

ALPINE CITY COUNCIL MEETING
Alpine City Hall, 20 N. Main, Alpine, UT
July 28, 2015

I. CALL MEETING TO ORDER: The meeting was called to order at 7:00 pm by Mayor pro tem Troy Stout.

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

Council Members: Troy Stout – Mayor pro tem, Will Jones, Roger Bennett, Lon Lott
Mayor Don Watkins and Councilwoman Kimberly Bryant were excused.
Staff: City Administrator Rich Nelson was excused. Charmayne Warnock, David Church, Shane Sorensen, Jason Bond, Chief Brian Gwilliam, Joe McCrae
Others: Michael Carver, Hayden Carver, Jane Griener, Joe McCrae, Carla Merrill, Ross Welch, Pam Welch, Jim Ireland, Asher Ireland, Erin Darlington, Marianna Richardson, Cammie Archibald, Steve Zolman, John Stansfield, April Cooper

B. Prayer: Roger Bennett
C. Pledge of Allegiance: Asher Ireland

II. PUBLIC COMMENT None

III. CONSENT CALENDAR

A. Approve the minutes of July 14, 2015

MOTION: Will Jones moved to approve the Consent Calendar with the minutes of July 14, 2015 approved as corrected. Lon Lott seconded. Ayes: 4 Nays: 0. Will Jones, Roger Bennett, Troy Stout, Lon Lott voted aye. Motion passed.

IV. REPORTS AND PRESENTATIONS: None

V. ACTION/DISCUSSION ITEMS

A. Lambert Park Motorized Vehicle Park Usage Plan. At the meeting of July 14, 2015, the City Council approved a motion by Councilman Troy Stout to continue allowing motorized vehicles in Lambert Park for a trial period of six months. The motion included a number of requirements, which were:

1. Speed limits and access will be strictly enforced by dedicating a police officer to Lambert Park. Staff will return with a recommendation at the next meeting with possible time for enforcement and will include penalties which will be enhanced and defined.
2. Road closures for routes deemed unnecessary such as the south end of the poppy loop.
3. Seasonal closures (rain and snow) subject to the judgment of city staff.
4. Signage to specify motorized vs non-motorized trails.
5. Continual assessment of compliance will drive the decision in January regarding future use and take into account the following:
 - a. citation counts
 - b. public input
 - c. condition of the park
6. City will evaluate the cost and feasibility of park cameras on trails, access and signage to enforce signage vandalism.

In response to the motion, City Staff met with Mayor Watkins, Chief Brian Gwilliam and Trail Committee member Evertt Williams to draft a Park Usage Plan for Lambert Park.

Shane Sorensen reviewed the plan which was organized into four parts.

1. Methods of informing the public about the rules in Lambert Park and the consequences if those rules are violated. They included handouts, information on the Alpine City webpage, and Facebook page and Joinin. The Friends of Lambert Park would also create a website about Lambert Park. The Youth Council would place informational door-hangers throughout the areas of Alpine most likely to have ATV users in the park. The state law regarding ATV usage and drivers would be followed.
2. Signage and trail markers in the park. The City had already purchased some Carsonite dual-sided trail markers and would hire someone to put them up.
3. Traffic reduction in key areas. The top and bottom of the emergency access road from Moyle Drive to Box Elder would be narrowed. The southern portions of the loops roads to the Lambert ruin and the Lambert tank would be taken out of service.
4. Police enforcement. Alpine City would budget \$12,000 for the Lone Peak police to enforce traffic rules in Lambert Park. They would provide enforcement on Saturdays and random times during the week year-round.

The Council discussed the Park Usage Plan and had several suggestions. Regarding the website, they suggested the rules be posted on the City website and made as obvious as possible. There could be a link to the website devoted to Lambert Park and possibly have a dropdown menu listing all the parks in Alpine with their particular rules. Troy Stout suggested they have a venue during Alpine Days to inform people about the rules.

Regarding the state law and ATV usage, Shane Sorensen said the City already had an ordinance defining what constituted street legal vehicles. David Church said that just because a vehicle was legal on the street, it didn't mean it was legal in the park. The City owned the park and had the right to say no to motorized vehicles in the park except on a designated road.

The Council discussed signs and trail markers. It was suggested that they wait until it rained and the ground was a little softer so the post could be adequately anchored. It was suggested that the trail marker signs for motorized trail be a different color than the signs for other trails.

The Council was in agreement with closing the southern loop roads. Troy Stout asked if they could revegetate the closed routes. They needed to disappear visually or people would try to use them. Shane Sorensen said it would take a couple of season to revegetate.

The Council asked if the police enforcement would be for six months only or if it would be ongoing? Chief Brian Gwilliam said he didn't remember it being done annually. He said that once enforcement went away, the behavior came back. He suggested that they take the next week or two to get the word out about enforcement in Lambert Park then they would begin ticketing. Troy Stout said he would like to have intense enforcement during the first few months so the word got out. They expected the \$12,000 would be used in the six month period.

Roger Bennett said he didn't have great faith in the motorized vehicle drivers obeying the rules. Troy Stout said that if enforcement didn't inspire the citizens to obey the rules, they would have to ban motorized vehicles.

Lon Lott commented that they would still need enforcement in the park even if they banned the vehicles. Roger Bennett agreed but felt it would be easier to enforce if they were completely banned.

MOTION: Will Jones moved to approve \$12,000 for enforcement in Lambert Park during the next 6 months. At the next meeting they would determine exactly where the funds were coming from. Troy Stout seconded. Ayes: 4 Nays: 0 Will Jones, Roger Bennett, Troy Stout, Lon Lott voted aye. Motion passed.

