

ALPINE CITY COUNCIL MEETING
Alpine City Hall, 20 N. Main, Alpine, UT
August 14, 2018

I. CALL MEETING TO ORDER: The meeting was called to order at 7:00 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, Kimberly Bryant, Lon Lott. Jason Thelin excused.

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

Others: Rob Chatfield, Ken Spenser, Sylvia Christiansen, Valerie Meyers, Susan Cluff, Shahbaz Janjua, Debra Callister, Ted Callister, Karen Quick, Cheryl Anson, Whitey Anson, Breezy Anson, Griff Johnson, Julie Yarbrough, Chris Barnes, Shelley Barnes, Alan Gillman

B. Prayer: Troy Stout

C. Pledge of Allegiance: Ramon Beck

II. CONSENT CALENDAR

A. Minutes of the City Council meeting of July 10, 2018

B. Bond Release – North Point View, Plat C - \$8,456.25

C. Approve Resurfacing Bid – Holbrook Asphalt - \$47,678.67

D. Approve Resurfacing Bid – Morgan Pavement - \$29,655.34

MOTION: Lon Lott moved to approve the Consent Calendar. Kimberly Bryant seconded. Ayes: 4 Nays: 0. Motion passed.

<u>Ayes:</u>	<u>Nays:</u>
Ramon Beck	none
Carla Merrill	
Kimberly Bryant	
Lon Lott	

III. PUBLIC COMMENT

Alan Gilman – Westfield Road. He said he was increasingly concerned about water in Alpine. He had obtained a copy of the Agreement between Alpine City and the Alpine Irrigation Company. He handed a copy of the Agreement to each member of the Council and asked them to read it and see they were following what it said. Ramon Beck asked if there had been any amendments to the Agreement. Shane Sorensen said there had been no amendments

Breezy Anson – Wilderness Drive. He said he had talked to Charmayne Warnock about being on the agenda that evening to discuss the future development of his father’s property on Westfield Road. Shane Sorensen said she had talked to him and he felt it could be discussed in conjunction with the Alpine View development, which was already on the agenda.

IV. REPORTS AND PRESENTATIONS

A. Financial Report. Shane Sorensen said the Financial Report was typically given the second meeting of the month.

B. Alpine Days. Mayor Troy Stout said it turned out great. Lon Lott and Shane Sorensen expressed appreciation for the staff and all their hard work. The volunteers who ran the individual events did a great job. There would be more detailed information at a later meeting.

V. ACTION/DISCUSSION ITEMS

A Alpine View Estates PRD – Final Plat – Griff Johnson: Austin Roy said the proposed development was located in the CR-40,000 zone at approximately 391 N. 400 W. It was originally proposed with 19 lots on 19.30 acres with lot sizes ranging between 0.46 acre to 0.88 acres and approximately 4.84 acres of public open space. The Planning Commission had reviewed it at their meeting of July 17th and recommended approval with a few conditions, which were:

1. The Developer provide an easement for the temporary turn-a-round prior to recording.
2. The Developer provide a utility easement for the offsite utilities prior to recording.
3. The Developer vacate the storm drain easement on lots 4 – 6 of the Alpine Ridge Phase 1 Amended Plat
4. The Developer either remove the existing buildings located at 391 N 400 W and 305 N 400 W prior to recording the plat or provide a bond to cover the costs of doing so.
5. Water source and/or water right requirements are met.
6. Trail be shown on final plat, with approved alignment of Trail Committee.
7. Developer work with the City Attorney on lot 20.

Austin Roy said the developer had amended the plat to show a trail as originally proposed, which was reflected by the dotted line showing the proposed alignment of the trail. He said the City had received a letter from the Trail Committee with three recommendations which were: 1) the trail be looped to provide access for the most lots; 2) the trail be master-planned with the Anson property to the south; 3) the trail have an all-weather surface to provide a route for kids going to school to keep them off 400 West.

Austin Roy said Fire Chief Reed Thompson had approved the plat with the condition that there be a temporary turnaround. Planning and Zoning recommended approval subject to the water rights requirement being met and the trail being recorded on the plat. One more issue was a strip of open space between lots 7 and 8 which was originally intended to provide access to the trail. It was no longer needed so it was proposed that it be eliminated so lots 7 and 8 were adjacent to each other. The eliminated width could be added to the open space between lots 6 and 7 to make it wider. Regarding the trail, the developer proposed a dirt or gravel trail although the recommendation from the trail committee was for an all-weather surface.

Mr. Roy said the last issue was lot 20. It didn't have the necessary frontage and the Planning Commission wasn't sure it was a legal lot. They recommended the developer work with the City Attorney to make it work.

