

ALPINE CITY COUNCIL MEETING and PUBLIC HEARING
Alpine City Hall, 20 N. Main, Alpine, UT
April 8, 2014

I. CALL MEETING TO ORDER: The meeting was called to order at 6:30 pm by Mayor Don Watkins.

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

Mayor Don Watkins

Council Members: Lon Lott, Kimberly Bryant, Roger Bennett, Will Jones, Troy Stout

Staff: Rich Nelson, Charmayne Warnock, David Church, Shane Sorensen, Jason Bond, Jannicke Brewer, Chief Brian Gwilliam

Others: Becky Rasband, Lynette Rasmussen, Ken Berry, Jane Griener, Joni Wooton, John Wooton, Harvey Hutchinson, Bobby Patterson, Ken Berg, Ryan Coske

B. Prayer: Lon Lott

C. Pledge of Allegiance: Becky Rasband

Mayor Watkins recognized Lynette Rasmussen who was the vice chairman of the Republican Party in Alpine.

II. PUBLIC COMMENT: Joni Wooton said she lived at 88 North 200 East in Alpine. She invited the Council to her home to enjoy the fruits of the current farm animal ordinance. She said they tried to have a family get together on their patio but it was ruined by the stench of the alpacas next door. The smell was made worse by the rain. In addition to the stench, the animals drew swarms of gnats and voles that had ruined their lawn. She said she had lived in Alpine for the better part of her life, and even though she did not live in the more affluent part of Alpine, she hoped her voice would be heard. She said that based on the lot size of the neighboring lot they could have 1.5 animals but she had two. They had grazed the yard down to dirt. Normally the animals were quiet unless they had a disagreement, and then they squealed. She said the case had already been prosecuted and a verdict handed back, not in her favor. She asked if the animal ordinance could be reviewed. She suggested that when someone wants to raise animals, the site should first be visited by the code enforcement officer to evaluate it. She said the neighbors who were already there should have some input when someone moved in and wanted to have animals.

Mayor Watkins said the Council wouldn't discuss it since it was not on the agenda but they would put it on a future agenda.

MOTION: Troy Stout moved to address the animal ordinance at a future meeting. Lon Lott seconded. Ayes: 5 Nays: 0. Lon Lott, Kimberly Bryant, Roger Bennett, Will Jones, Troy Stout voted aye. Motion passed.

Becky Rasband said she had been attending the Council and Planning Commission meetings for some time and kept hearing a desire for more public involvement. She said it occurred to her that the public was not apathetic as much as they were trusting. Most of the candidates ran on low density and protecting Lambert Park so the people who voted for them trusted them to make that happen. If there was an issue outside that like building a school on 100 South, they would probably get a larger response.

Don Watkins said he agreed, but on some things like the auto repair shops, he felt the City could have done a better job informing the public. Ms. Rasband said she had followed that issue and felt the discussion had evolved, especially when the City identified the location for auto repair shops and people immediately affected by them became aware.

Trish Walker asked if the City was going forward with a farmers market because she would like to be involved with it. She also wanted to help with Alpine Days. She had helped Curry Jones on the last Alpine Days.

Troy Stout told her to call him about the farmers market. Will Jones said he'd received her email about helping with Alpine Days.

Trish Walker also asked if there was any talk about a community library. Would it need to be a private undertaking. Mayor Watkins said it probably would need to be private because there were no tax dollars for a library.

III. CONSENT CALENDAR

MOTION: Will Jones moved to approve the minutes of March 25, 2014 as amended. Troy Stout seconded. Ayes: 5 Nays: 0. Motion passed. Lon Lott, Kimberly Bryant, Roger Bennett, Will Jones, Troy Stout voted aye.

IV. REPORTS AND PRESENTATIONS

A. Financial Report for March 2014: Rich Nelson reviewed the current revenue for fiscal year 2013-14 which was 75% elapsed. Property tax revenue was at 105% of the anticipated amount. Sale tax revenue was at 81%. Motor vehicle tax was at 84%. The franchise fee revenue was at 84%. Plan check fee revenue was at 161% and building permit fee revenue was at 177%. He said that when they planned the budget they estimated the revenue conservatively. There would be more budget discussion on an increase for the Lone Peak Public Safety District.

B. The Great Utah Shakeout: Rich Nelson said that as part of emergency preparedness, they were staging a mock earthquake on April 17th to test out their emergency response plans. A communication system was set up between the City, schools, churches and the fire department. They needed to make sure the radios worked. There was an organization plan showing where Council and staff would be in the event of an emergency. Council would respond to City Hall or City Shops. The City would be working with the LDS church stakes.

PUBLIC HEARING: AMENDMENT TO THE MAJOR STREET PLAN TO ELIMINATE ROADS IN LAMBERT PARK.

Mayor Don Watkins opened the hearing.

Becky Rasband asked when and why the road were shown on the master plan in the first place, and what would happen if they were taken away.

David Church said the roads were shown on the plan sometime after 1992 and before 1998.

Jannicke Brewer said there were actually more roads shown on the plan at one time. It included a road from the north to the south. She explained that in the early days Lambert Park was not protected as a natural park.

