

ALPINE CITY COUNCIL WORK SESSION, PUBLIC HEARING, & MEETING
Alpine City Hall, 20 N. Main, Alpine, UT
July 8, 2014

I. CALL MEETING TO ORDER: The Work Session was called to order at 5:30 pm by Mayor Don Watkins.

A. Roll Call: The following were present for the work session:

Mayor Don Watkins

Council Members: Lon Lott, Roger Bennett, Will Jones

Staff: Rich Nelson, Charmayne Warnock, David Church, Shane Sorensen, Jason Bond , Brad Freeman

Others: Taylor Smith, Mark Wells

B. Prayer: Lon Lott

Rich Nelson said the first question was whether or not the proposed Eagle Pointe should be a PRD.

David Church briefly reviewed the history of the applications for developments on the same site as the proposed Eagle Pointe. The first application was in 1995 for a subdivision called Summit Hills. David Church said the current application could go down the PRD track if the developers had actively pursued a PRD application since it was approved the previous year. If it was a new application, they would have to request PRD status again. A previous Council had approved Eagle Pointe as a PRD in 2013. Since that time the developers had submitted several concept plans for a PRD. They had all been rejected for various reasons. He said that if the Council didn't want the open space in a PRD, it could remain private open space.

Mayor Watkins asked the Council if they were opposed to the development being a PRD. The Council members present at that time were Will Jones, Roger Bennett, and Lon Lott. None of them indicated they were opposed to it being a PRD.

Rich Nelson said the next issue was retaining walls.

David Church said the ordinance on retaining walls had changed. The previous ordinance said retaining walls had to be approved by the City Engineer and the Planning Commission. The ordinance was amended to say retaining walls had to be recommended by the City Engineer and the Planning Commission and approved by the City Council. Mr. Church said the amended ordinance changed who made the decision, but not how the decision was made. It still had to be the result of studies and engineering, and the ordinance had to be applied consistently across the city. The Council had already approved retaining walls in the Heritage Hills subdivision and along the Fort Canyon Road.

Rich Nelson said the next question was whether there had been approvals that went with the land.

Jason Bond said there had been approvals at certain steps along the way but the Council had not given final approval to anything. David Church said that after a preliminary plat approval, the developers did not come back with a final plat. In 2009 the developers submitted a plan that needed no exceptions, but the neighbors showed up at the meeting and said they preferred the plan that required exceptions. The revised plan went to the Planning Commission and died.

Mark Wells said the plan preferred by the neighbors became the genesis for the plan they presented in summer of 2013. However, the fire chief said they couldn't have a long culdesac, but mentioned the possibility of an emergency access road.

Will Jones said that throughout the years, there were certain issues that kept coming up with every plan that was presented to the City. They were water, water pressure, fire sprinklers, fire flow, fire recommendations, and fire access. Those would still need to be addressed.

The Council discussed the road issue. Mayor Watkins asked if there was an option to have a smaller road that was not for emergency use only. Shane Sorensen said there was a classification for a rural class road which had 26 feet

of asphalt and required less cut and fill. The Council indicated they would be okay with a rural class road as long as it was adequate for a snowplow.

David Church reminded everyone that they were not granting official approvals. It was just a work session.

The Council next discussed public versus private open space. The Council indicated they preferred private open space as long as there was public access on the trails.

Regarding pressurized irrigation, Shane Sorensen said they would have the developer install dry lines in the event there was future availability of pressurized irrigation water.

6:30 PM The work session closed and the regular meeting was called to order by Mayor Don Watkins.

The following were present and constituted a quorum for the regular meeting:

Mayor Don Watkins

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

Staff: Rich Nelson, Charmayne Warnock, David Church, Shane Sorensen, Jason Bond , Brad Freeman

Others: Taylor Smith, Mark Wells, Chris Ballif, Alan Rainsdon, Jacob Rainsdon, Sheryl Cormier, Glenn Barker, Skylor Smith, Rick Hellstrom, Bob Antrim, Tom Watkins, John Bath, Steve Cosper, Lee Devey, Kevin Mulney, John Schiess, Mike Simmons, Bob MacDonald, John James

C. Pledge of Allegiance: Tom Watkins

II. PUBLIC COMMENT:

Mike Simmons began by apologizing for comments he made in earlier emails to the Mayor. However there were some comments about which he was serious. He said he believed there should be no fireworks in Alpine during July because the conditions were too dry. The town was checker-boarded with open space and there was really no place that could not result in a fire. Mayor Watkins said the Council would be discussing fireworks later in the meeting and invited him to stay.

