

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

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

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

Mayor Sheldon Wimmer

Council Members: Roger Bennett, Lon Lott, Troy Stout, Kimberly Bryant

Council Members not present: Ramon Beck was excused.

Staff: Rich Nelson, Charmayne Warnock, David Church, Shane Sorensen, Jason Bond, Chief Brian Gwilliam, Steve Cosper, Alice Winberg

Others: Clive Walters, Jewel Walters, Julie Page, Brock Page, Vanee' B. Ashby, Griffin Johnson, Doug Hau, Carla Merrill, Eliot Jacobsen, John Johnson, Jonathan Johnson, Justin Aden, Zach Aden, Joshua Pontius, Josh Bentley, Evan Young, Darrin Young, Mike Davis, Tanner Davis, Paul Kroff, Will Jones, Sylvia Christiansen, Cathy Allred, Mary Wimmer

B. Prayer:

Roger Bennett

C. Pledge of Allegiance

Brock Page

II. PUBLIC COMMENT

Vanee' Ashby said she was a property owner between Timberline Middle School and Westfield Elementary. She had two items. First, she appreciated the service of the City Council. Her father was a mayor and she knew of the sacrifice it took. Secondly, she said her property was under contract with Griffin Johnson who was a developer

Griff Johnson said he had developed thousands of lots along the Wasatch front and looked forward to working with the City on development of the property.

Clive Walters thanked the City for posting agendas of the meeting so the public knew what was going on. Regarding the architectural approval of the proposed parks building on 300 North, he said he'd had a discussion about it with Don Watkins and Jason Bond. He understood that the Planning Commission had made a recommendation to move forward on it. He said he had lived on the north side of 300 North since it was a dirt road and his was the first home to get a building permit on the street. Later people started building homes on the south side of the road. His home was still the only home on the north side of the road. He said that because of the property owners on the south side of the road, the road was changed without due process. The road was supposed to be further south so it could be wider but they didn't do it that way. He said he would be glad to see improvements made to the city property on 300 North. For years the pump house had been an eyesore. When Oak Knoll was developed and Joel Hall was the mayor, they tried to make that area a cultural center but it didn't work out. When the pump house was built, funds were allocated for landscaping but they were used elsewhere. He said he saw that landscaping was included on the plans being presented that evening and he hoped the landscaping would be done. Mr. Walters said there was a concern about the traffic on 300 North and its impact on the elementary school. In reading past minutes, he said he learned that the lawn mowers were supposed to be transported on trailers from the parks building to other areas of town. He hoped the increased traffic and heavy equipment going up and down a narrow street would be taken into consideration by the Council. With the school there, they were past due for someone to get hurt and were lucky that no one had been hurt so far. He said he didn't get that there was a positive feeling that this should go forward. He'd also heard there was an issue with the zoning, then thanked the Council for their time.

Troy Stout agreed that 300 North was very narrow and the school was there. Having heavy equipment going past the school was a valid concern.

Will Jones updated the Council on the trail committee. They had met with Highland, Draper and Cedar Hills to discuss the trails connections that could be made. Their goal was to connect the trail in Three Falls to the parking lot above Hog Hollow Road in Highland. June 4th would be Trail Day but it wouldn't be as extensive as the previous year. They were planning a cleanup in Lambert Park. Troy Stout said the trail improvements done on Rodeo were

fantastic. He asked if there was going to be more signage. He had been going downhill on one of the trails that was supposed to be one-way and almost hit a kid coming up the trail. Will Jones said they had the signs and would put them up, probably on the next Eagle project. Rich Nelson suggested to the scouts in the audience that they not delay their Eagle project until they were 17 or 18 and said that if they were looking for an Eagle project, they could talk to Will Jones.

III. CONSENT CALENDAR

- A. Approve minutes of March 8, 2016**
- B. Bond Release, David's Court Plat F - \$44,963.50**

MOTION: Lon Lott moved to approve the Consent Calendar. Troy Stout seconded. Ayes: 3 Nays: 0. Lon Lott, Roger Bennett, Troy Stout, voted aye. Motion passed. Kimberly Bryant was not present at the time of the motion.

IV. REPORTS AND PRESENTATIONS: None

V. ACTION /DISCUSSION ITEMS

Mayor Wimmer said the first three Action Items had been postponed at the request of the developer Paul Kroff.

- A. Obere Annexation Development Agreement**
- B. Obere Annexation Public Hearing**
- C. Ordinance No. 2016-02 on the Obere Annexation**

D. Consideration of sale of open space to Doug Hall: Mr. Hall said that years ago, he and his wife purchased a home at the end of Paradise Lane in Alpine. At the time of purchase there were some older trees and very little landscaping on the property. In the last 23 years he had put in sod, planted a lot of trees, and maintained the property, all the time believing the property described by a field fence was their property.

