

**ALPINE CITY COUNCIL MEETING**  
**Alpine City Hall, 20 N. Main, Alpine, UT**  
**June 12, 2018**

**I. CALL MEETING TO ORDER:** The meeting was called to order at 7:05 pm by Mayor Troy Stout.

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

Mayor Troy Stout

Council Members: Jason Thelin, Carla Merrill, Lon Lott

Council Members not present: Ramon Beck and Kimberly Bryant were excused. Kimberly Bryant participated by phone.

Staff: Shane Sorensen, Charmayne Warnock, David Church, Austin Roy

Others: Alan Gilman, Melanie Ewing, Sylvia Christianson, Pat White, Ray Garrett, Ty Clark, Cooper Clark, Jessica Smuin, Emily Gooch,

**B. Prayer:** Jason Thelin

**C. Pledge of Allegiance:** Cooper Clark

**II. CONSENT CALENDAR**

**A. Minutes of the City Council meeting held May 22, 2018**

**B. Payment to Wasatch Trail Company – Lambert Park trail project - \$17,190.00**

**C. Bond Release #12- Three Falls, Phase 2 - \$91,402.60**

**D. Final Bond Release – Three Falls, Phase Fort Canyon Road**

**E. Nickerson Company Estimate – US Motors 600 HP Motor - \$46,857.00**

Shane Sorensen said the Fort Canyon Road wasn't actually bonded for but the Council needed to sign off on it so they had created a paper bond release. They would keep 10% of the cost for a year, but the project was complete.

Regarding the payment to Nickerson Company, Shane Sorensen said they had been working with various companies because of the issues with the Healey well. It looked like that would have to buy a new motor because the rebuilt motor was not working. They were in a dispute with the company that provided the rebuilt motor and had not paid them. All the necessary documentation was in place. He said he felt the \$46,857 was on the upper end of what they would need to spend for a new motor. It would come from the pressurized irrigation fund and they may need to amend the budget. They were planning for the worst-case scenario so he would like approval to spend up to \$50,000. Before he actually purchased anything, he would email the Council with information.

Mayor Stout said he ridden the trail in Lambert Park and it was great, but there was a lot of moon dust due to dry conditions.

Troy Stout asked if the developers of Three Falls could close off access to a public road. He'd driven up Fort Canyon on Sunday and was stopped by a security guard about two hundred feet short of the pavement. David Church said the road was still under construction farther up and was not open to the public. Construction workers were digging utility trenches farther up the road and that was probably the reason it was closed off lower down so vehicles would still have room to turn around without backing into a trench.

**MOTION:** Lon Lott moved to approve the Consent Calendar with the amount on the estimate for the Healey well motor (Nickerson Company Estimate) increased to \$50,000. Carla Merrill seconded. Ayes: 3 Nays: 0. Lon Lott, Carla Merrill, Jason Thelin voted aye. Motion passed.

**III. PUBLIC COMMENT**

Melanie Ewing, Alpine Days Chairman, said she was hoping to have a chalk festival for Alpine Days. It would be a teen or even a family event. The foam party had been axed so she was trying to plan some other event that would appeal to teens. She explained that a chalk fest actually used corn starch with food coloring, not chalk. People threw

the powdered colors on each other. Someone had previously done it in Lambert Park and made a big mess so she proposed doing it in a parking lot so it could be hosed down. She said the theme of Alpine Days was “All You Need Is Love.” The colors represented how everyone came together and unified as a group.

Jason Thelin said he would prefer not to do it. It created a huge mess for a minute of fun.

Lon Lott asked if there were safety issues and wondered what the objective was.

David Church explained that the fire chief had expressed concerns about liability injuries at the foam party and didn’t want the fire department involved. He said that after the chalk party in Lambert Park, the staff said no more chalk parties because of the mess it made. Melanie said that was why she wanted to do it in a parking lot so it could be cleaned up.

Ty Clark, a Boy Scout, said he was concerned about people getting the chalk in their eyes.

Patrick White – Heritage Hills. He asked how they would prevent kids from bringing in chalk, which was more difficult to clean up.

