve Cosper said he doesn't mind the Minor Subdivisions coming through Planning Commission and he doesn't think it takes up that much time. Jannicke

Brewer said she likes to see what is going on and she likes the way we are doing it now. Steve Cospers said he wasn't sure what the motivation with this is and he didn't think staff was getting hassled and he wasn't in favor of any of this.

Todd Barney moved to recommend article 4.5 of the Development Code remain as written.

Steve Cospers seconded the motion. The motion passed unanimously with 5 Ayes 0 Nays. Steve Cospers, Jason Thelin, Jannicke Brewer, Chuck Castleton, and Todd Barney all voted Aye.

Jannicke Brewer asked if we wanted to make an amendment to the ordinance. Instead of saying we will send out letters to adjacent property owners, we send it to property owners within a certain amount of feet. Steve Cospers said within 300 feet to match variance; he said he thought it affected people just as much as a variance would. Shane Sorensen said procedurally, we ask our City Planner, Jason Bond to draft some language and bring it back.

D. PUBLIC HEARING - Site Plan (Not in a recorded subdivision) Process Amendment

The Planning Commission will review a proposed amendment regarding the ability for the DRC to approve site plans not in an approved subdivision. Site Plans (not located in an approved subdivision) have been required to go to Planning Commission for obtaining approval. A lot of Site Plans are straightforward but the process for approval can be cumbersome for the applicant. The proposed amendment would allow the DRC to approve Site Plans and streamline the process. Therefore, time would be saved for the applicant and for the Planning Commission to spend on other issues. Jason Bond said we don't have any guidance in our ordinance on Commercial Site Plans. We need submission requirements, and things need to be cleaned up in the ordinance because they are a little confusing.

Jannicke Brewer said if you have a subdivision, even if it is a single lot, that owner would be required to put in street, sidewalk, fire hydrant and all the improvements just like a larger subdivision.

The Planning Commission said they would like to table this and bring it back at a later meeting.

A. Brenchley Residential Site Plan - 249 North Alpine Blvd. - Shawn Brenchley

The Planning Commission will review a site plan for a site not in a recorded subdivision. The proposed Brenchley Site Plan at 232 North Alpine Boulevard includes five parcels totaling 4.131 acres. The owner was given direction by the DRC that the parcels would either need to be combined into one parcel or that property lines would be required to be adjusted so that any proposed structures would meet the required setbacks. The property is in the CR-40,000 zone. Jason Bond said Mr. Brenchley wants to adjust the lot lines to 3 parcels. He wants to build on the middle one and have one on either side for future use.

Jason Bond said Mr. Brenchley needs to adjust the lot lines to conform to the setbacks and to address a turnaround driveway to come out on Alpine Blvd. Shane Sorensen said this was discussed at DRC and they felt like Mr. Brenchley's driveway plan was adequate for the driveway on the arterial. He has plenty of room to turn around.

Steve Cospers said part of the controversy with the neighbors in the past when the church was going to be built, was that the ditch would have to be filled in and they would have to put in a culvert. This would kill the trees and the neighbors were upset about it. He asked if there is some requirement that the owner has to put in a culvert. Shane Sorensen said we recommend doing the same as we did on the McNeil Subdivision and allow the East Field to remain open.

The ditch goes on and off Mr. Brenchley's property and then goes to open ditch again. If we have some parts open and some parts closed it is problematic with trash and debris plugging and backing up. We have discussed this with the Public Works and unless there is a problem with the irrigation company, we feel it is best to leave it open. Jannicke Brewer read from ordinance 4.7.19 where it states: All irrigation ditches in subdivisions shall be piped underground. Certain ditches that are legally required to be open are exempt. When the church wanted to come in they were told the ditch would be required to be piped. Steve Cospers wanted to know what had changed from when the church wanted the property until now, because that is probably the very thing that kept them from building there.

Shane Sorensen said having an open ditch through a church site is a little different than a home. Steve Cospers asked if this was because of safety issues. Shane Sorensen said parking could have been an issue as well. Jannicke Brewer said we have to follow the ordinance. We can't just say we didn't want it open before, but we like it open now.

Steve Cospers said we need to fix the lot lines before we bring this for approval and pass it on. He also asked why Meadowbrook Drive is not required to go through and connect with Alpine Blvd. Shane Sorensen said at one point it was on the master plan to connect that road but it ended up being taken off the plan. The City would not have been in favor of that decision because the water system is an important loop. Steve Cospers asked if it is too late to fix it now before Mr. Brenchley builds. Shane Sorensen said he has discussed with Mr. Brenchley putting in an easement for City Water pipes. Shane Sorensen said there are 4 utilities along Mr. Brenchley's frontage and he has already paid for the water rights for the whole 4 acres.

