

ALPINE CITY COUNCIL MEETING
Alpine City Hall, 20 N. Main, Alpine, UT
January 9, 2018

I. CALL MEETING TO ORDER: The meeting was called to order at 6 pm by Mayor Troy Stout.

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

Mayor Troy Stout

Council Members: Ramon Beck, Carla Merrill, Lon Lott, Kimberly Bryant

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

Others: Rob Wallace

II. EXECUTIVE SESSION

MOTION: Lon Lott moved to go into closed session. Ramon Beck seconded. Ayes 3 Nays: 0. Lon Lott, Carla Merrill, Ramon Beck voted aye. Motion passed. Kimberly Bryant was not present at the time of the motion.

The Council returned to open session at 7:00 pm

A. Roll Call: The following were present.

Mayor Troy Stout

Council Members: Ramon Beck, Carla Merrill, Kimberly Bryant, Lon Lott

Staff: Shane Sorensen, Charmayne Warnock, David Church, Austin Roy, Police Chief Brian Gwilliam, Fire Chief Reed Thompson

Others: Ed Bush, Loraine Lott, Garn Arnold, Sylvia Christiansen, Howard Christiansen, Jen Stout, Kyle Dame, Kelly Swan, Savannah Dame, Eli Stout, Jason Thelin, Vanessa Thelin, Bryan Irving, Alan Macdonald, Sam Merrill, Cole Merrill Riley Merrill, rjder Christensen, Paul Kroff, Sherrie Mehl, Will Jones, Richard James, Tara Franks, Layne Franks

B. Prayer: Lon Lott

C. Pledge of Allegiance: Ramon Beck

III. SWEARING IN - NEW MAYOR AND COUNCIL

City Recorder Charmayne Warnock swore in Troy Stout as the new Mayor and Carla Merrill as the new City Council member.

Troy Stout said he was looking forward to serving as mayor. He expressed respect and appreciation for all the past mayors including Sheldon Wimmer. He believed they had all acted in good faith and with the best interest of the City in mind. He said he hoped to carry on the tradition and act in good faith. He expressed confidence in the Council and said they were there because they wanted to serve the community.

Mayor Stout explained that Steve Cosper, who had also been elected to the City Council, had officially resigned his position due to a family conflict. Applications for the vacant City Council seat were being accepted. In two weeks at the City Council meeting of January 23rd, 2018 the Council would review the applications, interview the candidates, and select a new member of the City Council. The appointed member would serve for two years. The remaining two years of the term would be filled by election.

IV. CONSENT CALENDAR

A. Minutes of City Council meetings of November 14, 2017, November 21, 2017, December 8, 2017

B. Bond Release #9 – Three Falls Phase 2 - \$124,769.60

C. Bond Release #1 – Three Falls Phase 3 - \$247,851.76

D. Healey Well Repair - \$53,527.00

MOTION: Lon Lott moved to approve the Consent Calendar. Kimberly Bryant seconded. Ayes: 4 Nays: 0. Lon Lott, Kimberly Bryant, Carla Merrill, Ramon Beck voted aye. Motion passed.

V. PUBLIC COMMENT

Ed Bush said the Alpine Nature Center was still up and running. With the warm weather, people were hiking in Lambert Park. He submitted photos to the Council showing trash that had accumulated in the shooting range since the ban on motorized vehicles in Lambert Park had ended.

Brad Mikesell on Hampton Court said he had a neighbor who was running an illegal business at his home. He was renting the detached gym in his yard to soccer leagues who used it almost every night of the week. It generated a lot of traffic in their culdesac. He had also sent a letter to the Council concerning the issue.

David Church said the individual had met with staff earlier in the week and committed to them that he would quit renting it out if the City decided it was an illegal business.

VI. REPORT AND RESENTATIONS

A. Council Assignments: Troy Stout reviewed the proposed assignments for members of the City Council. Shane Sorensen noted that Dale Ihrke was the City's representative to the Timpanogos Special Service District. Troy Stout said Ramon Beck would be working with him.

VII. ACTION/DISCUSSION ITEMS

A. Appointment of new Planning Commission Members and Reappointment: Mayor Stout proposed that Sylvia Christiansen and Alan Macdonald be appointed to the vacant seats on the Planning Commission. He said there were 17 people who were interested in serving on the Commission. He had also spoken with Bryce Higbee who was interested in being reappointed.

MOTION: Ramon Beck moved to approve the appointment of Sylvia Christiansen to the Planning Commission to the term that ended in January 2022. Kimberly Bryant seconded. Ayes: 4 Nays: 0. Ramon Beck, Carla Merrill, Kimberly Bryant, Lon Lott. Motion passed.