David Church said that under Alpine City ordinance, there was no way it could work. The ordinance did not allow flag lots and it had only 39 feet of frontage on 400 West.

Griff Johnson said they had not intended to include the Chatfield lot in the subdivision. The inclusion of lot 20 came as a request from the City Engineer.

David Church said that if the Chatfield lot was outside the subdivision, it would need 110 feet of frontage. Frontage and lot size were two basic zoning requirements. He said he couldn't sign off on the development as designed because it didn't meet the ordinance, and they wouldn't qualify for a variance because the situation was self-imposed. In order to qualify as a PRD, they needed 25% open space. The detention basin would need to be located in open space.

Griff Johnson said they'd been working on the subdivision for the better part of a year. They'd always been consistent that it would be dirt trail. He was confused why the trail committee wanted a paved trail. He didn't think the letter was from the committee, but rather from one person. To cut an 8-ft asphalt trail into the hillside was not part of the vision. He wanted to be consistent with what was talked about earlier in the year. They planned to put a bench and gazebo on one of the lookouts along the trail where you could see the entire valley. Kimberly Bryant said she remembered it was to be dirt trail.

Breezy Anson – Wilderness Drive. He said he wanted to be on record that he had removed himself from the trail committee during the development of this subdivision because he felt it would be a conflict of interest since his father owned the adjacent property on Westfield Road. He said they had a very rough plat map of the Anson

property showing the future development and how the trail would connect with the trail in the Alpine View development. The map was projected onto the screen and he described the trail which would connect the trail in Alpine View to Westfield Road. The trail on their property was fairly flat with a lot of vegetation and would be a self-maintained trail if built properly. He didn't want it to be asphalt. Some people in the area had horses and it would be a nice looped dirt trail for horses. Asphalt did not work for horses.

Whitey Anson – Westfield Road. He said the trail was not meant to be a sidewalk. They moved the juncture where the trail met Westfield Road to a safer location so trail users could see oncoming cars. He said he wanted to present their future development plan to the City so they would have an idea of what their vision was for the future. They would be asking for a PRD and would deed the trail over to the City. The trail would be deeded sooner and the open space deeded later on because they were still using it as horse pasture. The trail on their property was a natural access with a nice wilderness feeling. If they put in an asphalt trail, it would ruin it. He said he would like to have the design of their property settled before anything was done.

Alan Gilman – Westfield road. He said the trail wasn't going to be a major thoroughfare. A simple dirt trail would be more attractive and not cause a lot of scarring.

Shahbaz Janjua – Lupine Drive. He said he had attended all the meetings on this development since they started and listened to all the recordings of the meetings. A comment made that the developer Griff Johnson had said it was always supposed to be a dirt trail and that was not true. No surface was ever discussed. He said the subdivision was sold to the Council because there was going to be a beautiful trail with grass and benches by the water where people could sit. All that was in the recording. He said that most of the people buying the homes would have young children and it would be extremely nice if the trail was paved. Police horses did just fine on pavement. However, he didn't think a trail could go in there because of all the ups and downs and the ravines. He said it did not meet the recreational needs of the citizens as stated in the requirements for a PRD.

Mr. Janjua said he had another question regarding public meeting and etiquette. He said he could not figure out why if he commented then sat down, he could not come back and speak again.

Mayor Stout said they tried to keep the meetings streamlined and stay on point. They were trying to run the meeting efficiently and still allow public comment.

Kimberly Bryant pointed out the last item under Public Meeting and Public Hearing Etiquette said, *Anyone can observe a public meeting, but there is no right to speak or be heard there. The public participates in presenting opinions and evidence at the pleasure of the body conducting the meeting.* She said the mayor took public comment as a courtesy. There was no obligation to let the public speak.

Mr. Janjua said he wanted to make another point. He didn't know if there was just one person on the trail committee that sent the letter. He would like to know what the letter stated. The next thing was, if they approved a dirt trail, how would that even be done with the ups and downs. Would a bond be posted for the trail? How wide was the trail?

Mayor Stout said there were many dirt trails in Lambert Park in steep areas. The width of the trail varied.

Mr. Janjua asked what the appeal process was if someone chose to appeal.

David Church said that after a final decision was made, any person that qualified as an aggrieved party had a right to appeal the land use decision to the appeal authority. The appeal had to be made within ten days of the final decision. The appeal authority was an independent appeal authority who reviewed the action to see if there was an error. If the party did not like the decision of the appeal authority, the next appeal would be to district court. The Appeal Process was outlined in Section 2.02.040 of the Alpine City Development Code.