Jason Thelin said we need more information as to when and why this road was not required to connect. Shane Sorensen said the City street ends before the cul-de-sac. The cul-de-sac does not belong to the City. It belongs to Mr. Clark Olsen at 285 North Meadowbrook Drive and he put it in at his own expense. Mr. Olsen's frontage is actually on 300 North and this is the back entrance to his home, but his home faces the cul-de-sac.

The Planning Commission said they need more information on this Site Plan and will take a look at it at a later date.

B. Sprint Cellular Tower Modification Site Plan - 694 South Rocky Mountain Drive

The Planning Commission will review the site plan for a cellular tower modification. An antenna replacement project at the Sprint site located at 694 Rocky Mountain Drive (Shepherd's Hill) is being proposed. Upgrading an existing tower is a permitted use by ordinance.

There are two existing antennas mounted on a 25' monopole at the location. Sprint will be replacing the two existing antennas with two new antennas as well as replacing the two old equipment cabinets with new ones. No increase in antennas count, cabinet count or ground space is required.

Rock Schutjer said this is a simple project. Sprint is doing a 4G upgrade which will provide faster speeds and more data. In conjunction with replacing antennas, they are replacing cabinets on the ground. There will be a radio cabinet and a radio back-up cabinet. Dug into the side of the hill, there is a three sided retaining wall with a steel platform that holds 2 cabinets, the radio and a battery cabinet.

In the first phase, two antennas will be replaced with new antennas and connected with a new fiber cable instead of co ax cable to allow faster speeds. The fiber will be connected to the new antennas and the co ax will be connected to the new antennas. We will have 2 systems operating simultaneously and that is why in the beginning, there will be 4 cabinets on the platform.

In the 2nd phase, within a day or two, they will remove the cabinets, shut down the old system, and it will only be the new system going forward. We will be attaching the antennas at the same place as the old ones at the same elevation at 22 feet. Both antennas will be 6 feet high, and tight to the tower. Residents will be hard pressed to see a difference with the new antennas. Jannicke Brewer asked about the housing of the boxes. Rock Schutjer said this will not be a big construction project. It will be simple and done in a couple of days. Jannicke Brewer said that in our ordinance, this does not require a hearing. However, letters were sent out to residents and she said she would allow them a few minutes to make comments.

Steve Crane asked if these are ground mounted RRU's (Remote Radio Unit). Mr. Schutjer said no they are not; they will go behind the antennas. New regulations require the RRU's to be within 6 feet of the antenna. Steve Crane said he was all for this and felt like this was in the spirit of what was previously approved. He said that some RRU's can be up to 50 pounds and as big as the antenna.

Greg Clark said it would be helpful when someone comes and applies to change something, to bring in a picture of their site to show what their project will look like when completed so residents can see it. He also asked if this is the very best and latest technology that can be put in that would be the least obtrusive.

Bob Bowman asked how workers will access the property to service the tower. Shane Sorensen said they will access through service roads on Clyde Shepherd's property. Mr. Bowman said service trucks cannot drive on the City path/trail which is marked with a sign. To use the path, they have to drive up over the curb and they leave rocks and debris on the sidewalk and road. He said he has witnessed this many times and he doesn't appreciate it because of the mess and safety reasons.

The Planning Commission said they discussed this issue at a previous meeting. They talked about blocking off that path with a boulder or barricade. Jannicke Brewer said it was part of the motion. Shane Sorensen said if it was, then it will be taken care of. Mr. Bowman asked if there were any differences in the radioactivity or electrical situations. Mr. Schutjer said there is not, by the time you are 5 feet away from the antenna, there is no radiation. Mr. Bowman said he appreciates the trees being planted to help screen the tower.

Steve Crane said the City agreed to landscape the AT&T tower on Will Jones property and he hopes it hasn't been forgotten. Neighbors are hoping that will happen sometime this spring. Shane Sorensen said he knows for a fact trees have already been planted there. Steve Crane said the trees were supposed to be 6 feet tall and 3 to 4 trees on all 4 sides of the tower. He said he has seen nothing yet and hopes the City follows up on that.

Kerry Hurst said he lives below the tower and he said he was told that trees would be planted so the tower wouldn't be so obtrusive. He said all the neighbors want to make this aesthetically pleasing to the eye as possible and they want what was promised to them. Shane Sorensen said he will check the approval to see if there was certain size of tree that was promised to be planted. Trees were planted and a drip system has been repaired to help them grow at a more rapid pace.

Jannicke Brewer said tonight we are talking about the Sprint tower. It is on Clyde Shepherd's property and it would have to be watered from his property. Michelle Schirmer asked when the City takes over the open space property from Will Jones, will you plant a row of trees. Shane Sorensen said he put in a condition that landscaping would be up to the Planning Commission and they would decide if it was necessary. Jannicke Brewer said once we get the property we can ask for landscaping at that time. Steve Cospers asked if anytime someone came in here to change out equipment, we will use it as an opportunity to force them to do more landscaping. We are setting a precedent here.

