

ALPINE CITY COUNCIL PUBLIC MEETING

Tuesday, February 23, 2021

I. WORK SESSION: GENERAL PLAN – Transportation Element 6:00 pm – 7:00 pm

Mayor Pro Tem Lon Lott welcomed everyone to the meeting. He excused Mayor Troy Stout and said he would do roll call again, prayer, and pledge at 7:00 pm.

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

Carla Merrill, Jason Thelin, Greg Gordon, Lon Lott, excused Jessica Smuin and Mayor Troy Stout

Austin Roy, City Planner, began the work session focusing on the Transportation Element of the General Plan. He said some of the suggestions from the City Council members are as follows:

Austin Roy, City Planner, said the city amended the transportation element of the General Plan and adopted it, which consist of a goal and six policies. He said he met with each member of the City Council to get their feedback and thoughts to amend and approve this element of the Plan. He said the boundaries are compatible with the goals and policies of the General Plan. He said any additional street connection to such areas would require City Council approval and appropriate amendments to the General Plan, Street Master Plan, and applicable City ordinances. He read the current transportation element of the General Plan as follows:

Goal #1 Create and maintain a multi-modal transportation system that is pedestrian friendly, safe, and efficient.
Policies:

- 1.1 Promote safe and efficient traffic circulation by following the Street Master Plan.
- 1.2 Connect neighborhoods and open spaces of the City with appropriate trails, sidewalks and bike lanes that support alternate forms of local transportation and recreation.
- 1.3 Work with adjacent communities and other agencies to acquire financial aid for transportation improvements.
- 1.4 Emphasize the maintenance of roads to ensure a high-quality road system.
- 1.5 Promote the use of roundabouts or other traffic flow options to prevent the need for stop lights therefore maintaining the historic small-town rural atmosphere.
- 1.6 Limit intermunicipal and unincorporated county street connections to existing planned connections only. Ensure that street connections to other municipalities, unincorporated county, or other areas outside the City.

Austin Roy said City Planner, said Jason Thelin, City Council member, suggested on policy 1.2 that he would like to add an active transportation plan, by designated and planned routes around town for bikers and runners. Austin Roy said that was a theme with all the City Council members he met with. Jason Thelin said he would like to create an active transportation plan because he feels it actually goes further by creating a plan to include infrastructure and make the roads safer as riders or runners are leaving our city into Highland as it pertains to policy 1.2. Mayor Pro Tem Lon Lott said such as a bike lane. Jason Thelin said biking is a form of transportation sometimes when the city thinks transportation and recreation, we care more about our trails as recreation more than transportation. He said the active transportation plan is a statewide program that is very specific. Greg Gordon, City Council member, said he thinks it is a great concept to consider and including runners because they cannot always stay on a sidewalk. He said the city should make it an easy transition between roads to a trail or a park and make it easy for residents to find them. He said this may come up in the open spaces of the General Plan. Mayor Pro Tem Lon Lott said it should come up in open space some form but if it does it would be recreational only.

Jason Thelin said policy 1.6 was added to the General plan after some issues came up with neighboring communities because the city wanted to make sure we could control access. He said he would like to add policy 1.7 to say: to promote open streets accessible to all citizens by avoiding private streets and gated communities.

Mayor Pro Tem Lon Lott said he wanted all council members comments on policy 1.2 as it pertains to the comment that Jason Thelin made and if any of them wanted to expand on the designated and planned routes around town for bikers and runners. Carla Merrill, City Council member, said that would be part of designated active transportation plan. Mayor Pro Tem Lon Lott asked where the city has that in the General Plan. Carla Merrill said she could not find it in the General Plan it only refers to a designated active transportation plan. Austin Roy said a designated active transportation plan would need be a different separate document, right now the city does not have one. He said other communities where you see bike lines have a active transportation plan. Mayor Pro Tem Lon Lott asked if that were something MAG (Mountainland Association of Governments) would be a good resource for. Austin Roy said yes, they would be and there are additional nonprofits that would be good resources too. Carla Merrill said she envisioned Main Street and Westfield Road is where the city could have an active transportation plan. She said the two streets