MOTION: Lon Lott in moved to approve the appointment of Alan Macdonald to the Planning Commission to the term that ended in January 2019. Carla Merrill seconded. Ayes: 4 Nays: 0. Lon Lott, Kimberly Bryant, Carla Merrill, Ramon Beck voted aye. Motion passed.

MOTION: Kimberly moved to approve the reappointment of Bryce Higbee to the Planning Commission with the term ending in January 2022. Carla Merrill seconded. Ayes: 4 Nays: 0. Lon Lott, Kimberly Bryant, Carla Merrill, Ramon Beck voted aye. Motion passed.

B. Resolution No. R2018-02, Appointments to the Lone Peak Public Safety District Board: Mayor Troy Stout proposed that Kimberly Bryant and himself would be appointed to the PSD Board. Ramon Beck would be an alternate.

MOTION: Ramon Beck moved to approve Resolution No. R2018-02 appointing Troy Stout and Kimberly Bryant as representatives on the Lone Peak PSD Board with Ramon Beck as an alternate. Lon Lott seconded. Ayes: 4 Nays: 0. Ramon Beck, Carla Merrill, Kimberly Bryant, Lon Lott voted aye. Motion passed.

C. Resolution No. R2018-03, Appointment to the Utah Lake Commission: Mayor Troy Stout proposed that Lon Lott be appointed to the Utah Lake Commission.

MOTION: Kimberly Bryant moved to approve Resolution No. R2018-03 appointing Councilman Lon Lott to the Utah Lake Commission. Ramon Beck seconded. Ayes: 4 Nays: 0. Ramon Beck, Carla Merrill, Kimberly Bryant, Lon Lott voted aye. Motion passed.

D. Resolution No. R2018-01, Amending the Consolidated Fee Schedule: Shane Sorensen explained that on recent annexation applications, the cost of advertising and other notification had exceeded the cost of the application fees. The proposed amendment in the fee schedule would bring them closer to covering the costs. The change in the home occupation fee was the result of recent legislation by the State Legislature which stated that home occupations which met certain criteria should not have to pay a business license fee.

Lon Lott asked if the ordinance needed to be amended to reflect the business license criteria. David Church said the ordinance had specific criteria for home occupations. If a home occupation extended outside the home, they would be charged a fee. Staff would be looking at each home occupation.

MOTION: Lon Lott moved to approve Resolution No. R2018-01 amending the Consolidate Fee Schedule. Ramon Beck seconded. Ayes: 4 Nays: 0. Ramon Beck, Carla Merrill, Kimberly Bryant, Lon Lott voted aye. Motion passed.

Mayor Troy Stout recommended they switch items F and G since there were many people present for the discussion on motorized vehicles in Lambert Park.

E. Lambert Park – Motorized Vehicles: Mayor Stout said that in July 2017, the Council had voted to block the use of motorized vehicles in Lambert Park. The problem was that people were not adhering to the regulations that prescribed on which roads motorized vehicles were allowed. A fire started on East Mountain as a result of shooting in the area east of Lambert Park. The moratorium on vehicles in Lambert Park expired on January 1, 2018 with the intent that the Council would revisit the issue.

A map of Lambert Park was provided on the screen which showed the roads that were recommended by the Planning Commission for motorized vehicles use.

Ramon Beck said he'd heard requests from people who couldn't walk very far but would like to access certain places in the park.

Carla Merrill expressed concern about combining bicycles and families out walking with people on motorized vehicles. She said she had seen people on ATVs on the trails where people were walking. It was very dangerous. If the people on motorized vehicles stayed on the prescribed roads, it wouldn't be a problem, but they didn't stay there. It was really hard for the police to enforce the regulation when motorized vehicles were up on the trails. She said she was inclined to disallow motorized vehicles in Lambert Park.

Troy Stout said that in past years, the City had tried to impose speed limits on motorized vehicles but the compliance lasted about three months. He said he'd like the public to understand that a lot of what the City had to do was because those laws were not being respected. Everyone was affected by those who didn't follow the rules. Not just pedestrians and bicyclists who were endangered by people on motorized vehicles, but also the people on vehicles who complied with the regulations.

Kimberly Bryant said this issue had been discussed for years and it was always a difficult decision. She was one of the people who couldn't walk and had to visit the park in a vehicle. She felt there needed to be a way for people to visit the poppies and for wedding pictures, etc. She said she had some ideas that she'd like to discuss with the police and fire about enforcement.