Sylvia Christiansen said it sounded like a fun idea but it was messy. She had been at a Taco Bell in the Spanish Fork/Payson area during the Color Fest at the Krishna temple. Kids from the event came in and made a huge mess in the bathrooms. There was colored cornstarch all over the sinks and walls. That said, she said Melanie did a great job on Alpine Days, and she hoped it wouldn’t rain on the chalk drawings.

Shane Sorensen noted that most businesses in Spanish Fork locked their restrooms during the Color Fest and made their customers use porta potties.

Troy Stout said this was not an agenda item so they wouldn’t vote on it, but Melanie Ewing needed some direction so she could set her calendar.

Lon Lott said they could give it a try. It was like the fireworks in the park. If it was a bad idea, they wouldn’t do it again.

Shane Sorensen said there were some potential storm drain issues they needed to discuss before they decided. He wasn’t sure about hosing large amounts of cornstarch into the storm drains.

Alan Gilman – Westfield Road. He said he had observations about the new trails. He rode mules and had spent five days riding the new trails. He’d ridden from Alpine Cove to his home on a trail which was about nine miles long, and it was great. His concern was mixing horses with mountain bikers and told about three equestrians in Payson who were surprised at the blind corner by some mountain bikers coming down the trail really fast. All three guys were bucked off and their horses weren’t located for two days. He said there should be signs on trails at such locations warning people to slow down and watch for others on the trail.

Melanie Ewing commented that Vicki Birchall had a similar thing happen to her in Lambert Park. She’d had some 8 and 12-year-old riders with her and had stopped for a minute when some bikers came flying down the trail. It was a common problem.

#### **IV. REPORT/PRESENTATIONS** none

#### **V. ACTION/DISCUSSION ITEMS**

##### **A. PUBLIC HEARING – FINAL BUDGET FOR FY 2018-19.**

Shane Sorensen introduced the Final Budget for the upcoming fiscal year. The Council had adopted the Tentative Budget in May. He mentioned some highlights in the budget.

- Staff positions. The Council had requested a fulltime position for a recreation and event planner. The budget also anticipated a part-time person in the Building Department and a part-time Code Enforcement Officer.
- Emergency Services: Police - \$1,114,128; Fire - \$801,153, Administration - \$73,438.
- Dry Creek Corridor Trail. The Council also requested that the budget include some money for the Dry Creek Corridor Trail, so he had added \$20,000 to the budget for miscellaneous trail improvements.
- Burgess Park basketball courts. The current budget included funds to rebuild the basketball court but it wasn't going to be done in this budget year so it would roll over into the next year.
- Commit to the Limit. The effort to control speeding in Alpine was budgeted \$6,000 for signage.
- Elections. The election process would begin in 2019 so they budgeted \$20,000 plus \$500 for office expense. If it wasn't used it would be there for the next year.
- Project. The list of projects was provided that evening and had been reviewed with the tentative budget.

They had received the certified tax rate which was set at 0.001179. No tax increase was proposed with this budget.

Mayor Stout opening the Hearing to public comment. There were no comments and the Hearing was closed.

**B. Ordinance No. 2018-02 – Adopting Final Budget for fiscal year 2018-19.** The Mayor opened the meeting to Council discussion. Kimberly Bryant participated in the budget discussion by phone.

Carla Merrill said she hadn't realized the parks and recreation person was a fulltime position. She thought that all three positions were going to be part-time.

The Council discussed the three new staff positions. David Church reminded the Council that in the budget, they were just approving money, not positions. When they got around to hiring, they would work out the details and job description. He said that part-time employees who worked more than 20 hours a week would participate in the state retirement system.

Shane Sorensen said health insurance benefits took effect after 30 hours per week. They would need to modify the budget to add \$5,000 for the two part-time employees' participation in state retirement. He noted that the budget also included overtime pay for police officers performing the requested extra patrol in Alpine for Lambert Park and traffic enforcement.

**MOTION:** Jason Thelin moved to adopt Ordinance No. 2018-02 approving the Final Budget for FY 2018-19 with the modification of an additional \$5,000 for the two part-time employees for state retirement. Lon Lott seconded. Ayes: 3 Nays: 1. Jason Thelin, Kimberly Bryant, Lon Lott voted aye. Carla Merrill voted nay. Motion passed.