Jason Thelin asked Mr. Schutjer if his company would be amicable to put in more trees. Mr. Schutjer said if the existing trees that they put in died, they would be open to replace them, but any conditions you put on this project is outside the Federal law. Sprint would not be required to plant trees with this project. To be a good neighbor, he said he could suggest it to his bosses but it would be inappropriate to require it because of the Federal law.

Steve Crane said by law, you can't deny co-location of these towers, but you can impose a condition to landscape. He said this is cleaning up decisions of past Councils. We have been baited and switched before and it would be a couple hundred dollar investment. He asks the City to not overlook this option and said it is not illegal.

Steve Cospers said we need to match what was originally approved. Chuck Castleton asked if the City is required to water the landscaping. Shane Sorensen said we water our property. Clyde Shepherd waters his property.

MOTION: Steve Cospers moved to recommend approval of the Sprint Cellular Tower Modification Site Plan subject to the following conditions:

1. A building permit be obtained prior to installation of the new equipment.
2. The color of the new equipment be provided and approved.
3. We request that Sprint put in 4 trees (2 on each back side) 3 inch caliper spruce trees in accordance to the wishes of the City.

Chuck Castleton seconded the motion. The motion passed unanimously with 5 Ayes and 0 Nays. Steve Cosper, Jason Thelin, Jannicke Brewer, Chuck Castleton, and Todd Barney all voted Aye.

C. Olde Moyle Mound PRD Final Plat - 750 North Quail Hollow Drive - Lon Nield

The Planning Commission will review the Final Plat A for the Olde Moyle Mound Planned Residential Development. The proposed subdivision consists of 10 lots on 8.8145 acres. Approximately one-third of the property is in the CR-20,000 zone, with the other two-thirds being in the CR-40,000 zone. The lots range in size from 20,060 s.f. to 31,498 s.f. The City Council approved the option for this property to be developed as a PRD.

Lon Nield said the landscaping in the public area will be grass, low shrubs, and a rock formation. There will be a streetlight but no sign. The reason for this landscaping is because of the utilities. Jannicke Brewer said that there has to be documentation that the public open space will be maintained by the homeowners association. She also said we need a conservation easement stating that no building will take place on open space. We would allow for a tennis court, but no buildings.

Jason Bond said that Mr. Nield wants to adjust the lot line configuration on lot 1 to better fit a house on it. The square footage will remain the same with the lot and the open space. Jason Thelin asked about fences within the subdivision. Mr. Nield said they will put in rod-iron fences around the subdivision and there will be natural landscape screening, but individual will not fence their yards.

MOTION: Jason Thelin moved to recommend final approval of the proposed Olde Moyle Mound be granted subject to the following conditions:

1. The Planning Commission approve the landscape plan.
2. The developer will own the private open space.
3. The developer provide an executable open space preservation easement or agreement with the City outlining the conditions for allowing the private open space.
4. CC&R's or some other binding document be submitted for review outlining the party responsible for maintaining the landscaping on the public open space.
5. The Fire Marshall approve the location of the fire hydrants.
6. A SWPP be submitted to and approved by the City prior to any construction taking place.
7. The City's water policy be met.
8. The setbacks for the existing building on lot 10 be reviewed and are approved.
9. The redlines on the final plat be corrected.

Todd Barney seconded the motion. The motion passed unanimously with 5 Ayes and 0 Nays. Steve Cosper, Jason Thelin, Jannicke Brewer, Chuck Castleton, and Todd Barney all voted Aye.

D. McNeil Plat G Minor Subdivision - 750 North Quail Hollow Drive – Lon Nield

The Planning Commission will review the submission of the Minor Subdivision. The proposed McNeil Plat G Minor Subdivision consists of 3 lots on 3.2828 acres. The plat includes the vacation of lot 17, Moyle Park Estates Plat A. The purpose of the lot vacation is to make a minor boundary adjustment between lots 1 and 2 on the current plat. The DRC has approved the boundary adjustment between the two lots. There is an existing home on lot 2. The lots range in size from 20,226 s.f. to 60,604 s.f. The proposed development is in the CR-40,000 zone.

Jannicke Brewer asked about the detention basin on lot 3. Lon Nield said that lot is not buildable because of the basin. Jason Bond said Mr. Nield is presenting this because he wants to clean up the lot lines in order to sell his property.

MOTION: Steve Cosper moved to approve the proposed McNeil Plat G Minor Subdivision subject to the following conditions:

1. The Fire Marshall review the location of the existing fire hydrants to determine if they are sufficient for the area.
2. The City's water policy be met and the source of the water rights be stated.
3. The redlines on the plat be corrected.