have the room in order to implement a transportation plan. She said to look much like it does in Highland on their main roads. She believes the city would see a decrease in speed because the road visually appears smaller if we have the bike lanes. Shane Sorensen said the city already has lines painted, just not with bikes on them. He said the city calls them fog lines because the road width is 36 feet. He said only having 36 feet of pavement makes it a little bit tough to have a dedicated bike lane. He said the city cannot have a designated bike lane where people park. He said the city only has one class of street; the roads would need to be bigger. He said if it is a case of do you paint bike symbols, or do you let people park. He said normally the city does not see people parking on Westfield Road. Mayor Pro Tem Lon Lott said the city's first step would be to have Austin reach out to MAG. Shane Sorensen said he thinks that MAG would be willing to come to one on the City Council work sessions. Mayor Pro Tem Lon Lott asked if the city needs to reference the active transportation plan in the General Plan. Shane Sorensen said if it holds up the finalization of the General Plan then let the active transportation plan be a supplement but if it happens in the same time frame then let it be part of the General Plan. Mayor Pro Tem Lon Lott asked the council if they liked the verbiage in policy 1.2 in regards to the active transportation plan. Jason Thelin said he does not think the verbiage goes far enough. Carla Merrill said if the city adds in accordance with the city's to the active transportation plan, then it would refer to the sub document. Mayor Pro Tem Lon Lott agreed that would be more detailed. Shane Sorensen said if the preparations and adoption of the two were going to parallel each other and happen at the same time that would make sense. He said as the council goes works through the General Plan and makes amendments along the way and is adopted before an active transportation plan you could put some language in to the effect that is recommended that the city pursue the creation of an active transportation plan. Greg Gordon said add a separate bullet point saying: creates and support an active transportation plan, so it would depend on it being existing. Jason Thelin and Carla Merrill agreed with Greg Gordon's separate bullet point policy 1.8 saying create and promote an active transportation plan.

After some technical difficulties Mayor Pro Tem Lon Lott said Austin Roy was going to discuss concerns and the definition of gateway. Austin Roy said Jason Thelin had some comments about implementing some language about a gateway and talking about the city's three entrances. Austin Roy said when drafting policy 1.6 staff ran this language by the city attorneys Craig Hall and Hyrum Bosserman they suggested to go away from the term "gateway" because it has many different interpretations. Jason Thelin said that change addressed his concerns. Austin Roy said Carla Merrill talked about connector roads being limited to only those currently being shown on the city's transportation master plan. Austin Roy said he believes Carla Merrill's comments were addressed in policy 1.6. Greg Gordon said that there is a list of street improvement plans on the MAG site they have some have some traffic data on the Alpine Highway and Canyon Crest Road for a 10-year period from 2007-2017 and traffic has increase 10-12 % and Westfield Road it has increased 160%. He said he did not know how the city accounts for that, but we need to start looking at alternate routes.

Mayor Pro Tem Lon Lott said he would like to discuss Jason Thelin proposed addition policy 1.7. Jason Thelin said 1.7 would read as follows: promote open streets accessible to all citizens by eliminating all private roads and gated communities. He said he believe this has been the city's policy for quite a while. He said that the city has had individuals come in asking for gated communities. He said when he was on the Planning Commission, he remembers Jannicke Brewer, Planning Commission chair, would at the time turning people away. He said he was not sure if it was in the General Plan or an ordinance. He said he thinks it would be a good idea to have this in the goal and policies of the General Plan. Carla Merrill said she approves of Jason Thelin's idea. Mayor Pro Tem Lon Lott said he had one concern about private streets if we are going to avoid them. Greg Gordon asked if in private streets did Jason Thelin mean closed streets. Jason Thelin said he meant private streets because we do have streets that are private but sometimes, we call those private driveways is how we have referred to them in the city, like up Fort Canyon. He said we want to make sure that these are not private streets. Mayor Pro Tem Lon Lott said he agrees with the direction Jason Thelin is going. Mayor Pro Tem Lon Lott asked if a private lane would be okay, he said he is thinking about Summit Point (Blue Bison) with the four lots. Carla Merrill said she believes that the private lane Lon Lott is referring is an exception. She said this would just be for all roads going forward. Jason Thelin said he thinks the Blue Bison was classified as a private driveway not a private lane. Shane Sorensen said that was correct. He said there is one thing the council should consider here we have two overlays zones in the city with the assisted living and senior housing. He said those overlays allow private streets for those developments and are maintained by the facilities. He said when writing this the council should consider the overlay areas. Carla Merrill said could we not put in the verbiage except for the existing overlay areas. Mayor Pro Tem Lon Lott said he thinks Hyrum Bosserman and Craig Hall, both Alpine City attorneys, could go over that and come up with verbiage.

Mayor Pro Tem Lon Lott said he would like to discuss policy 1.8 as proposed by Greg Gordon and Carla Merrill create and promote an active transportation plan and connect to major roads. Greg Gordon suggested that Austin Roy go over this with the city attorneys and come up with the correct verbiage for this policy. Shane Sorensen suggested having a bullet point 1.2.1 since it is very closely related to 1.2, instead of policy 1.8.

Mayor Pro Tem Lon Lott said in policy 1.1 Carla Merrill in the past she had mention safety around schools. He asked if the council wanted to mention anything about lights for safety in those areas. Greg Gordon said it could be a subpoint with pedestrian lights and lower speed limits around parks and schools. Carla Merrill said the city has congestion problem around the school start and end time of the elementary and junior high. She said the city must address it and it is still a mess even if it is only twice a day. Greg Gordon said the Dry Creek bridge is one of the few options to alleviate some of the roundabout traffic of the Ranch Drive connection. Shane Sorensen said that is going to be key to have the Ranch Drive connection. Mayor Pro Tem Lon Lott said the connection would be part of the street master plan aspect. Greg Gordon asked if we need to put crosswalks in the General Plan. Mayor Pro Tem Lon Lott asked if it should talk about traffic and pedestrians. He said we need to respect people in crosswalks and keep traffic flowing. Greg Gordon said it should talk about pedestrian pathways. Greg Gordon said this could be subpoint of policy of 1.1. Mayor Pro Tem Lon Lott asked Austin Roy to speak with the city attorneys to find sufficient verbiage to address pedestrian safety in policy 1.1 and if it is necessary in this document.