**C. Resolution No. R2018-07 – Adopting the Certified Tax Rate.**

**MOTION:** Lon Lott moved to approve Resolution No. R2018-07 adopting the Certified Tax Rate of 0.001179. Carla Merrill seconded. Ayes: 4 Nays: 0. Jason Thelin, Carla Merrill, Kimberly Bryant, Lon Lott voted aye. Motion passed.

After the budget discussion, Kimberly Bryant was excused.

**D. General Plan Review – Parks, Recreation, Trails & Open Space – Goals & Policies:** Austin Roy said the Planning Commission was working on updating the General Plan and had completed the element dealing with parks, recreation, trails, and open space. The element had two goals and each goal had a number of policies listed.

Jason Thelin said he didn't think the plan provided enough specific information. The goals were too general. There was nothing in the plan that talked about banning motorized vehicles and parking. One of the policies mentioned designating uses such as OHV and ATVs. Those were no longer allowed in the parks and that should be changed.

Austin Roy said each park would have their own master plan which would determine the types of trails, uses, designations, etc. for that particular park. The General Plan encapsulated all the master plans. The objectives and goals needed to be broad enough to cover all the master plans for each park.

David Church said that General Plans were important but only if the city followed them. He said the General Plan in 1996 showed the emergency access road through Lambert Park as a major full-blown road, along with a north/south road through the park. He said the General Plan needed to be consistent with what the city actually wanted to do.

Lon Lott asked if the issues noted Shane Sorensen's memo were included in the plan. Austin Roy said they would be included as they approached that section of the master plan. He said they would remove any mention of OHVs and ATVs in the open space. Troy Stout said it should state something about improved and unimproved trails in open space.

**E. Bookmobile Agreement:** Shane Sorensen said the Alpine had used the bookmobile for many years. The proposed agreement was the same as the previous with the same number of stops for the same amount which was \$13,200.00.

Carla Merrill said she was curious what the usage was. She also wanted to know if they had eBooks available.

Lon Lott said he had visited the bookmobile and was impressed with what they had to offer.

Shane Sorensen said they could bring the agreement back with a statistical report on usage.

**MOTION:** Lon Lott moved to table approval of the bookmobile agreement until they received some statistics on usage. Jason Thelin seconded. Ayes: 3 Nays: 0. Lon Lott, Carla Merrill, Jason Thelin voted aye. Motion passed.

**F. Bertha's Place Subdivision – 723 N. Grove Drive – Will Jones:** Austin Roy said the proposed subdivision consisted of four lots on a cul-de-sac off Grove Drive in the TR-10,000 zone. It met all the zoning requirements for the zone. An existing home was located on one of the lots and would be demolished. The utilities that served the existing home would be repurposed for the new home. The engineering department recommended approval with the condition that the existing home be removed according to demolition requirements.

Jason Thelin noted that people drove down Grove Drive too fast and there was a blind curve in the road by the subdivision. He questioned if that would pose a hazard. Austin Roy said the developer had moved the cul-de-sac farther south to provide more sight distance. Shane Sorensen said they could restrict driveways coming out onto Grove Drive.

**MOTION:** Jason Thelin moved to grant final approval the final Bertha's Place subdivision. Lon Lott seconded. Ayes: 3 Nays: 0. Jason Thelin, Carla Merrill, Lon Lott voted aye. Motion passed.

**G. Drone Discussion:** Mayor Stout said he'd had people come and talk to him about drones invading their privacy. They'd seen a drone at eye level outside a bedroom window. He said that, because of the trial, he didn't get to read the information on regulating drones that Shane Sorensen had provided in the packet, but if a camera was attached to a drone, that was an invasion of privacy.

David Church said this was not a new issue. The FFA regulated drones as an aircraft, and because they regulated them, the legal concept of preemption came into play. Anything the FFA regulated preempted cities from regulating them. Cities could control typical police issues such as privacy or nuisances. The Council needed to decide in what context they wanted to regulate it. If it was a peeping tom issue, they could regulate it.

Troy Stout said he wanted to know how they could define trespassing to make it applicable. He asked David Church to bring back some suggestions on what could be done.