Mr. Simmons said he had discussed SB289 with Representative Dunnigan and was told it gave municipalities more choice regarding fireworks. David Church said the bill actually gave cities less choice. Mr. Church said that years ago cities had the ability to ban both the sale and use of fireworks. Over the years, the fireworks lobby was successful in making changes in the laws to the point where fireworks could only be restricted under certain defined conditions.

Bob MacDonald said he was a resident on Main Street and this was the 4th or 5th time he had addressed the Council about the speeding cars on Main Street. He said that ever since Heritage Hills was connected to Main Street they'd had problems. There was a blind corner where Heritage Hills Drive turned onto Main Street and there were no stop signs. People backing out of their driveways took their lives in their hands. A friend had his parked car sideswiped on Main Street and it was totaled. Cars traveled in excess of 50 mph and that was in both directions, not just north to south. He asked the Council to put a stop sign on Heritage Hills Drive and put up a flashing radar sign that monitored the speed. Mayor Watkins suggested a neighborhood fundraiser to raise money for a radar sign, and asked Mr. MacDonald to email him or Rich Nelson with the information.

Tom Watkins passed around pictures to the Council and said he'd had someone check his water pressure on Summit Way. He said he had a neighbor who watered nonstop and he called the City about it but had no response. He wanted to know how many water citations had been passed out this year. Shane Sorensen said no citations had been issued because they were still in the education phase. Will Jones told Mr. Watkins to call him. He had knocked on 30 or 40 doors of people who were violating the water restrictions.

John James said he wanted to congratulate Will Jones on the work he was doing because he was one of the people on whose door he knocked. He'd set his timer wrong. He said that kind of conscientiousness was what would make the restrictions work.

Sheryl Cormier commented on the signs the City had posted on the tennis courts in Creekside Park which stated that the courts were for public use only in the early morning hours and were not to be used for tennis lessons. She said she had children who took tennis lessons and it was really hot after 10 am to be playing tennis. She asked if there was some way to accommodate those people who wanted to take lessons. There was not a lot of use in the early morning hours and there must be some way to share the courts.

Lee Devey said he had an ongoing problem with a neighbor who was violating the nuisance ordinance. He had talked to the city officials about it multiple times before. David Church said the City was charging the neighbor with a crime and running it through the justice court. He added that the issue had been going on since 1992 and the neighbor had continual orders to clean up the site. There had been minimal compliance. Mr. Church said they were pursuing it both civilly and criminally.

III. CONSENT CALENDAR

A. Approve the minutes of June 24, 2014

B. Bond Release - Box Elder Plat E - \$171,949.44

MOTION: Will Jones moved to approve the Consent Calendar. Roger Bennett seconded. Ayes: 5 Nays: 0. Motion passed.

IV. REPORTS AND PRESENTATION:

A. Lambert Park Presentation - Alpine Youth Council - Jacob Rainsdon. Earlier in the year, the City Council had asked the Youth Council to study the problems in Lambert Park related to motorized vehicles and come back with a recommendation. Jacob Rainsdon made a power point presentation summarizing their findings and recommendations. Some of the things they found were that ATVs were going off the prescribed trails, destroying the poppies, and making walking trails into wider, well-worn trails that invited further use by ATVs. One another problem they found was lack of signage. There should be signs at both ends of a trail that indicated its use, otherwise there could be a collision between a horse or hiker and a biker. There was a lot of vandalism.

Jacob Rainsdon said the Youth Council decided they needed to either prohibit motorized vehicles or find a way to keep them on the trails. The reason people were going off the legal trails was because they were not clearly marked, there were no barriers and no enforcement. Plus, the legal trails were dull and flat and no fun.

The solutions they came up with were: 1) post a main map of the area and provide pocket maps; 2) make the motorized trails more entertaining; 3) improve signage in the park; 4) highlight the park rules in the Newline; 5) enforce the rules; 6) provide a phone number that people can call when they see violations (tip line); 7) have the police patrol the park on bikes; 8) create natural barriers.