Lon Lott said that the current map reflected the work on the Lambert Park Master Plan by the Planning Commission. He said he didn't think it would be wise to make a blanket statement about motorized vehicles in the park at that time. They needed a demarcation of where the vehicles could travel. There was a new bathroom facility in the park and there needed to be a parking area for people who hiked or unloaded horses. There needed to be vehicle access to the Bowery and rodeo grounds. The roads for motorized vehicles needed to be clearly defined so violators could be ticketed.

Troy Stout said it was more challenging to enforce the regulations when vehicles were allowed in the park. The Council had to be aware of the limitation of the police department who didn't have vehicles to pursue vehicles on the trails.

Kimberly Bryant suggested they impose fines that would actually hurt. David Church said the City did not have the power to impose fines. They were limited by the legislature in describing violations as a misdemeanor. The judge was the one that imposed the fines based on a bail schedule. The fine for a first infraction was usually \$50 to \$75.

Troy Stout said part of the discussion would be persuading the forest service to shut down the forest area adjacent to the park to shooters. If the shooting range was gone, they could open a certain section of the park to motorized vehicles. He said he would be comfortable with extending the moratorium on vehicles in the park. In winter the trails were wet and vehicle travel made them a mess. They could lift the moratorium in time for the poppies and it would give them time to lobby the forest service.

Lane Franks said he lived on Country Manor Lane. There were easily 70 vehicles up there on a Saturday. The other night there were some kids playing chicken on their Razors with their lights off. They called the police, but it took them 35 to 45 minutes to get there and by that time the violators were gone. He said fire was a danger as was speed. There was also the issue of the peacefulness of the park. He said they needed to look at it holistically.

Regarding parking, Troy Stout said the LDS Church had asked the City to not to encourage park users to use the church parking lot.

Jason Thelin said he lived on Alpine Boulevard. He said there were times when he'd gone to use the park and the church parking lot was full of cars from high school kids. They needed to tell them to park by the rodeo grounds. He said the park had been a lot more peaceful since the City banned motorized vehicles. Occasionally they heard shooting, but much less. Before the ban, they'd seen lines of people shooting.

David Church reminded the Council that the City's current ordinance stated that no motorized vehicles were allowed in the park except on designated roads which had signs stating they were allowed. Unless a road was affirmatively signed, they were not supposed to be there. It had been that way since 2004.

Shane Sorensen said most of the signs were gone because of vandalism or weathering.

Lane Frank said it was not uncommon to see 20 or 30 cars in the church parking lot. If they wanted to deter people from using the church, they needed to let them know they needed to go a little farther into the park. Make one access for maintenance and one that ushered people to the other parking area. He said there were people who rode their razors on the public streets to get to the park. He wasn't sure that was legal.

Ed Bush said he lived on Box Elder Drive. He was in the park every day. He said what it came down to was what did the City want the future of the park to be. Alpine no longer had a population of 1,500. It was anticipated it would be as much as 15,000. As density increased in the city, it increased in the park. He agreed it was more peaceful during the ban. The motorized vehicles never went 15 mph through it. He said he was worried about the lack of snow pack and how that would affect the vegetation, which was more sensitive in the spring. He said he believed the future of the park should be more of a natural setting. He added that he felt the Lone Peak police had more to do than enforce speed limits in the Lambert Park.

Kimberly Bryant agreed that they needed to decide what they wanted to see for the future of the park. She reminded the council that Lambert Park was everybody's park. It wasn't just for the people who lived next to it. There was a whole group that said the park was being taken over by mountain bikers. There were loads of high school kids who were not from Alpine using the park. She said she didn't like ATVs tearing it apart, but it was everyone's park. She had voted to stop the vehicles even though she could only get up there in a vehicle. The park wasn't just for mountain bikers. They too could be dangerous for hikers.

Lon Lott suggested they wait until they filled the vacant council seat and hold a public hearing or two or three.

Tara Franks on Country Manor Lane said she wanted to go on record about the safety problems up there. She mentioned the two teenagers on Razors playing chicken without their lights. Someone was going to get killed up there. She said she felt the city was responsible to support the homeowners up there. They had 30 homes evacuated during the fire caused by shooters, but some felt it was more important to have shooting up there.

Mayor Stout asked if they needed to have a public hearing before making a motion. David Church said they didn't need a public hearing because the ordinance already said motorized vehicles were not allowed unless authorized by the City. It was not a change in their policy.

Richard James said he lived on Ranch Drive. He said he'd ridden and competed on everything that had a motor on it. There was a risk in that. At one time he had taken the priest quorum to Mexico to ride. He said you only had to have something tragic happen once. If you killed or maimed someone, you woke up and realized it wasn't worth it. His family now had horses, and lived on the Bonneville Shoreline Trail. The trail went up over the mountain to Draper. There was a big sign that said, "No Motorized Vehicles," but how many times had he seen a kid on a motorcycle come flying along it going 50 mph. He said motorized vehicles were not allowed in the Grand Canyon and other state and national parks, and there was a reason for it. They were protecting the public from them. He said the City had to protect the people.