II. CALL MEETING TO ORDER

Mayor Pro Tem Lon Lott called the meeting to order at 7:00 pm after an hour work session.

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

Carla Merrill, Jason Thelin, Greg Gordon, Lon Lott, excused Jessica Smuin and Mayor Troy Stout

Staff: Shane Sorensen, Austin Roy, Chief Brian Gwilliam, Chief Reed Thompson, Hyrum Bosserman, Bonnie Cooper, Heidi Hackman

Others: Richard Pickering, Ron Robinson

- | | |
|-------------------|--------------------|
| A. Prayer: | Greg Gordon |
| B. Pledge: | Lon Lott |

III. CONSENT CALENDAR

- A. Approve City Council minutes of February 9, 2021**
- B. Award Bid for Hillside Circle Waterline Project**
- C. Award Bid for 800 South Improvement Project**
- D. Partial Payment 1 – Watkins Lane Waterline: \$17,705.00**

Shane Sorensen said PNL construction was awarded the Hillside Circle waterline project for \$441,580. Mayor Pro Tem Lon Lott explained the meeting was interrupted because of technical difficulties and have moved the meeting to a conference room. Shane Sorensen said Geneva Rock was awarded the 800 South improvement project. He said the 800 South project is heavily funded by class E road funds the 600 North (Pioneer Drive) project that we did last year the contractor did not complete it on time and the final payment went into this current budget year. He said because of the Pioneer Drive project we are a little bit short, like \$36,000 to make this project happen. He said but that is just what is budgeted. He said we have plenty of funds available but depending on where things end up at the end of the year, we may need to make an adjustment. He said he is comfortable moving forward where we are right now. Jason Thelin made a modification to the minutes on page 4 line 5 “Jason Thelin said he was concerned with goal one being based on a per capita basis, with Alpine’s larger lots might end in the result of forced increased city density”. Mayor Pro Tem Lon Lott send Bonnie Cooper, City Recorder, minor corrections to the minutes of February 9, 2021. Mayor Pro Tem Lon Lott said since he had already recused himself from voting on item D (Watkins Lane Waterline Project) even though none of that partial payment is going to him he feels he needs to recuse himself from voting on that one item.

Motion: Greg Gordon moved to approve the consent calendar with the changes made to the minutes of February 9, 2021 by Lon Lott and Jason Thelin. Carla Merrill second the motion. There were 4 Ayes and 0 Nays, as recorded below. The motion passed unanimously.

<u>Ayes</u>	<u>Nays</u>
Carla Merrill	
Greg Gordon	
Lon Lott	
Jason Thelin	

IV. PUBLIC COMMENT

No comments were made.

V. REPORTS AND PRESENTATIONS

A. Introduction of New Employees: Heidi Jackman

Shane Sorensen introduced Heidi Jackman who has taken in the place of DeAnn Parry, her responsibilities are utility billing and accounts payable. He said she will be at the front desk in the new reception area of City Hall.

VI. ACTION/DISCUSSION ITEMS

A. Ordinance No. 2021-05: Adoption of Water Conservation Plan

Mayor Pro Tem Lon Lott said this Ordinance is coming back to the City Council. Shane Sorensen said staff tried to take good note at our last meeting and bring those back for the council's approval. He said the changes that were made on the goals for per capita water use were reduced to 15% by 2030 and then 20% by 2040 and 25% by 2065. He said these are goals and not mandates. He said there is not a penalty specified for not reaching the goal. He said goals 5 and 10 were essentially the same so goal so they were condensed into goal 5. He said there was a typo on one of the charts that was fixed. He said the industrial connections clarification on that is it is only schools and churches.

He said since the City is a retail water supplier, we are required by the Utah Water Conservation Plan Act to adopt a water conservation plan. He said periodically, an update to the plan is also required. He said these plans have been reviewed more critically in recent years due to population growth and drought.

Greg Gordon asked if with Hillside Circle having a leak would affect the percentages. Shane Sorensen said some constant leaking could affect that but with all the fixes the city is making in the system should tighten it up in that particular area. Shane Sorensen said we have had multiply failures when it comes to that area because the clay soil can eat away at the pipe. Carla Merrill asked Shane Sorensen about figure #5 in the reliable supply and it almost doubles, is the Healey Well provide half our water. Shane Sorensen said the graph Carla Merrill was looking at was incorrect. He said the reliable water supply goes up because of the introduction of the CUP water. He said that water will fully be available, and it should be completed this fall of 2022 because of filters. Shane Sorensen said the system that is being built will be complete by this April other than being fully tested. Carla Merrill asked on page 10 table #5 water structure rate, if you are over their usage rate and you are charging them per thousand gallons and you have a monetary amount like \$2 to \$4 is it increasing for every thousand or is it sliding scale. Shane Sorensen said this is the current rate structure as it stands today a base rate of \$17 they get 8000 gallons for that and the overage rates come in three steps. He said we should put more detail in chart and structure and the numbers.