Regarding maintenance of the trails and park, they suggested there be service projects by religious groups, scout groups, and make cleanup an Alpine Days activity. Have the City parks and recreation department maintain the park annually. He also suggested there be a master plan for projects and service groups. The Council would be in charge of it but they could enlist the help of the Youth Council.

Kimberly Bryant said the Youth Council did a great job. They did a lot of service projects and had some great ideas.

Troy Stout asked Jacob Rainsdon what he thought about reducing the number of access roads into the park. Jacon Rainsdon said that he would like to increase signage and if there was still a problem, they could go that route.

V. ACTION/DISCUSSION ITEMS

A. Eagle Pointe Subdivision - PRD Decision and Concept Plan Discussion/Direction: Mayor Watkins said the Council held a work session on Eagle Point prior to the regular meeting. He summarized the issues discussed in the work session for the Council members who had not been present at the work session. He said the three Council members who attended the work session supported a PRD with private open space except for the trails

which would be public. The City Attorney had informed the Council that retaining walls were not a matter of whether or not the Council liked them but whether or not they met certain standards. The Fire Chief was present at the work session and weighed in on fire related issues. They also talked about water and water pressure and the possibility of a rural road with an asphalt width of 26 feet. It would reduce the cuts and fills on the hillside. There would be a guard rail on one side. There would be sidewalk along one side with no parking permitted along the road. No houses would front on the road.

Lon Lott questioned the size of the lots saying that some of them were quite small, and the Planning Commission had preferred larger lots. Will Jones said the lots sizes would probably change when the plan went to preliminary because the lots may not meet the criteria. Mr. Jones said he actually preferred small lots because they required less water.

Troy Stout said he was not a proponent of smaller lots but since they would be buffered by open space, they would appear larger. He said he wanted to make sure the homes were not built on the crest of the hill. He didn't want Alpine to have the same Chiclets-crown-jewels appearance they had with the homes in Suncrest. Will Jones said there would be a 25-ft height restriction on the homes

David Church said each lot would have individual calculations for a building envelope that took into account the ridgeline. He added that the homes in Suncrest were built according to Draper's hillside protection ordinance. From Draper's point of view, the homes were not on the ridgeline.

MOTION: Will Jones moved that the Council acknowledge that a PRD had been approved by a previous Council and that the development plan could go down the PRD track, and that the Concept plan which received a split vote of 3 and 3 from the Planning Commission could move on to the Preliminary stage with the change that a portion of the road would be changed to a rural road with 26 feet of asphalt width. Lon Lott seconded. Ayes: 5 Nays: 0. Troy Stout, Will Jones, Roger Bennett, Kimberly Bryant, Lon Lott vote aye. Motion passed unanimously.

B. Questar Gas Pipeline- Sale of City Open Space Discussion: Shane Sorensen said Questar was in the process of designing a new 12-inch high pressure gas line to replace the existing 10-inch gas line that ran through Alpine. Representatives of Questar had approached the City about purchasing a 75' x 75' piece of ground owned by the City on the northwest corner of Alpine. It was part of the public open space in the Swiss One subdivision. Questar wanted to build a metering station on the site. If the Council was amenable to the idea of selling the ground, they would need to go through the process of disposing of public land which included noticing requirements and public hearings. They didn't want to go through the rather lengthy process if the Council was opposed to selling the ground to Questar.

Shane Sorensen showed on the map where the new pipeline would go. If they changed the route it would enable them to square up a lot and clean up the area.

Jason Bond said a key issue was the Pfeifferhorn trail. Alpine had a 20-foot trail easement which adjoined a 20-foot trail easement in Highland, but Highland had abandoned their portion of the trail. He said the City needed to maintain the trail access through there if the building was constructed.

In response to a question about the metal building, Rick Helstrom, who was the property agent for Questar, said a metal building was shown but they would work with the City on whatever type of building material they wanted. They also planned to build a wall next to the building.

MOTION: Will Jones moved to move forward on the process of selling a portion of City property to Questar for a regulator building. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Kimberly Bryant, Lon Lott, Will Jones, Troy Stout, Roger Bennett voted aye. Motion passed.