Kent Spencer- Elbert Circle. He said he lived by lot 5 of the proposed subdivision and was a prospective owner of the lot. He would favor the trail not being paved. He said he moved to Alpine for the beauty.

Sylvia Christiansen- High Bench Road She said that as a prior mother, she would tell her children to use the sidewalks, not the trail.

Breezy Anson said that as someone who had built miles and miles of trail, the proposed trail met the standards for trail building. He had ridden horses on asphalt and it was not a good mix. His mother had been on a horse that slipped and fell on asphalt and she was almost pinned underneath the horse. Horses on pavement needed special shoes. He said he would like to see the trail as part of a master-planned trail that could tie in and get to the Whitby property on the east and the open space by Hillside Circle. It would extend the trail another mile and a half and be a fantastic hiking trail. He said the letter from the trail committee was discussed with the committee but it wasn't discussed with him because he currently was not a member of the committee as he noted earlier.

Mayor Stout said he felt it was important to keep the tradition of livestock in Alpine. The area under discussion had a higher likelihood of horses than anywhere in town. He would hate to abandon that. As far as having paved trails, the trail in the central corridor was partly paved and the intent was to continue it.

Lon Lott said he had worked on the corridor trail and attended public hearings. The people who used the trail a lot were vehemently opposed to paving it because they felt there would be more people than just them using it if it was paved. However, it was a trail in public open space for everyone to use. He said the big question on this particular development was whether it would be a subdivision or a PRD. With a regular subdivision everything was consumed inside a lot and very likely fenced. A PRD with open space and trails offered connectivity and he felt that was very important. He appreciated the Ansons for being willing to cooperate and provide that connection to the trail. One of the reasons he liked connectivity was because he lived on 800 South which was boxed in completely. There had been no vision for access across the ravine from their neighborhood to the church and schools and park. They had to go all the way out to the Alpine Highway, up through the roundabout, then back to the other side to get there. He felt it was important to have that access. He said he had two more thoughts. First, if the space between lots 7 and 8 was eliminated, he would like to see that open space added to the space between lots 6 and 7. Second, he asked if the easement for the temporary turnaround recommended by the fire chief had been worked out. Griff Johnson said it had.

Shahbaz Janjua said it sounded like the council had already made a decision to approve a dirt trail. He said it should meet the guidelines for a three-foot trail. They needed to make sure the trail was usable.

MOTION: Carla Merrill moved to table Alpine View Estates PRD until the next meeting. Kimberly Bryant seconded. Ayes: 4 Nays: 0. Motion passed.

<u>Ayes:</u>	<u>Nays:</u>
Ramon Beck	none
Carla Merrill	
Kimberly Bryant	
Lon Lott	

B. Resolution No. R2018-09, Amending the Consolidated Fee Schedule. Shane Sorensen said there were four items they were proposing to amend.

1. Increase the business license fee for door-to-door solicitors from \$15 to \$25. The applicants typically came in groups and wanted the license while they waited so it became necessary to drop everything and process the applications which took more time than was covered by the \$15 fee. In addition, the City planned to include a lanyard to display the business license and photo ID so residents would know the solicitor had obtained a license.
2. Some businesses required multiple fire inspections in order to come into compliance before their permit was issued. The fire department billed the City for their inspection time. The amendment would allow the City to collect a fee for repeat inspections. It was pointed out that it was usually businesses with multiple employees that needed repeat inspections, and their business license fee was already increased according to the number of employees. It was decided that should cover the cost of the repeat inspections.

3. Shane Sorensen said the cost of inspecting the infrastructure for new subdivisions was far more than was collected in fees. The current schedule charged \$140 per lot plus \$65 per visit. However, it was impossible to anticipate how many inspection visits would be needed before construction began, and the inspection fees were collected prior to recordation of the plat. It was decided it would be more accurate to eliminate the per visit charge and increase the per lot charge. City Engineer Jed Muhlestein and Landon Wallace, who inspected the infrastructure, calculated how much time was spent on inspections for a recently approved subdivisions, then an average was taken. Based on their calculations the per lot inspection fee would increase to \$418.27 per lot and the per visit fee would be eliminated. Shane Sorensen recommend they round it to \$418 per lot.
4. Exhibit A of the Consolidated Fee Schedule was a summary of building costs per square foot as published in the Uniform Building Code. The Building Department used it to calculate the cost of a building permit. The last time the cost was adjusted was in 2009 and it was \$101.95 per square foot. It was proposed the cost schedule of the 2015 Uniform Building Code be adopted as Exhibit A to reflect the increased cost of construction at \$116.16 per square foot.