A year ago they put their home up for sale and learned that the piece they believed to be their property was actually part of the adjacent Peterson Park. He said that when the City developed Peterson Park, one of the first things they did was put in a holding pond (retention basin) to prevent flooding on the south. The berm between the pond and his property was difficult to maintain and not readily accessible by park workers. He had been maintaining it, mowing it and watering it because he believed it was part of his lot, which was a logical assumption based on the terrain.

Mr. Hall requested the Council to consider selling that piece of ground to him. He recognized that cities were not generally inclined to sell off property, but he felt this was an unusual circumstance. He suggested that there had been a mistake in an earlier legal description wherein some numbers were transposed and it resulted in an error, because if one switched the numbers, the legal description would follow the fence line. In response to question about the size of the area, he said it was 0.064 acre.

Roger Bennett asked if the irrigation ditch followed the fence line. Mr. Hall said it didn't follow it exactly.

Shane Sorensen said the City had a property survey done seven or eight years ago, and when they did, they researched the deeds, and that was the boundary description the surveyor came up with.

The Council discussed the request and a motion was made to move forward in the process to consider selling the land. Kimberly Bryant arrived at the meeting during the discussion.

MOTION: Troy Stout moved to instruct Planning Commission to take set a public hearing on the proposal for May 3, 2016 and take the appropriate steps under state law and the open space ordinance to consider the request, and make a recommendation to the City Council. Lon Lott seconded. Ayes: 3 Nays: 1. Troy Stout, Kimberly Bryant, Lon Lott voted aye. Roger Bennett voted nay saying that if the ditch ran along the property line, he would rather have it on City property since the City used it for the storm drain system. Motion passed.

E. Approval of Lot 2 of Alpine Main Street Village: Jason Bond said Alpine Main Street Village was located northwest of the roundabout and was a recorded commercial subdivision. John Johnson had submitted a site plan for lot 2 of Alpine Main Street Village. He was planning to also put a commercial building on lot 3 but there were some location issues with lot 3 that would require a plat amendment, so for now he was only seeking site plat approval for lot 2. He said the Planning Commission had reviewed the site plan and recommended approval. The property owners brought renderings of both buildings for the Council to view, one of which (lot 3) was modeled after the city building on the Andy Griffith show and the Bank of American Fork building in American Fork. Jason Bond said lot 2 had three parking spaces which it would not need, and the owners would like to use those three spaces for lot 3.

Jonathan Johnson was the contractor and was present. He said they were looking at moving lot 3 closer to lot 2 in order to avoid conflict with the existing building on lot 4. All the property owners would need to sign off on the plat when it was amended, and they all seemed to be in agreement, but amending the plat would take time so they wanted to move forward on lot 2 and obtain a building permit.

Shane Sorensen said he had reviewed the proposal and thought it was a great idea.

In response to a question from Roger Bennett about the height, it was noted that the plan showed the height of the building to be 30 feet. The height limit was 34 feet.

MOTION: Lon Lott moved to approve the site plan for lot 2 of Main Street Village. Kimberly Bryant seconded. Ayes: 4 Nays: 0. Lon Lott, Kimberly Bryant, Roger Bennett, Troy Stout voted aye. Motion passed.

F. Approval of Central Utah Project (CUP) and Alpine City Water Extension Agreement. Shane Sorensen said this was the third 5-year extension with CUP. In the mid-nineties, Alpine City had the opportunity to apply for CUP (Central Utah Water Project) water. They applied and got roughly 1500 acre feet. However, the closest point to take the water was the Murdock Canal where it crossed 4800 West, which was too far away for Alpine to actually use it. Later on a line was run northward to the gravel pit which allowed Cedar Hills and Highland to use the water but it was still too far away for Alpine. When Alpine City put in the pressurized irrigation system, they got a grant from CUP and had to turn back half the water. The City entered an agreement to allow CUP to use the water for five years. At the end of the five years, they applied for another extension. The five years had passed and they were applying for the third extension. He said they had a ten year deferral before they had to pay for the water, but they hadn't been able to use any of it yet. He said it was a good deal for the City because the value of the water had increased considerably since they first got it. The City could figure out how to integrate the water into the City's system or they could lease it, but they couldn't lease it for profit.

MOTION: Troy Stout moved to continue the CUP/Alpine City Water Extension Agreement for another five years. Kimberly Bryant seconded. Ayes: 4 Nays: 0. Troy Stout, Roger Bennett, Kimberly Bryant, Lon Lott voted aye. Motion passed.

G. Parks Building Architecture Bid Approval: Shane Sorensen said they had been working with three architects on the design for the new parks building on 300 North, but two of them backed out. The remaining architect, Curtis Miner, proposed a contract for \$55,310 to design the building. Shane Sorensen said that if the Council approved the contract, they would work out the details later. He said that generally the architectural costs were eight to ten percent of the total building cost.

The Council discussed the project. It was pointed out that approving the contract with Curtis Miner would mean the Council was making a commitment to go forward with the project.

MOTION: Kimberly moved to approve the contract with Curtis minor for up to 55,000, and doing so would commit them to the project. Troy seconded. Motion was later withdrawn.