PUBLIC HEARING ON THE SEWER IMPACT FEE FACILITIES PLAN and the SEWER IMPACT FEE ORDINANCE

Shane Sorensen introduced John Schiess of Horrocks Engineers who had prepared the Sewer System Master Plan, the Impact Fee Facilities Plan, and the Impact Fee Analysis.

Mr. Schiess said Alpine's sewer system was in good shape but there were some long range changes that needed to be made. He explained that they had projected the anticipated growth in Alpine and analyzed what improvements needed to be made to the sewer system to serve future growth. They also performed an impact fee analysis to determine a fair sewer impact fee that would be assessed on new construction. He said there were three areas in which improvements would be made. Part of the line on 100 West would be upsized to a 12-inch pipe. New 8 inch lines would be installed at about 700 N. Main and near Eastview.

Lon Lott asked if the analysis included Box Elder South. David Church said they would include all areas whose sewer ran through Alpine whether they were in or outside city limits.

John Schiess said the proposed impact fee was \$492.66 which was less than it had been previously. He said some of the zoning had changed and the demand on the sewer system had decreased. David Church said the sewer impact fee would continue to go down until the city reached build-out. The sewer impact fee could not be used to correct existing deficiencies. It could only be used for new growth. The Sewer Master Plan was part of the Capital Facilities Plan, which was part of the General Plan.

Mayor Watkins invited public comment on the Sewer Impact Fee Facilities Plan and the Sewer Impact Fee Ordinance. There were no comments. He closed the public hearing.

C. Ordinance No. 2014-13 - Sewer Impact Fee Facilities Plan and Sewer Impact Fee: David Church explained that the ordinance adopted the Sewer Master Plan, the Impact Fee Facilities Plan, and the Sewer Impact Fee. The new fee would become effective 90 days after adoption of the ordinance. However, since the new fee was lower than the current impact fee, there wouldn't be a problem with implementing it sooner.

MOTION: Troy Stout moved to adopt Ordinance No 2014-13 adopting the Sewer Master Plan, the Sewer Impact Fee Facilities Plan, and the Sewer Impact Fee. Roger Bennett seconded. Ayes: 5 Nays: 0. Troy Stout, Roger Bennett, Will Jones, Lon Lott, Kimberly Bryant voted aye. Motion passed.

D. Utah Lake Commission - Membership/Representative Discussion: Rich Nelson said the Council had previously discussed whether or not to become a member of the Utah Lake Commission. Assistant City Engineer Jed Muhlestein attended two of the meetings and recommended by email that the City join. The membership cost was \$1,500.

MOTION: Will Jones moved to approve joining the Utah Lake Commission and nominated Troy Stout as the City's representative. Roger Bennett seconded. Ayes: 5 Nays: 0. Motion passed.

E. Ordinance No. 2014-12: Design Standards Amendments in New Subdivisions: Jason Bond said the proposed amendment came about because of a recent development in Alpine. The developer Kevin Towle asked to not be required to put in sidewalks in his three-lot subdivision. The proposed amendment would create a process for a developer to ask for an exception and not put in a sidewalk in one location, but use the funds elsewhere. It also provided criteria for the request.

Rich Nelson recommended a change in Section 4.7.10.2 which referred to tracking the interest on the investment credit. He said he had not intended that it be in the ordinance and asked that they delete that line.

Troy Stout asked if it wasn't the responsibility of the City to provide safe walkways for citizens. Will Jones said that requiring a sidewalk on a culdesac with only two homes was not really a safety issue.

MOTION: Will Jones moved to approve Ordinance No. 2014-12 amending design standards for sidewalks in new subdivision with the change that they delete the reference to tracking interest. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Will Jones, Roger Bennett, Kimberly Bryant, Lon Lott, Troy Stout voted aye. Motion passed.

F. Fire Works Report and Discussion: Fire Chief Brad Freeman reported on the fireworks from the 4th of July. Restrictions had been imposed and the Fire Department fielded a lot of phone calls from both sides of the issue. There were those who felt fireworks should be even more restricted or banned altogether, and there were those

who felt the restrictions were too harsh. He said that when the fire restrictions were imposed, there had been rainstorms and it was cooler. The moisture in oak brush was the main indicator on fire danger. Since that time, it had gotten a lot hotter and drier. They would be more restrictive on the 24th because of the high fire danger.