Motion: Carla Merrill moved to accept Ordinance 2021-05 as outlined except for the figure 5 on page 7 to more accurately depict the actual water supply and use. Greg Gordon second the motion. There were 4 Ayes and 0 Nays, as recorded below. The motion passed unanimously.

Ayes

Carla Merrill
Greg Gordon
Lon Lott
Jason Thelin

Nays

B. Ordinance No. 2021-08: Large Animal Ordinance

Austin Roy said current City code allows for a maximum of 5 large animals (horses or cows) on a single lot. He said one large animal is permitted on a lot of 10,000 square feet, and an additional large animal is permitted for every additional 10,000 square feet for a maximum of 5 large animals per lot. He said the city has received feedback from residents who would like to be able to have more than 5 large animals on a single lot if they have a larger lot with additional acreage.

Austin Roy said staff have reviewed the ordinances for large animals in Lehi, Highland, American Fork, and Draper. He said none of these neighboring municipalities have a hard cap on the number of large animals like Alpine City does.

Austin Roy said on February 2, 2021, the Planning Commission reviewed the proposal to remove the cap limit on number of large animals and recommended approval to the City Council:

MOTION: *Sylvia Christiansen moved to recommend that Ordinance 2021-05 Animal Ordinance be approved as proposed. Troy Slade seconded the motion. There were 4 Ayes and 2 Nays (recorded below). The motion passed.*

Ayes:

*Sylvia Christiansen
Troy Slade
Alan MacDonald
Jane Griener*

Nays:

*Ethan Alan
John MacKay*

Austin Roy said on February 9, 2021, the City Council discussed the proposal to remove the cap limit. After a lengthy discussion, the City tabled the item to the next meeting. He said staff have prepared new proposed language based on City Council feedback.

Greg Gordon asked if he would consider eight instead of ten. It came about because of the Whitby property it has already been addressed under five acres is five animals there are some residents that have large animals on three acres.

Motion: *Greg Gordon moved to table Ordinance No. 2021-08 allow more time to analyze the language. Carla Merrill seconded the motion. There were 5 Ayes and 0 Nays, as recorded below. The motion passed unanimously.*

Ayes

*Carla Merrill
Jessica Smuin
Greg Gordon
Lon Lott
Jason Thelin*

Nays

Carla Merrill said she cannot imagine allowing a large animal on a quarter acre lot. She said it is fine for the residents that already have that right and let them keep that but moving forward we need to do what Highland City is doing and at least have a three-quarters acre lot before you are allowed a large animal. She said she has half acre and cannot image have two large animals on her property. Mayor Pro Tem Lon Lott said at the last meeting the council discussed this and one of the thoughts was the city does not have any complaints on that right now. Carla Merrill said she believe residents do not know that they have any rights to complain. Austin Roy said currently the city has this standard in the downtown area around City Hall. Carla Merrill agreed with Austin Roy, but she said she is thinking going forward she does not want people moving in thinking they can have a large animal on a small lot. She said she does not think it is fair to the neighbors around them. She thinks the city needs to at least do what Draper is doing and if not, what Highland City is doing as far as requirements. Jason Thelin said he agrees with Carla Merrill with the second part of its exceptions for additional animals being granted by the city administrator. He asked if that is just a random thing or are there calculations or parameters attached. He asked how the city administrator says yes to one resident and no to another. Shane Sorensen said some of the things that would be considered, or formulas being discussed were based on residents that we have had code enforcement issues with and in some cases, it would allow the residents to have more animals than they already have. He said the thought process with this exception is that the city does not have a lot of these situations rather than turning everything completely upside down. He said the appeal does not need to come through him it can go through the City Council. He said the city would have to have a public hearing and give notice to the residents that a change is being considered to one animal per 10,000 square feet. He said that this consideration was not discussed at the first public hearing the Planning Commission had. He said with this exception the Medenhall horses have been there for a long time and it is grandfathered in but if something came in on a big piece of property like that, we would consider how many animals they would be allowed. Greg Gordon believes the issue is that if someone has eight acres and had the facilities and the room for the animals to roam. Mayor Pro Tem Lon Lott asked if the council wanted to address the minimum lot size with a public hearing. Carla Merrill said when that realtor started advertising quarter acre horse property lots in Alpine, she did not like that. She said she would like to see it go back to Planning Commission and have a public hearing and increase the minimum lot size. Mayor Pro Tem Lon Lott said he liked having the exception aspect of the ordinance. He said he would like to get some more definitive guidelines. He said he would like the administration to take care of the exceptions that come into the city unless it is an appeal then it would come to the City Council.