**H. No Parking signs – Long Drive area:** Shane Sorensen said that after the last meeting the curb on west side of Long Drive was painted red but it was not enforceable without signs. He said Griff Johnson couldn't be there

that evening, but he had sent pictures of people ignoring the red curbs and parking on the corners. He was hoping the signs could be up before the homes were built.

Lynn Armitstead – Westfield Road. He said his issue was that the road was narrow. If cars parked on both sides of the street, there was room for only one car to go through. On numerous occasions he had driven to the church and had little kids jump out from in between the parked cars. He said his son's friend, Nate Kofford, was killed at an intersection. For years people had asked for a light at the intersection, but nothing was done until someone was killed. He didn't want that to be the case on this street.

Jason Thelin said the Planning Commission had reservations about approving increased density in this subdivision and he was concerned that the streets weren't wide enough to handle the traffic. The developer had said the roads were just fine. Now the developer was saying there was a safety issue.

Lynn Armitstead said the school had a responsibility to tell people to use the parking lot. Troy Stout said the school had sent a formal letter to the teams that used the facilities instructing them to use the parking lot. But there were some who were not affiliated with the teams that would not have received a letter.

Shane Sorensen said Canyon Crest Road from the roundabout to school was a collector street and had 36 feet of asphalt so the road had extra width. The local roads had 30 feet of asphalt.

Lon Lott said he was not opposed to some temporary signs so people got in the habit of not blocking the artery.

**MOTION:** Lon Lott moved to put up temporary no parking/construction only signs along Sycamore. Motion failed for lack of a second.

Carla Merrill said temporary signs would not solve the problem if it was a permanent safety issue. There was more discussion about the issue and another motion was made.

**MOTION:** Jason Thelin moved to approve up to five No Parking signs along the west side of Long Drive where the curb was painted red with the content on the signs yet to be determined, but it should say something to the effect that people attending Timberline events should park in the south parking lot at the school, and that citations would be issued for parking violations. Carla Merrill seconded. Ayes: 3 Nays: 0. Jason Thelin, Carla Merrill, Lon Lott voted aye. Motion passed.

**I. Fencing in Lambert Park:** Mayor Stout recommended this item be postponed in order to allow more time for discussion.

**MOTION:** Jason Thelin moved to table the discussion on fencing in Lambert Park until the next meeting. Carla Merrill seconded. Ayes: 3 Nays: Jason Thelin, Carla Merrill, Lon Lott voted aye. Motion passed.

Prior to staff reports, Mayor Stout said they were still waiting on the results of the lawsuit against Alpine City and Don Watkins by Patterson. The jury was still deliberating.

## **VI. STAFF REPORTS**

Austin Roy said the Planning Commission would be holding a public hearing at their next meeting regarding parking in Lambert Park and Smooth Canyon Park.

David Church said they would have an ordinance presented at the next meeting dealing with small wireless facilities, which could be located in existing rights-of-way. Cities were required to allow them, and applications would be approved administratively. The wireless facilities would be located on existing poles; in a ROW of more than 60 feet, they had the right to put up their own poles.

Shane Sorensen reported on the following.

- They were holding a pre-bid meeting for the PI meters. He had passed out an information flyer to the Council if someone had questions. The bids would be opened on June 19<sup>th</sup>. He would bring the results back to the next City Council meeting. The new rates would not be charged until all the meters were installed.
- The waterline projects were completed.
- The Burgess Park trail was realigned farther away from the tree roots because they were tearing up the trail. The new asphalt trail was in and people said they were happy with it.
- The City had received a request for a Reasonable Accommodation for a recovery house on Westfield Road. The ordinance limited residences to four non-related adults. The applicants were requesting a reasonable accommodation for 16 recovering adults. The city administrator was required to issue a decision within 30 days of application.

**VII. COUNCIL COMMUNICATION:** There was still no word on the outcome of the lawsuit.

**VIII. EXECUTIVE SESSION:** None held.

**MOTION:** Lon Lott moved to adjourn. Carla Merrill seconded. Ayes: 3 Nays: 0. Lon Lott, Carla Merrill, Jason Thelin voted aye. Motion passed.

The meeting was adjourned at 10:50 pm.