MOTION: Kimberly Bryant moved to extend the moratorium on motorized vehicles in Lambert Park until May 1, 2018 with the same guideline imposed in July 2017 for safety purposes, and with public hearings to be held in the interim. Carla Merrill seconded. Ayes: 4 Nays: 0. Ramon Beck, Carla Merrill, Kimberly Bryant, Lon Lott voted aye. Motion passed.

Troy Stout said he would like to enact a permanent plan for the park before May 1st. He'd like to have a public hearing on the issue on the first meeting in February, post it on the website and Facebook page, and send out a Parlant message and have something in the newspapers

Shane Sorensen clarified that the roads to the Bowery and rodeo grounds would be left open.

F. Commercial Site Plan, Alpine Olde Towne Centre, Lot E – 395 S. Main Street. Austin Roy said the Council had discussed this site plan at their previous meeting and had an issue with the deck on the east side of the building. There was a concern that it would intrude on the privacy of the neighboring residents.

Cameron Harris was the owner of the building and was present that evening with his architect Kelly Swan. He showed a 3D rendering of the building. From an architectural standpoint, the deck balanced with the deck on the other side of the building. They had analyzed how the houses might be affected and were trying to be sensitive. The balcony was about 30 feet from the residence. They proposed to place trees in the line of sight between the office building and the homes which would block the view from the deck into the windows. He said they didn't expect the balcony to be heavily used, particularly in the winter when the leaves on the trees would be gone. The trees would provide privacy in the summer.

Lon Lott recommended they invest in more mature trees, otherwise it could take 30 years to obstruct the view.

Troy Stout noted that the homes were in a commercial zone and the dwellings were built knowing they were in a commercial zone.

Carla Merrill said the office building conformed to the ordinances. The trees would help because it was a steep angle between balcony and the homes.

MOTION: Ramon Beck moved to approve the commercial site plan for Lot E in Alpine Olde Towne Centre at 395 S. Main with mature trees to be planted as a natural barrier. Kimberly Bryant seconded. Ayes: 4 Nays: 0. Ramon Beck, Carla Merrill, Kimberly Bryant, Lon Lott voted aye. Motion passed.

G. Open Meeting Training by David Church: This item was postponed until future meeting.

VIII. STAFF REPORTS

Shane Sorensen introduced the new Fire Chief of the Lone Peak Public Safety District, Reed Thompson. Mr. Thompson said he grew up in the Highland area and attended American Fork High School. He was grateful for the opportunity to serve. He had 20 years in fire service.

Shane Sorensen reported on the following:

- There would be public hearings on the two annexation petitions at the meeting of February 13, 2018.
- He had received a call from Brian Crawford who ran the baseball program and managed the park program. He wanted to know if he had the support of the Council. Troy Stout said he did.
- The contract with ACE trash collection was up in June. He had met with the representative from ACE earlier that day and discussed some aspects of the contract that were not to be done by ACE and talked about some of the complaints and trash collection.
- He anticipated receiving information from the Bureau of Reclamation in a few weeks regarding the grant for metering.
- Vandalism of the restrooms in the parks was an ongoing problem. Someone had set a fire in the dumpster in the park and knocked off sprinkler heads which cost about \$2,500. Mayor Stout said he would like to put camera's in some areas and include it in the budget. Mr. Sorensen suggested they also consider posting a reward for information. It had worked well in other cases.
- The Summit Point subdivision had been sold and it was likely they would vacate the plat and approach the City about connecting a road to Draper from Lake View Drive.

IX. COUNCIL COMMUNICATION

Lon Lott asked about the status of the cemetery gates. Shane Sorensen said they were working on them.

Troy Stout had the following items:

- There was a movement in the county sponsored by Commissioner Ivy to change the form of government in Utah County a mayor and council rather than Commissioners.
- Mayor Stout wanted to move forward in putting flower pots on Main Street. They had budgeted funds but needed a plan.
- There had been a complaint from a citizen about a burial. Charmayne Warnock explained there had been a miscommunication which had been remedied. It was the vault company that lowered the casket into the grave, not city staff.

X. EXECUTIVE SESSION: An executive session was held at the beginning of the meeting.

MOTION: Lon Lott moved to adjourn. Ramon Beck seconded. Ayes: 4 Nays: 0. Ramon Beck, Carla Merrill, Kimberly Bryant, Lon Lott voted aye. Motion passed.

The meeting was adjourned at 9:30 pm.