Lon Lott said there has been some public comments made by Martha Williams and Jamie Savage on YouTube. He said before reading their comments into the minutes he would like to see if the city is going to hold another public hearing.

Motion: Carla Merrill moved that we table Ordinance 2021-08 to go back to Planning Commission to have a public hearing on changing the minimum of 20,000 lot size for 1 large animal and one additional animal for each additional 10,000 square feet. Greg Gordon second the motion.

Mayor Pro Tem Lon Lott asked Hyrum Bosserman if that is the appropriate process that we would want to do legally. Hyrum Bosserman said that process is fine if you want to refer it back to the Planning Commission to consider it to hold another public hearing. Mayor Pro Tem Lon Lott asked if the council would have to have a public hearing if we did not want to change the minimum lot size and just move forward with the proposed five-acre size to be approved by the city administrator. Hyrum Bosserman asked for clarification on the ordinance that the Planning Commission had the public hearing on. Austin Roy said the change the Planning Commission was to remove the cap of how many large animals a resident could have on five-acre property and just say you can have one animal for every 10,000 square feet. Hyrum Bosserman said another public hearing would not be required. He said if you are reconsidering the ordinance then send it back to Planning Commission and have a public hearing. Mayor Pro Tem Lon Lott said he would prefer to send it back to have the public involved. Jason Thelin said if we are going to send it back to Planning Commission, we need to give them very clear direction of what we want. He asked Carla Merrill is she wanted it like Draper with a minimum lot size of 20,000 square feet with one additional horse for everyone after that or do they get two horses at 20,000 square feet to start. Carla Merrill said she thinks the lot size needs to be at least 20,000 square feet if not 30,000 square feet as a minimum lot size. Jason Thelin said anything over 10 large animals would come to the city administrator or the City Council for an exception. He said he thinks 10 large animals on 3-5 acres is fair. Greg Gordon asked Carla Merrill if she would change her motion to 2 large animals for 20,000 square feet to start. Carla Merrill said she has a half-acre and cannot imagine be having 2 large animals on her lot. Carla asked if everyone that has a large animal have structures. Shane Sorensen answered no. Shane said if you have 5 acres, but 10 animals are concentrated in one small area of your lot in those cases there will end up being complaints from a neighbor. He said he thinks with a proposal like this the code enforcement could get worse. Carla Merrill suggested having a minimum being 30,000 and allowing two animals on that. Jason Thelin said he agrees with Greg Gordon on having a 20,000 minimum size that we allow two horses at that point with 1 additional for every 10,000 square feet with a maximum up to eight to ten large animals. Jason Thelin, Greg Gordon and Mayor Pro Tem Lon Lott all agreed that having an exception process was a good idea. Mayor Pro Tem Lon Lott summarized the Jason Thelin's motion. Austin Roy said on March 16th there will be a public hearing at the Planning Commission meeting.

Jason Thelin made a motion to amended Carla Merrill's motion by adding the following to her motion:

Motion: Jason Thelin moved to add with the addition to raise the cap from maximum of 5 large animals to 8-10 large animals per lot. Exceptions for additional animals may be granted by the City Council on lots over 5 acres in size, with consideration given to proximity to neighbors, proximity to dwellings and the overall percentage of land designated for the large animals to roam.

Carla Merrill withdrew her motion. Lon Lott said the council needed to vote whether or not Carla Merrill could withdraw her motion. There were 3 Ayes and 1 Nay. As recorded below. The motion was withdrawn.

Ayes

Greg Gordon
Lon Lott
Carla Merrill

Nays

Jason Thelin

Final Motion: Jason Thelin moved that we table Ordinance 2021-08 to go back to Planning Commission to have a public hearing on changing the minimum to 20,000 square foot lot size for 1 large animal and one additional animal for each additional 10,000 square feet. In addition, raise the cap from maximum of 5 large animals to 8-10 large animals per lot. Exceptions for additional animals may be granted by the City Council on lots over 5 acres in size, with consideration given to proximity to neighbors, proximity to dwellings and the overall percentage of land designated for the large animals to roam. Greg Gordon seconded the motion. There were 3 Ayes and 1 Nay, as recorded below. The motion passed.

Ayes

Jason Thelin
Lon Lott
Greg Gordon

Nays

Carla Merrill

C. Ordinance No. 2021-06: Accessory Building Setback Exception Criteria

Austin Roy said on January 5, 2021, the Bingham, Cushing, and Strong families spoke during the public comment portion of the Planning Commission meeting. He said the Planning Commission felt an amendment was needed to the accessory building setback exception ordinance and the maximum allowed height for structures receiving an exception. He said the Planning Commission discussed the item and told the residents they would hold a public hearing and put this on the agenda for the upcoming meeting. He said the Planning Commission held a public hearing for the proposal on January 19, 2021, and recommended that the proposal be denied through the following motion:

MOTION: *Ed Bush made motion to recommend that the Accessory Building Setback Exceptions be denied as proposed and that the ordinance be left as is. Sylvia Christiansen seconded the motion. There were 5 Ayes and 2 Nays (recorded below). The motion passed.*

Ayes	Nays
Sylvia Christiansen	John MacKay
Ed Bush	Jane Griener
Ethan Allen	
Alan MacDonald	
Troy Slade	

Austin Roy said on January 26, 2021, the City Council reviewed the proposal and decided that the City ordinance needs to be amended. Item was sent back to Planning Commission to draft language to allow for increased height and to allow structures to be built in an easement if they are moveable.