MOTION: Lon Lott moved to adopt Resolution No. R2018-09 Amending the Consolidated Fee Schedule, but exclude item 2 amending fire inspections on businesses. Kimberly Bryant seconded. Ayes: 4 Nays: 0. Motion passed.

<u>Ayes:</u>	<u>Nays:</u>
Ramon Beck	none
Carla Merrill	
Kimberly Bryant	
Lon Lott	

C. Site Plan – Approve cash in lieu of water rights for 95. N. Preston Drive – Tim Clark: This item was cancelled by the applicant because he had obtained water credits.

VI. STAFF REPORTS

Austin Roy said he had three items on which to report.

General Plan: Austin Roy said the Planning Commission had completed their update of the General Plan and had made a recommendation to the City Council for approval. He wanted to know how the Council wanted to approach it. Mayor Stout said they should look at on a night when they had a light agenda so they could focus on it. Kimberly Bryant suggested a retreat. Shane Sorensen said that originally the Council was going to look at an Element of the General Plan at one meeting a month, but they seemed to be spinning their wheels on it. David Fotheringham said that if they had a retreat, the Planning Commission would like to attend.

Senior Housing Overlay. A developer was interested in an overlay zone designation for the property on Main Street just north of the roundabout. They would hold a public hearing on the issue at the next Planning Commission, then it would be coming to the Council.

Summit Point Plat Amendment. The Planning Commission would be holding a public hearing on the proposed amendment to the Summit Point Plat at their meeting on August 21st. The amended plat included a road extending to Draper to connect with a development where the developer was proposing 415 units consisting of townhomes plus a variety of lots sizes for single family homes. The developer was seeking a rezoning for his project from Draper City which was scheduled to be considered at a public hearing in Draper on August 23rd.

Shane Sorensen reported on the following items.

Wells. Healey well was up and running great. There was an issue with the well on 300 North which was an old well and needed some maintenance.

Deer Control. DWR had originally said they would not start the deer removal program until it snowed, but he got word that they wanted to start sooner.

Zolman property/Ridge at Alpine. It had been suggested that the Council take a field trip to the property to look at lot 72. He wanted to know when they wanted to do that. After some discussion, Shane Sorensen would try to set something up for the following week at 7 am.

Patterson Lawsuit. There was a copy of a letter from Wayne Patterson on the desk in front of them regarding water credits and the lawsuit. In the letter, Mr. Patterson indicated he wanted a written response. Shane Sorensen said he had drafted a letter which David Church would review.

Building Department and Code Enforcement positions. Shane Sorensen said he was in the process of interviewing for those two positions. He was also putting together a job description for the Parks and Rec position.

Commit to the Limit. The committee would like to put up 4x6 signs at each entrance to the City encouraging people to observe the speed limit. He showed the Council a sample rendering. It was suggested the *Welcome to Alpine* be a little larger.

VII. COUNCIL COMMUNICATION

Lon Lott reported that he attended the MAG meeting where they talked about the sale tax issue, which would most likely be on the ballot. It would generate more revenue for roads and transportation. A portion would go to UTA but they would be paying back the third quarter sales tax.

Troy Stout report on the following:

- He'd had a nice, informal conversation with Wayne Patterson and was planning to have another meeting. David Church said the August 9th deadline had been extended. The issues that were still outstanding were the declaratory relief and the attorney fees.
- He proposed the Council take a field trip to the Oberee development to look at lot 72.
- He proposed a visit to Smooth Canyon Park to discuss eliminating one of the soccer fields in the park. Carla Merrill said there weren't that many soccer parks in Alpine. Shane Sorensen said that if they took away one of the fields, it would take away a soccer opportunity for Alpine kids.
- Cedar Hills had indicated formally that they would be leaving the Lone Peak Public Safety District and were seeking bids from American Fork and Pleasant Grove. They were looking for a contract that guaranteed their costs would not increase but they would get the same amount of service. If they left, Highland and Alpine would be making up the difference. Shane Sorensen said the Chief Reed Thompson and other fire fighters had been deployed to fight the fire in California. He noted that morale on the fire department had improved.

VIII. EXECUTIVE SESSION. None held

MOTION: Kimberly Bryant moved to adjourn. Ramon Beck seconded. Ayes: 4 Nays: 0. Motion passed.

<u>Ayes:</u>	<u>Nays:</u>
Ramon Beck	none
Carla Merrill	
Kimberly Bryant	
Lon Lott	

The meeting adjourned at 9:30 pm.