He said that on the 4th of July they had two brush fires in Alpine started by fireworks. They'd had all their trucks in service and were able to extinguish them quickly. The problem was, they had 4 brush trucks and 3 cities to cover. Cedar Hills chose to have fireworks in their park which tied up one of the trucks. There was no mutual aid available on the 4th because all the cities needed their own trucks for their own communities.

The Council discussed the fireworks in Creekside Park at length. Brad Freeman said one of the problems was that people were setting off fireworks in the grass, which was unstable. They tipped over and the aerials shot into the crowds. There was a large crowd of people in the park, plus nonresidents from Suncrest that had come to the park because they couldn't light fireworks in their own city. Unsupervised kids were lighting fireworks. The park was compared to a war zone.

David Church said that if the City supervised the fireworks, it would become a City activity and the City would be liable. He suggested there be a sign that said "Light fireworks at your risk."

Mayor Watkins suggested sending out a Parlant message to the citizen warning that that fireworks in the park turned out to be dangerous because of inappropriate use and age.

The Council discussed imposing a 10:30 curfew on fireworks in the park. David Church said the state law allowed fireworks from 11 am to 11 pm and on July 4th and the 24th it went until midnight.

Brad Freeman said another problem was that the fire department couldn't focus entirely on fireworks. On the 4th they had two medical calls and a house fire. Most of the fire fighters were also EMTs.

VI. COUNCIL COMMUNICATION

Troy Stout

- He reported that the gate on the tennis court was off its hinges. Shane Sorensen said Cal Christensen had fixed it. There was a brief discussion about tennis lesson in the park during prime hours. The Council agreed the park was built for public use and not for individuals to make a profit on their business.
- He requested there be more education on the storm drain system. He'd watched a woman sweeping debris into the storm drain. Jed Muhlestein would write another article for the Newsline.

Will Jones

- He reported that Everett Williams proposed cleaning up Lambert Park next year on State Trail Day, and he would help with it. Troy Stout said his stake would like to have a cleanup project in Lambert Park this fall.
- He reported that he met with a group of residents on Bald Mountain and discussed motorized vehicles in Lambert Park. He said the opinions were split just about 50/50. He suggested the City control the use of motorized vehicles by making just a couple of entrances into the park. One by the stake center and one by the pavilion.

Roger Bennett

- He said the City had already adopted Ordinance No. 96-07 which restricted motorized vehicles to designated trails in Lambert Park, and imposed a \$500 fine for a violations. He said the ordinance should either be enforced or revoked.

Kimberly Bryant

- She said vehicles including boats and trailers were parked illegally at the corner of East Mountain and High Bench Road, and created a safety hazard. Jason Bond said the problem was that the owners would move them around just enough to avoid being ticketed. Rich Nelson suggested chalking the tires.
- Regarding Alpine Days, Kimberly Bryant said they would need more candy than they had the previous year. They would be riding on Don Watkins' covered wagon.

Lon Lott said he had some concerns about sign ordinance violations and was working with Jason Bond.

VII. STAFF REPORTS

Rich Nelson said Lambert Park may be on the next agenda. They would also look at open space and the Tax Leakage Study.

Shane Sorensen

- He reported that the NRCS (Natural Resource Conservation Service) had toured the flood and fire mitigation project to see how the federal grant funds had been used, and were impressed with the work that was done. Fox News and the Daily Herald had also attended.
- Signs prohibiting fires and fireworks had been posted at all entrances to Lambert Park and at the rodeo ground. More signs would be posted up Fort Canyon.

Jason Bond said the Planning Commission would be reviewing David's Court preliminary plat and electing a new chairman at their next meeting. At later meetings they would be working on the Moyle Park Master Plan, an application for a cell tower modification on Shepherd's Hills, and the Questar pipe replacement application.

Brad Freeman reported that Andy Walkenshaw, one the firefighters who had worked part-time in their department, had passed away in Hawaii, either from drowning or a heart attack. He said Andy was the one who had stopped the fire in the Cove by himself.

VIII. EXECUTIVE SESSION: None held.

MOTION: Kimberly Bryant moved to adjourn. Lon Lott seconded. Ayes: 5 Nays: 0. Motion passed.

The meeting was adjourned at 9:30 pm.