MOTION: *Jason Thelin motioned that the council send back the proposal to the Planning Commission instructing them to do two things one look at the allowable height for accessory buildings and determine if a height of 12-feet 6-inches would be acceptable in Alpine City and second determine if movable accessory building would be allowable with in the setback and easements of a property. Greg Gordon seconded the motion. There were 4 Ayes and 1 Nays, as recorded below. The motion passed.*

Ayes	Nays
Lon Lott	Carla Merrill
Jessica Smuin	
Greg Gordon	
Jason Thelin	

Austin Roy said the Planning Commission reviewed the proposed ordinance again at the February 2, 2021, meeting and decided to table the item:

MOTION: *Alan MacDonald moved to table this issue until further review of these issues:*

- 1. Incorporate height amendment of 12 feet 6 inches or 13 feet;*
- 2. Consider incorporating a 2-foot setback;*
- 3. Consider appropriate language for movable buildings that can be moved within 24 hours or a fine;*
- 4. Building have no power, gas, water, mechanical running to it;*
- 5. Staff consider legal ramifications of encroaching on a city easement and the process for a resident to get a sign off from the city and utility company. John MacKay seconded the motion. There were 6 Ayes and 0 Nays (recorded below). The motion passed.*

Ayes:	Nays:
Sylvia Christiansen	
Ethan Allen	
Alan MacDonald	
Troy Slade	
John MacKay	
Jane Griener	

Austin Roy said on February 16, 2021, the Planning Commission continued discussion on the item and reviewed the changes that staff made based on feedback from the previous meeting. He said a recommendation of approval was made to the City Council:

MOTION: *Ed Bush moved recommend the Accessory Building Setback Exception be approved with this exception: 1. Move number 7 and 8 to be conditions under number 5 easement encroachment. John MacKay seconded the motion. There were 6 Ayes and 0 Nays (recorded below). The motion passed.*

Ayes:	Nays:
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Ed Bush
 Alan MacDonald
 Troy Slade
 John MacKay
 Jane Griener

Ethan Allen

Motion: Lon Lott moved to table the work session until next City Council meeting on February 23, 2021. Greg Gordon second the motion. There were 5 Ayes and 0 Nays, as recorded below. The motion passed unanimously.

Ayes
 Carla Merrill
 Greg Gordon
 Lon Lott
 Jason Thelin
 Jessica Smuin

Nays

Mayor Pro Tem Lon Lott talked about the Utah code public utility easement. Jason Thelin said the state can dig on an easement if they need to fix something. Mayor Pro Tem Lon Lott invited public comments to be made.

Public Comment:

Ron Robinson
 22 South Pfeifferhorn Dr.

Ron Robinson said he got involved in this process when he got a cease and desist order that I could not build anymore. He said in July he decided to put in a pool. He said he hired the same company as a neighbor and was doing the same layout as the neighbor two streets over. He said he found out that the builder did not get a building permit. He said he came in to get a permit and was denied. He was concerned because this is literally the exact same builder it is a foot off the property line and the exact same pool house structure. He said that the neighbors were approved and his was denied. He said he was told by the city that he needed to go in and find these easements and get them relieved. He called the utility companies and Rocky Mountain Power and they actually have a system which is quite simple. He said the utility companies were very protective of the front of the house. He said they are not concerned with the side and the back as much. He said he sent the city the documents he got from the utility companies which the city has had since January. He said with Rocky Mountain Power they will allow me to encroach and they also say the presence of your structure. He said Rocky Mountain Power knew he was doing a pool house (8X10 structure with footings) with full utilities to it. He said Rocky Mountain Power said they do not want to take responsibility if he were to hurt himself. He said when he called the gas company it was the same thing that they grant and hereby disclaim and release any rights titled interest which may have in and to following described real estate property. He said this is his main concern as a citizen we have hundreds of places and we have got three families who started this whole thing. He said he thinks we need to tighten the language up but if it is dirt and there are no conduits active and the utility companies give permission to build a structure on it, he thinks the city ought to use the utility companies' language if they want to but start allowing these things to be compliant. He said the other thing that has been talked about is being temporary. He said he thinks it is so inconsistent when residents are putting in retaining walls and fences or a big tree or a water feature that has electricity to it. He said the city has residents with structures with outlets and they have power and spickets to their sheds. He said some have been approved by the city and some have not. He said his recommendation to the city is to be consistent and it make sense and with the application that are pending to let those go through. He said and then going forward with a new ordinance would have more of a checkpoint. He said his personal experience has been frustrating trying to find consistency with the city.

