

ALPINE CITY COUNCIL MEETING
Alpine City Hall, 20 N. Main Alpine, UT
July 12, 2016

I. CALL MEETING TO ORDER: Mayor Sheldon Wimmer called the meeting to order at 7:00 pm.

A. Roll Call: The following were present:

Mayor Sheldon Wimmer

Council Members: Ramon Beck, Roger Bennett, Lon Lott, Kimberly Bryant

Council Members not present: Troy Stout

Staff: Rich Nelson, Charmayne Warnock, Joe McCrae

Others: Loraine Lott, Laura Lefler, Tom Lefler, Rob Schae, Ryan Schae, Jim Hobbs, Sylvia Christiansen, Bryon Burr, Bryan Hofeins, Chris Paulson

B. Prayer: Ramon Beck

C. Pledge of Allegiance: Ryan Shae

II. PUBLIC COMMENT

Ryan Shae said he'd come to the Council meeting in March to present his Eagle Scout project and now he was reporting back. He had painted 36 hydrants and curb in the Healey Boulevard area and surrounding neighborhood. He had fifteen people come out and help with the project which went as planned.

Laura and Tom Lefler said they lived at 304 Maple Drive. They had attended the Monday morning staff meeting and talked about the possibility of acquiring a small triangular piece of city-owned ground which was next to their property. It was approximately 92' x 40'. They had a deer problem and wanted to put up a fence but they had a mature globe willow that was in the way. Mr. Lefler had maintained the city-owned property for 17 years.

Roger Bennett asked if it needed to be put out for bid. Rich Nelson said that David Church had said it had been open space long enough that the City could sell it. He would find out what steps the City needed to take to begin the process. Sheldon Wimmer said there were other people interested in the rest of the city-owned piece.

III. CONSENT CALENDAR

A. Approve minutes of the City Council meetings of June 22, 2016 and June 28, 2016.

B. Bookmobile Contract for Fiscal year 2016-17

Lon lott said that Rich Nelson had forwarded the Council an email from the Highland City library wondering if Alpine City was interested in joining with them on the library, and wondered if they should discuss that in conjunction with the bookmobile.

Rich Nelson said the librarian from Highland City had visited with him earlier that day. Highland was discussing several ideas but had no definite proposal. One of the ideas came from a developer who wanted to build a high-rise building in Highland, and was proposing to include a library in the high rise that Highland City could rent. Highland City had also considered building a new library in the town square. Rich Nelson said the librarian had proposed that Alpine make a direct payment to the library rather than reimbursing citizens when they got a library card from the Highland library. The librarian said they were also looking making the library a three-city project between Highland, Alpine and Cedar Hills.

Sheldon Wimmer said he'd spoken with Mayor Thompson and they were having a hard time keeping the library certified. He thought a three-city library might help.

Roger Bennett asked if there was any chance of turning it into a county library. Rich Nelson said that would be a great idea if Utah County would do it.

Lon Lott asked how the bookmobile stops were decided, and if there were any concerns from citizens about the change in locations. Rich Nelson said a representative from the bookmobile came in and talked to them about it. There were no reports of citizens calling about the changed locations.

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

IV. REPORTS AND PRESENTATIONS

A. Alpine School District Report – Bob Smith: Mr. Smith was not present and this item was passed over.

V. DISCUSSION AND ACTION ITEMS

A. Fireworks: Mayor Sheldon Wimmer welcomed Joe McRae from the Lone Peak Fire Department for the discussion on fireworks in Alpine. Chief Brad Freeman had another engagement.

In 2012, a fire started on private property in the Lambert Park area, and spread to the mountainside east of Alpine. In consequence of that, the City Council adopted Resolution 2012-06 banning open fires and fireworks in Alpine City limits. The ban was later modified to allow fireworks in Creekside Park and some other specified locations because the state legislature said that cities could not ban fireworks entirely. Working with the fire department, a map was created which banned fireworks and open fires in outlying areas of town which were near sensitive lands, and opened up Creekside Park to the use of firework on the 4th of July and the 24th of July. Citizens who could not light fireworks by their homes would be able to come to park and light their fireworks. The event had grown to the point that safety of the participants became a major concern.

Mayor Sheldon Wimmer said some launchers had tipped over and fired into the crowd and caused injuries. City Attorney David Church had voiced serious concerns about liability. Mayor Wimmer said that it was not only Alpine residents lighting fireworks in the park. People from other communities where they had severe restrictions on fireworks were coming to Alpine to light their fireworks. He had been contacted by a number of citizens who were very concerned about the situation. After consulting with Fire Chief Brad Freeman, the Mayor and staff made a change to the policy and closed the parks to fireworks, and opened up much of the residential area in Alpine to fireworks.

Mayor Wimmer said the second issue was the massive amount of litter that was left in the park after the firework. The City crew had spent the entire day cleaning up the mess. The basketball courts and other areas in the park were damaged.

Joe McRae said he was at the park that evening. There were a lot of people and most were cordial, but some people did not seem to understand the effect of misaligned fireworks, which could shoot 150 feet. He said that if the City opened up the rest of the City to fireworks, there would be other consequences. It would greatly increase the area the fire department had to patrol. They would need extra manpower and would be patrolling the critical areas where fire could spread. He said the Fire Chief would be monitoring the fire conditions and see if there were further modifications that needed to be made.

Jim Hobbs said he lived behind Creekside Park, and the event on the 4th of July was way over the top. It would be scary to be out there. He said the reason they started having fireworks in the park was to avoid burning up the mountains, and in that respect it did seem safer. As far as litter, he said they could have a volunteer program where people could come to the park the next day and helped clean up. It would be a great activity that would bring the community together. The big question was how to control the liability. He suggested that maybe people should have to get a permit to light their fireworks in the park. He said he was concerned enough about the fireworks that he had hosed down part of his lot.