Roger Bennett said Lambert Park was originally purchased by the water department to protect the watershed because someone had a turkey farm up there.

Shane Sorensen located the records and said the City acquired Lambert Park in 1957. It included the Box Elder Canyon water rights and shares in Alpine Irrigation.

Trish Walker asked if they were planning to totally get rid of the roads or just take them off the map.

Mayor Watkins said they would not be getting rid of the dirt roads.

Jason Bond explained that the map showed future paved roads. The Planning Commission had recommended keeping the secondary access roads on the map but show them with a different designation.

Trish Walker asked if having a paved road would help the mud slides be not so severe?

Ryan Coske asked how the roads were protected and how that would legally interfere with paving the roads.

Troy Stout said the roads were not protected right now. Currently there were no roads. It showed routes but they were not paved. They were trying to decide if they wanted the roads to be paved at some point. The question was what did they want Lambert Park to look like in the future. Presently it was preserved open space.

There were no more comments and the hearing was closed.

III. ACTION/DISCUSSION ITEMS

A. Ordinance No. 2014-07 Street Master Plan Amendment

MOTION: Troy Stout moved to approve Ordinance No. 2014-07 Amending the Master Street Plan and eliminating permanent roads through Lambert Park. Kimberly Bryant seconded. No vote was taken. The motion was later withdrawn.

Roger Bennett said he was opposed to totally eliminating the roads. Instead, he wanted to reclassify it as a secondary emergency access road and make it a different color on the map. The road coming out of Fort Canyon would also need to be designated as a second emergency access road. Troy Stout and Kimberly Bryant accepted the amendment to the motion.

David Church said that if they were creating a new class of road they would need to have specifications for the road including a cross section, size, definition.

Troy Stout made another motion to approve Ordinance No. 2014-07 to amend the street plan and identify the specifications for a secondary emergency access road. Motion died for lack of a second.

Rich Nelson suggested that the Council tell staff what they wanted and they could bring back it back with the correct language.

The Council discussed the road. Rich Nelson read the letter the City sent to the County which stated the road would have a graded, gravel surface with a minimum width of 30 feet.

Will Jones asked if the ordinance needed language regarding the use of impact fees for road improvement. David Church said the capital facilities plan identified what they spent impact fees on, not the ordinance.

Mr. Jones also asked if the City needed to do more than provide a secondary emergency access road for its residents. Where they obligated to make it more than an emergency access?

David Church said there were no requirements in state code but Alpine's own ordinance required multiple accesses and specified the length of a culdesac and the number of house, which was the rationale behind putting the roads on the Master Street Plan in the first place. Once those roads were taken away, it would effectively leave two illegal culdesacs. He said the City did have an obligation to leave it open for an emergency so people could get out.

Will Jones said they had talked about putting crash gates on the road at the previous meeting. He suggested that instead of gating, they put in signage that stated the road was for emergency vehicles only.

Shane Sorensen produced the ordinance in the Development Code that classified roads. David Church said that if they created a fifth category, they would need to define it.

Mayor Watkins asked the Council if they wanted to have staff come up with a standard for an emergency, remembering that Lambert Park was a unique situation. It would not automatically apply elsewhere.

Lon Lott said that at that point they could have a discussion and decide if they wanted one of the roads or both of them or none of them. If they had a focus on safety and didn't want to pave the north/south road, there was nothing wrong with keeping it there. He said he didn't want to wily nily cut out safety roads.

MOTION: Troy Stout moved to direct staff to develop a definition for an emergency access road and establish parameters for construction that may or may not include gates, signage, and integrity. Will Jones seconded. Ayes: 5 Nays: 0. Lon Lott, Kimberly Bryant, Roger Bennett, Will Jones, Troy Stout voted aye. Motion passed.

Jason Bond noted that because road classification was in the Development Code, it would need to go through the Planning Commission.

B. Appointment of Alternate Member to the Utah Valley Dispatch Special Service District Board:

Rich Nelson explained that he was currently on the board as were other administrators from other cities. The problem was it was sometimes hard to get a quorum so they wanted every city to have an alternate. The notice had been advertised in the newspaper and at designated locations in the City. Jason Bond was the only qualified applicant.

MOTION: Kimberly Bryant moved to appoint Jason Bond to the Utah Valley Dispatch Special Service District Board. Will Jones seconded. Ayes: 5 Nays: 0. Lon Lott, Kimberly Bryant, Roger Bennett, Will Jones, Troy Stout voted aye. Motion passed.

C. David's Court – Concept Plan Review: The proposed subdivision was located on Healey Boulevard and consisted of 15 lots on 16.42 acres in the CR-40,000 zone. The plan would require the vacation of Plats A, C and D in David's Court to allow the property line to be adjusted to the new plan.

Troy Stout noted that the shapes of the lots was a little unorthodox.

Will Jones said he had met with Bobby Patterson, their engineer Ken Berg, and Ross Welch. The design was the result of Alpine City's slope ordinance. Shane Sorensen had suggested they come up with a density and then design lots that made sense. He said the layout needed work. They'd had other subdivisions such as Forest Creek and Heritage Hills that had odd designs in an attempt to comply with the slope ordinance.