Richard Pickering
 188 Fairview Circle

Richard Pickering said his project is quite simple, and he want a garden shed with no water or utility. He said he had talked to Austin and thought he would be within the city 10X14 in size on a gravel bed and his woodsheds 12 feet 2 inch tall and about 7 feet from the property line. He said his shed could be easily moved, and he trying to get approval and his concern is for the height of his shed.

Shane Sorensen said the number one goal in reviewing the plans are to look at them fairly. He said the plans that are brought to us we have several people look at them and each of us have different things we are checking. He said he never see them again once he signs off on them. He said they go to the building inspector and he goes out and checks the setbacks. Mayor Pro Tem Lon Lott said we still have contractors not getting permits even for a fence and those are free. Austin Roy said the city just want to make sure that the fence is in the right spot and the resident does not have to take it down. Mayor Pro Tem Lon Lott said sometimes we do not even know that these issues are going on and the city needs to be more consistent.

Mayor Pro Tem Lon Lott said the city does have an issue with time and maybe moving this to the next meeting and see if we can get this done in the next 20 minutes. He said this meeting is supposed to end at 9:00 pm.

Greg Gordon would like to see how much we can get done in the next 20 minutes. Jason Thelin said he would like to separate the two items and talk about the easements he reached out to Lehi City and they said their residents could vacate their easement and build on them. He said he would like to think that the city not limit residents use of their yards such as a kid's playhouse. He said he would like to revisit the easements later. He said he thinks what the Planning Commission sent the council on height looks good. Greg Gordon said his concern while he thinks the two-foot setback and the twelve and half foot height is reasonable but keep the ten-foot standard, so we are not pushing the standard higher. He said if the city does go up to twelve and half feet it is going to require at least a two-foot setback. He said he worried about the overhead for both the homeowner and the city to manage the documentation for the easement agreement. He said the fact that we allow driveways and basketball courts he thinks getting under a shed should not be problematic. He said he does not think the part about the structure needs to be moved should be in the ordinance. He said the moveable standard is 120 square feet it should be moveable so if you are under that you do not pay sales tax if you are over you pay sale tax.

He said he thinks having electrical for light on your shed should be allowed. Mayor Pro Tem Lon Lott said it is a state building code. Jason Thelin said a shed on a property line should be able to pull power but based on our ordinance it is against state building code. Greg Gordon said on subpoint 8 of the ordinance he thinks it is already covered by state law. He said he does not feel like the residents are reviewing the codes.

Carla Merrill said she likes the idea of the homeowner and have them vacate the easements they should be able to build. She feels like the Planning Commission made some good changes and she is good with what is written. Mayor Pro Tem Lon Lott discussed what would be acceptable. He said the building will not be taller than X amount of feet (it could be 12 feet 6 inch) to the top of the roof line. He said the suggestion made was what if it said at the property line the vertical wall or roof height shall not be taller than 10 feet with a roof line pitch no greater than at X degrees so if you start at the property line with a 10-foot-high limit that is as high as that building could be at the property line if the pitch were if it started at 8-foot and the pitch went up a 12 pitch then the structures set further back from the property line will be limited in height to the roof height trajectory previously stated whatever that pitch is so if we had a 12 foot 6 inch height and a two foot setback so a 10-foot shed could be right at the property line. He said the peak of that pitched roof is 12 ft 6 in and with our current ordinance with a 20-foot high with a 10-foot setback so let say take this accessory building and continue your building could be taller with the pitch base on the drawing that Jed Muhlestein had done we are trying to be respectful of the neighbor's view. Jason Thelin said he would change it from two foot to a one foot set back. Jason Thelin asked Austin Roy when we would see a utility company come in a need a shed moved within 24 hours. Austin Roy said it would be on city utilities lines the city has sewer lines or a waterline that it is sitting on the storm drains. He said those should not be allowed in those they are usually a 20-foot easement. Jason Thelin said adding another line to the ordinance that if the shed is budding up to a nonresidential lot should have it be an exception. He asked has that every been able to ask for an exception. Carla Merrill asked Jason Thelin why 1 ft set back. Jason Thelin said he is trying to fix a problem, so residents do not have to remove their sheds. Shane Sorensen said he thinks the two-foot setback is for the water shed issue. He said you must have it on your property line and that is in drawing #3.

Mayor Pro Tem Lon Lott asked a council member to make a motion to extend the meeting past 9:00 pm.

Motion: Jason moved to extend the meeting to 9:20 pm, with 10 minutes to talk about height and 10 minutes to finish the meeting. Greg Gordon seconded the motion. There were 4 Ayes and 0 Nays, as recorded below. The motion passed unanimously.