Lon Lott asked about the possibility of other options coming forward that the Council may want to consider before approving the contract.

Shane Sorensen said he'd gotten wind of another possibility and had made a phone call. The person he talked to said they may think about it.

Councilman Lott said he'd suspected he'd heard of the same possibility, and clarified that if they approved the contract that evening it would take other possibilities off the table.

Steve Cosper said that when they Planning Commission addressed the issue, he thought they were going to see renderings. In addition, there had been a letter from one of the residents who had hired an attorney in opposition to the project, and they hadn't discussed that at all. He said he'd thought the Planning Commission was going to review it more before they launched the design phase, and felt maybe they were rushing it.

After more discussion, Kimberly Bryant withdrew the motion.

H. Draft Tentative Budget: Alice Winberg said the Council should have received a copy of the draft budget in their packet. Also included was the detail regarding the capital outlay. She briefly reviewed the tentative budget. She would be meeting with members of the Council individually to review their concerns and answer questions.

Rich Nelson said they would have two public hearings on the tentative budget and a public hearing on the final budget prior to adopting it. The biggest issue in the budget was the plan for automated meter reading. They would study it through the winter and planned to implement it next spring or summer. It would not be phased.

VI. STAFF REPORT

Rich Nelson reported on several items.

- They just got the ISO rating which was a 4. They gone from a 5 to a 4.
- They had found someone qualified to do the work on the old house in Moyle Park, and hoped to get the work done on the roof before the rain caused problems.
- There was a company in Alpine which hadn't had a business license for years but was continuing to operate in Alpine. Staff had some discussion with them several years ago but the business still did not comply. He said they would be pursuing some action on this issue and wanted to Council to be aware of it, and if they heard something and had questions they should call him.
- Chris Paulson requested that the City allow him access through Moyle Park to his property. He was building a horse corral and the only way to get to it was through the park. He had talked to the Harts and they were okay with it but the Council needed to agree.
- He complimented Chief Brian Gwilliam on the work he was doing on some particularly tricky issues.

Shane Sorensen reported on the following:

- The project on North Main had started. They were trying to find Lehi City's waterline.
- The crew had started filling the PI system and the whole city should have water by the next day. He recommended the City implement the same watering schedule they'd used in the last few years.
- The Public Works Department was close to hiring a public works assistant and an entry level technician.
- He would be meeting with the Council to talk about the budget and explain the projects they were proposing.
- They had put up the four new speed signs. Two were on 600 East with one for northbound traffic and one of southbound. They'd planned to put one on Ridge Drive but the only good place to put it had too many trees so they moved it to 600 East.

Jason Bond reported on the Planning Commission.

- They would be looking at an amendment to lot 3 in Alpine Main Street Village, the Creekside Cottages Senior Living development, and the Fort Creek Riverbottom development. There would also be an amendment to the Open Space Ordinance on the agenda.

- The Planning Commission had finished the first draft of the Lane Use Element of the General Plan and would be working on the Open Space, Trails and Recreation Element.

VII. COUNCIL COMMUNICATION

Lon Lott

- He asked how the patrol at Lambert Park was going. Chief Brian Gwilliam said that when they'd go up there, they found no or minimal activity. The people who were there on motorized vehicles usually lived in the area. The previous fall they went up there every weekend for at least six hours on Saturday and then during the week. That may have had a quelling effect on the illegal activity.
- He asked if the rodeo grounds were locked all the time. Rich Nelson said that if someone wanted to use it they could come into City Hall and get a key.

Troy Stout

- He asked if there was progress on the rehabilitation project by the Covey Group. Kimberly Bryant said they were still working on it.
- He asked how the midtown trail project was going, and said he'd love to see something by summer. There were a lot of stroller type mothers who would like to have a trail they could get to that had a more Lambert-Park type environment. Jason Bond said he was working with the Alpine Art Center on something. The proposed Creekside Cottages would also have an asphalt trail that ran along Dry Creek. Julia Page said her son had done an Eagle project and cleared the trail from Ridge Drive to Red Pine and the Arboretum. A lot of people had participated and they cleared it in under two hours. She said she had three sons who would be looking for projects. There weren't always an available project but it would great to have trail projects that were ready to go.

Sheldon Wimmer

- He reported that he had talked to several people in Alpine Cove who were interested in coming into the City. There were issues with water and roads. People in the Cove were very concerned that Melby would be drilling a well above them. He expected they would have a meeting to discuss it. Chief Brian Gwilliam asked if he could be present at the meeting.

VIII. EXECUTIVE SESSION:

MOTION: Kimberly Bryant moved to adjourn to executive session to discuss litigation. Roger Bennett seconded. Ayes: 4 Nays: 0. Kimberly Bryant, Lon Lott, Roger Bennett, Troy Stout, voted aye. Motion passed.

The Council went into closed session at 8:48 pm.

The Council returned to open session at 10:00 pm. and adjourned.