David Church said Mr. Jones brought up a good point. The slope ordinance was meant to protect the hillsides. The practical result was that neighbors were straightening out their lots line to create a sensible lot. It might help to consider the layout up front rather than artificially meeting percentages. It wouldn't change the slope or number of lots.

Ken Berg said that Alpine's ordinance was an analog ordinance in a digital world.

Mayor Watkins said he was not hearing any negative to adjusting the lot lines. Will Jones said they could run the idea on a few different projects and see how it worked.

This item was for information only and there was no motion.

D. Budget Presentation - Schedule of Individual Meetings. Rich Nelson passed around a schedule and asked Council Members to sign up for their individual meeting on the budget. He then reviewed the budget items 1 through 17. A proposed budget for Fiscal Year 2014-2015 was included in the packet.

Rich Nelson said it was a balanced budget and asked the Council to study it. They would have their individual budget meetings with staff then prepare a tentative budget and schedule a public hearing. There would be one or two more public hearings then they would adopt the final budget in June.

Mayor Watkins said he appreciated Rich Nelson and the work he did.

VI. REPORTS

Shane Sorensen reported that on April 24th at 2 pm, FEMA was having a meeting at Highland City. The Council was invited. Representatives from FEMA and the state would be there to explain the process for the new FEMA maps. He also reported that the Flood Control Project was close to completion.

Jason Bond reported that the Planning Commission was moving forward on the General Plan. Last meeting they talked about Lambert Park. At the next meeting they would talk about trails and connectivity. On April 15th at noon Chris Nelson would give a presentation on trends and opportunities over the next few years. Lunch would be

provided. Other items were: Kevin Towle was coming in with a three-lot subdivision and Snoasis was getting another conditional use permit.

Will Jones asked David Church if there was a problem if more than two members of the City Council attended a Planning Commission meeting. David Church said no. It was a public meeting.

VII. COUNCIL COMMUNICATION

Troy Stout had two items.

- He would like to designate official entrances to Lambert Park using some of the funds they had. He would like it as an agenda item for the Council. Kimberly Bryant suggested letting the Youth Council participate in the discussion.
- He asked about having a farmers market that was privately run versus city sponsored. Considering the insurance for city sponsored events, which would be better? David Church said it depended on what they wanted to do. There was good protection and immunities for farmers markets. In any kind of activity they ran the risk of accusation of harm.

Will Jones asked if was in the budget to put a restroom in Moyle Park. The estimated cost was about \$50,000. Rich Nelson said they had a plan to get the money. Shane Sorensen said it was on the project list.

Kimberly Bryant had several items.

- She said that ten years ago she wanted to do something to bring back the sense of community to Alpine. She decided to have a Memorial Day Breakfast and have the City Council cook it so they could mingle with the residents. It worked great for four years. Last year the City hired the high school band to do it. She asked the Council if they were willing to do it this year. Troy Stout and Will Jones said they would be out of town but Lon Lott and Roger Bennett said they would do it. Will Jones suggested just serving orange juice and sweet rolls. Mayor Watkins said that Ula Hemingway and Carla Wheadon, who usually did the program, said they would not be doing it this year. Kimberly Bryant said she would take care of the program if someone else took over the breakfast.
- She said that on May 1st the school held recognition for student achievement. Traditionally the mayor gave the members of the Youth Council a certificate. Mayor Watkins said he would do it.
- The Easter Egg Hunt would be at 9 AM on the Saturday morning before Easter at Creekside Park. The Youth Council would love it if the City Council attended.

Lon Lott said 12-year-old Ethan Cottrell had asked if there could be lights on the tennis court in Creekside Park. Troy Stout said the neighbors had not wanted the light pollution. Shane Sorensen said there were already conduits. Roger Bennett said he had problem with the City pulling out playground equipment because they couldn't afford to replace it, and yet they were considering lighting the tennis courts. There would be further discussion at a later meeting.

Mayor Watkins raised the issue of the City donating to scholarships for the Distinguished Young Women. He had concerns about taking money from citizens and giving it to individuals. Troy Stout said he was not opposed to a discussion about it. The City directly or indirectly supported sports programs. Rich Nelson noted that the Distinguished Young Women wanted to know if they could have \$6,000 in this year's budget instead of waiting until next year.

Mayor Watkins said Fire Chief Brad Freeman had advertised for donations toward putting a phone up American Fork Canyon at Tibble Fork after the girl who was snowshoeing died. Someone in Castle Dale funded it. He said there were well-to-do people in Alpine that may want to help with various events. Rich Nelson said the City would need to hold a public hearing to donate money to a nonprofit organization.

VIII. EXECUTIVE SESSION

MOTION: Kimberly Bryant moved to go to executive session to discussion litigation. Lon Lott seconded. Ayes: 5 Nays: 0. Lon Lott, Kimberly Bryant, Roger Bennett, Will Jones, Troy Stout voted aye. Motion passed.

The Council went to closed session at 9:05 pm

They returned to open meeting at 10:18 pm.

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

The meeting was adjourned at 10:18 pm.