Chuck Castleton seconded the motion. The motion passed unanimously with 5 Ayes and 0 Nays. Steve Cosper, Jason Thelin, Jannicke Brewer, Chuck Castleton, and Todd Barney all voted Aye.

E. Pine Valley Realty Office Building

The Planning Commission will review the request for a parking exception for the proposed office building. Will Jones owns the parcel of land on the Northwest corner of the intersection of Canyon Crest Road and Main Street (at the roundabout). The 26,465 s.f. parcel is planned to include a new office building for Pine Valley Realty. Mr. Jones has provided a concept plan which shows a building pad that is 3,650 s.f. According to Article 3.24 (Off-Street Parking) of the Zoning Ordinance, four (4) parking spaces are required for every 1,000 s.f. Mr. Jones plans on having two (2) stories plus a (basement) which would bring the total requirement to 29 spaces.

Mr. Jones is requesting that an exception (section 3.24.4 Reduction of Off-Street Parking Requirements) be made so that the basement square footage would not apply to the parking requirements. This way, the basement square footage would not require additional unnecessary parking but could be used for necessary storage.

Jason Bond read from ordinance 3.24.4 where it states: Reduction of Off-Street Parking Requirements – Requests to reduce off-street parking requirement(s) may be recommended by the Planning commission and approved by the city Council, if the Applicant shows:

1. The unique nature of the existing or proposed land use, or an unusually large number of pedestrian or transit trips, below-normal parking demands will be generated.
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.

Jason Bond said it could be a code enforcement issue if sometime in the future someone else uses the basement for something other than storage. An example is a business here in town had an agreement with the City to only use the basement for storage in exchange for less parking. It has been a problem because the basement has been used as part of the business as extra office space. Another business is being run out of a building that used to be a bank. Their business use is manufacturing and they use a lot of parking.

Will Jones said his intent is to record a deed restriction that states that the basement would not be used for anything other than storage. He said he would build the basement with no windows so it can't be occupied. This is contingent on the building inspector's approval. He said it would only be 8 feet high.

Mr. Jones said he would need 9 more parking spaces if the basement is counted. Todd Barney said we can't build the building just for Will Jones. What happens when someone else comes into the building? This is the only time we have control. Mr. Jones said the issue is his. If he wants to sell his building he won't be able to if the new business needs more parking. The ordinance allows a variance and the burden should be on the building owner not the City.

Bill Fairbanks said he built the Jewel Kade buildings. The parking in that area is sufficient for the building size. He said he still owns a building pad on that corner. He feels like we should allow basements for storage purposes and for furnace/utilities. These can be controlled by a recorded deed.

Jannicke Brewer said we have this ordinance and we try to follow it. We have had situations in the City where people have promised to not use the basement and then they do. Jason Thelin said we have already said no to others, why would we make an exception now. Todd Barney said we would be setting a precedent because Mr. Fairbanks is already lined up to ask for the same thing in the near future.

Steve Cospers said we need to tackle our parking ordinance first. Jason Thelin said a better idea would be to discuss what needs to be in place in order to have basement storage. Steve Cospers said the City needs to fine businesses if they are using their building illegally. Jason Bond said we have a new hearing officer that we could possibly use in these situations.

Jannicke Brewer said we will discuss this issue further at a later date.

F. Townhouse Overlay Zone

The Planning Commission will discuss the request for an overlay zone that would permit the construction of townhouses. Will Jones is proposing the creation of a Townhouse Overlay Zone in Alpine City. This potential ordinance would be nearly identical to the Senior Housing Overlay Zone. There is a proposal to build townhouses at approximately 242 South Main Street. This proposal is contingent on the adoption of a new ordinance since multi-family housing is currently not allowed in Alpine City.

Jannicke Brewer said when this brought up 6 years ago, it was not well received. Will Jones said his proposal would only be in the B, C, zone.

Jannicke Brewer said she is all for having townhouses in the City if they were moderately priced. Some people will want to downsize and have less yard work, but still want to stay in Alpine. Jason Thelin said he felt like we already had this type of housing with the Senior Living. He said a percentage of that housing is open to people younger than 55 years old.

The Planning Commission stated that they needed to discuss this issue further before any decisions were made.

IV. COMMUNICATIONS

The next Planning Commission meeting will be on June 4, 2013.

VI. APPROVAL OF PLANNING COMMISSION MINUTES OF: April 02, 2013

MOTION: Steve Cospers moved to approve the Planning Commission Meeting Minutes with revisions for April 2, 2013.

Chuck Castleton seconded the motion. The motion passed unanimously with 5 Ayes and 0 Nays. Steve Cospers, Jason Thelin, Jannicke Brewer, Chuck Castleton, and Todd Barney all voted Aye.

Jannicke Brewer stated that the Planning Commission had covered all of the items on the agenda and adjourned the meeting at 10:04pm.