Ayes

Carla Merrill
Greg Gordon
Lon Lott
Jason Thelin

Nays

Mayor Pro Tem Lon Lott said he personally likes the two-foot setback for watershed and room for a fence to go in. He said the 2-foot setback makes me feel better about the height increase. He said the city must have it easily applicable to every situation. Greg Gordon asked if we need to consider pitch when we are talking about maximum heights. Shane Sorensen said his concern is if it gets too complicated for a resident to be able to figure out. He said he thinks it would be simplest to measure from ridgeline. Shane Sorensen said someone did put in a flat roof could not meet our ordinance setbacks. Austin Roy said require a height calculation for a home plan. He said he would hate for an Alpine resident to have to do this, it is very complicated math. Jason Thelin said he would be willing to make a motion if we

changed it to one foot set back and make a process to pull electricity to the shed. He said residents can pull electricity to tree for lights. Greg Gordon said we need to word it in a way with the eaves of a sheds structure are small, so he thinks a foot is good. Carla Merrill said her concern is the water shed issue. Shane Sorensen said a person could have a rain gutter hang over and direct the water over to their yard and we do not want that to happen. Mayor Pro Tem Lon Lott said 13 feet and 12 feet 6 inches was recommended by the three families that brought this to the Planning Commission. Austin Roy said Jed Muhlestein, City Engineer, did the calculations, with a five-foot setback and a 13-foot-high shed. He said Jed Muhlestein was using even numbers not halves.

Mayor Pro Tem Lon Lott said the city does need to address the easement. He said we are close on the two-foot set and height; he thinks in the next meeting the council can come to consensus. He said he thinks the city should have wording in there about having electrical out to the edge of a property for an outlet and have it be safe and meet code. Jason Thelin said have an exception if a property does not have any neighbors and back nonresidential. Mayor Pro Tem Lon Lott said there are some places that could justify have a taller shed. Shane Sorensen said would have the property owner get that vacation on the easement. He said the city should require a written form from the utilities saying that it gives permission for a homeowner to build on an easement. He said the city just need to have a public hearing.

Motion: Greg Gordon motioned to table ordinance 2021-06 until the next City Council meeting (March 9,2021). Jason Thelin seconded the motion. There were 4 Ayes and 0 Nays, as recorded below. The motion passed unanimously.

<u>Ayes</u>	<u>Nays</u>
Greg Gordon	
Lon Lott	
Jason Thelin	
Carla Merrill	

D. 300 North Well Rehabilitation

Shane Sorensen said in 2019, the city did some significant rehabilitation work on the 300 North Well. He said the work that was done significantly increased the flow rate of the well and it appeared that the work was successful. He said during the 2020 irrigation season, the well was pumped into the pressurized irrigation system for the first time since the rehab work was completed. For the first month or so, the well pumped as expected. He said after that, the well drawdown and production rate became erratic. He said after getting input from multiple people, we believe that the well needs additional development work. He said the purpose of the development work is to essentially flush out the fine sand particles from the formation behind the well screen which allows the water to freely flow into the well casing where it is available to be pumped. He said when fine sand particles come in with the water and water is pumped, it creates wear on the pump which reduces the flowrate and will eventually lead to pump failure. He said well development work is not an exact science, due to the inability to look back into the formations surrounding the well. He said the well drillers rely on the amount of sand they are flushing out of the formation and bailing out of the well as well as the amount of sand in the water being pumped as indicators of when the well has been adequately developed.

He said however, you could have a situation where a well appears to be developed and ready for pumping and then some formation breaks loose later after constant pumping which could produce the fine sand material. He said the city suspected this could have happened with this well. He said this well is very important to our PI (pressurized irrigation) system. He said the proposal is to get this work going as soon as possible and have the well ready to go into production for the 2021 irrigation season. He said the city would like to get started on this as soon as possible.

Motion: Jason Thelin moved to approved 300 North Water well Rehabilitation. Greg Gordon seconded the motion. There were 4 Ayes and 0 Nays, as recorded below. The motion passed unanimously.

<u>Ayes</u>	<u>Nays</u>
Greg Gordon	
Lon Lott	
Jason Thelin	
Carla Merrill	

VII. STAFF REPORTS

VIII. COUNCIL COMMUNICATION

Mayor Pro Tem Lon Lott said he is a member of the Utah lake commission in effort to clean up the lake with other Utah county communities and TTSD (Timpanogos Special Safety District). The State legislature want to change to Utah lake authority which would get rid of the commission. There are some concerns that this will be taken away from local leaders and many cities with lake front property. This would take away some of the rights. The funding would be different and Representative Brammer said his recommendation is to move over to get the funding from the state and make them responsible for what they already own. He said the committee was having a meeting this morning but was rescheduled. He said Alpine City are partners with the TTSD, and the city's rates could go up substantially and could increase for our citizens. He said he has been in communication with Mayor Troy Stout and his concern is that state is trying to take over the cities. It affects us mainly with our sewer issues.

Mayor Pro Tem Lon Lott said Earth day is coming up and UVU has volunteers they would come help us clean up our trail. He said the trail committee is meeting tomorrow.

IX. EXECUTIVE SESSION:

None was held.

Motion: Carla Merrill moved to adjourn. Jason Thelin second the motion. There were 4 Ayes and 0 Nays, as recorded below. The motion passed unanimously.

Ayes

Carla Merrill
Greg Gordon
Lon Lott
Jason Thelin

Nays

Adjourn at 9:37 pm