Sheldon Wimmer said that if they could insure the safety of the citizens, it wouldn't be such an issue. There were five instances that they knew of when fireworks went into the crowd. One hit a young lady in the head.

Kimberly Bryant said she was at the park that night. She said she didn't want to see the mountains go up in fire but at the same time she didn't want to see people injured. She said she lived in an area that was restricted to fireworks but she saw people setting off fireworks in her neighborhood. She said those citizens should be heavily fined. The fine needed to hurt, and perhaps the word would get around and people would start to comply.

Sheldon Wimmer said he'd watched the fireworks from up in Box Elder and saw fireworks all over the community. The restriction was not adhered to. The difference was in the number of fireworks in restricted areas.

Bryan Burr said he had sent an email to the City about changing the policy and banning fireworks in Creekside Park. He felt the City's response was a kind of knee-jerk reaction to a scary situation. He said he liked to sit on the deck of his home and watch the fireworks in the park. It was the best display he'd ever seen. He said he had a helicopter that sat down in Provo and he would love to have it parked by the rodeo grounds to be on call in the event there was a fire. He was carded by the fire service and could go anywhere. The pressurized irrigation ponds could be accessed for water. He agreed that there were citizens who would love to show up the next day to help clean up the park. The City could plan for the event and run the sprinklers during the day. He said he felt it would be a simple thing to have people show their permit to come in and light their fireworks. The hard part would be enforcement because there were so many points of access into the park. Maybe they could rent some portable fencing and have people to man the gates. He said that shutting down the event in Creekside Park just opened up the risk of people lighting fireworks in fire-prone areas.

Bryan Hofheins said he agreed with Bryan Burr. He said the City had the technology to educate the citizens about the safe use of fireworks with robocalls and mayor's message. Let people know they would get a big fine for setting off fireworks in restricted areas. If the City shut down Creekside Park, they would see people shooting off mortars in their backyards.

Lon Lott said he liked the ideas the citizens were offering. Restricting fireworks in a confined area would make patrol and enforcement easier.

Joe McRae said that on the night of the 4th they had increased patrol. They had nine officers on staff. Three were in Alpine, three in Highland and three in Cedar Hills. Each officer had their own truck.

Sylvia Christiansen said she'd seen in the paper that there were three fires in Salt Lake City from people putting hot fireworks in the dumpster. She felt it would be good to clean them up the next day. She agreed that if there was extra enforcement and someone was cited, the word would get around.

Chris Paulson said that if the City imposed a \$10,000 fine, they would have one lawsuit, which they would lose, then everyone would be running to deadend cul-de-sacs to light their fireworks. He said he liked the idea of a \$5 permit better and include a letter stating where fireworks could be lit.

There was a discussion about enforcement. Bryan Burr suggested that a neighbor could sign a sworn affidavit if they saw another neighbor lighting fireworks illegally. Rich Nelson said they couldn't prosecute on that, but they could give them a warning. Mr. Burr suggested they have members of the Youth Council or scout groups man the border to the park and take the permits.

Rich Nelson said the reason the fireworks in the park hadn't been managed was because it was not a City-sponsored event on the advice of legal counsel. It was an at-your-own-risk event.

Kent Partna suggested they handle permits the way the state did burn permits. A resident called in and got instruction on proper burning, get a code, and then they could burn. In that way, if they had a permit, they would have the proper information.

The Council had further discussion and decided that Creekside and Burgess Parks would be closed to fireworks as plan. They could discuss the ideas that were presented and decide if there would be a better way to handle the problem.

Rich Nelson said the only action the Council had to take that evening was to ratify the map the updated Fire Restriction Map.

MOTION: Lon Lott moved to proceed for the 24th of July with the proposed 2016 Fire Restrictions Map and address the issue further for July 4th and July 24th of 2017. Roger Bennett seconded. Ayes: 3 Nays: 1. Lon Lott, Roger Bennett, Ramon Beck voted aye. Kimberly Bryant voted nay. She said she didn't like the perimeter for allowed fireworks as far out as shown on the map. Motion passed.

VI. COUNCIL COMMUNICATION

Mayor Wimmer said the Healey Well went out the night before. It was their largest well but other wells had been brought on line to provide sufficient water for the pressurized irrigation system.

Ramon Beck said he'd seen people watering on Sunday and talked to them. They told him they had plants that needed to be watered daily. Rich Nelson said to have them call the City if they had a special situation.

Kimberly Bryant said the Council needed to figure out what they wanted to do in the parade for Alpine Days. One year the Council followed behind the horses and scooped poop.

Lon Lott asked if they were going to have a Council meeting the week of Alpine Days. The Council agreed to cancel it.

MOTION: Kimberly Bryant moved to cancel the City Council meeting scheduled for August 9, 2016. Ramon Beck seconded. Kimberly Bryant, Lon Lott, Ramon Beck, Roger Bennett voted aye. Ayes: 4 Nays: 0. Motion passed.

VII. STAFF COMMUNICATION

Rich Nelson said that the City staff would be hold a pre-meeting for the Alpine Days meeting.

Charmayne Warnock said that the Cocolalla annexation petition and Lambert Park Estates annexation petition had been certified, and copies were provided for the Council. Both annexations would be noticed in the paper, and the 30-day protest period would begin. The Pine Grove annexation petition was not certified because it was not in Alpine City's Annexation Declaration Area.

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

The meeting was adjourned at 8:21 pm.