MOTION: Lon Lott moved to accept the Park Usage Plan for Lambert Park as written with the following clarifications:

1. Initial enforcement would be for six months and then they would evaluate.
2. The Alpine City website would be the primary website with a link to the other website.

3. Installation of trail markers would be prioritized with the markers on the motorized trails installed first.
4. A new Lambert Park trail map would be adopted showing the elimination of the southern portion of the loop road to the Lambert ruin and the southern portion of the loop road to the Lambert tank.

Troy Stout seconded Ayes: 4 Nays: 0. Lon Lott, Troy Stout, Will Jones, Roger Bennett voted aye. Motion passed.

B. National Forest Service/Patterson Construction Land Trade: This item was for information only.

John Stansfield introduced himself as the District Ranger in the Pleasant Grove Forest Service District. He informed the Council about a proposed land exchange by the Dry Creek trail head between the Forest Service and Patterson Construction. The land that would be exchanged was identified on the map. Mr. Stansfield said it would be advantageous to the Forest Service because they would be able to create a contiguous boundary and pick up some riparian area. He said land exchanges did take a lot time but if it went well, he anticipated it could be accomplished in under a year.

Shane Sorensen said the land to be acquired by the Forest Service was in the county, but Alpine City and Alpine Irrigation Company had an interest in the land because they had a diversion point and pipeline in that area. They wanted to make sure the Irrigation Company and the City could maintain those facilities, and would like to see something written into the trade agreement regarding the maintenance.

Mr. Stansfield said he was aware of that and they wanted to enjoy a good partnership with Alpine City since a lot of the citizens used the trailhead. He asked if the City currently had a right-of-way for the pipeline and diversion.

David Church said they had not been able to find a recorded document for the easement or the diversion. Under state law, there wasn't a problem with maintaining an easement with a private property owner, but they would have a problem with the Forest Service if they didn't have an agreement in advance of the trade. They would prefer to have a recorded agreement with the landowners prior to the Forest Service getting it, but they didn't want it to get in the way of the trade. John Stansfield said he thought they would have time to address it.

Shane Sorensen said the City currently had some agreements with the Forest Service and there was a cost to the City. He asked if it would be subject to a fee if it the ground was owned by the Forest Service. They didn't pay anything to the current property owner. John Stansfield said he believed it would be subject to a fee.

Lon Lott asked if the exchange would result in a bigger trailhead. Mr. Stansfield said it would change the trajectory of the trail head. Since the flooding two years ago, they were trying to detour people from going the way they used to go, and move the trail to the south. The Forest Service had done work on the flow out of Phelps Canyon to take it back to its original channel so it would drain into Dry Creek.

Troy Stout asked if this was a public process? Mr. Stansfield they had already noticed it in the local paper and sent it out to their mailing list, which was how Alpine City had been informed. He said they would need to establish an easement on the roadway to ensure access. He would like to engage Alpine residents and do more partnering on the trailhead. The Forest Service had plans to put in a restroom facility at the trail head and would like to have Alpine City help maintain it. Troy Stout suggested he bring the proposal to have the City maintain the restrooms back in March when they were working on the budget.

C. Box Elder South Annexation: Jason Bond said that at their meeting of June 23, 2015, the Council made a motion to send the question of annexing Box Elder South to the Planning Commission. The Planning Commission reviewed the financial estimates, the geotech reports, and weighed the pros and cons of annexation. Only four of the seven Planning Commission members were present at the meeting but they had a good discussion and the vote was unanimous. The Planning Commission made a motion to recommend annexing Box Elder South and forwarded it to the City Council

Troy Stout asked Steve Cosper, Planning Commission Chairman, to comment.

Steve Cospers said he liked having the facts presented in order to make an informed decision, and a lot of good information was presented which he appreciated. He'd come to the Planning Commission without knowing which way he would go. They discussed the liability issues, financial issues, the geotech reports, and the Lambert Park road which was controversial. They discussed whether there would be pressure to pave the road if the subdivision was annexed into Alpine City. They discussed having a sense of community since the subdivision would be located right next to a subdivision in city limits. They felt there would be better control over the subdivision if it was in Alpine City. He felt the pros and cons were almost neutral with a few unknowns. A public hearing was held in which four people spoke about the topic. Three were in favor of annexing and one person was against it. He said he was more of a fact-based person and liked to make his decision based on facts rather than emotional issues. Others may not be so much that way. On the first vote there was one person on the Planning Commission who voted against it and three who voted in favor. A second motion was made and all four voted in favor of it. However, since that time that Planning Commission member had sent out an email to everyone saying she wished she hadn't voted the way she had. She may have felt some pressure to vote that way.

Troy Stout asked if safety issues were addressed. Steve Cospers said they were. They talked about the emergency access road and the fire break. There was a letter from the Fire Marshal, and based on the presentation he gave, there didn't seem to be undue safety concerns.

Troy Stout asked David Church if there would need to be more public hearings and further consideration by the Council before it could be annexed. He said he hoped no one was expecting a decision that evening. The emergency road was still a hot issue. He asked if they would be required to pave it.

David Church said the emergency access road was a the result of a contract in 1992 in which the City agreed to development of the Box Elder subdivision. The obligation for the road was established at that time and that obligation would not change whether it was in the city or in the county. But when people lived in the subdivision, whether in the city or in the county, they would probably want that road paved, not for safety, but for convenience. The pressure would be there whether they were residents or not.

Troy Stout said he didn't think the sense of community would be limited if they weren't annexed. People in Alpine Cove attended the City Council meetings and commented. Some of them were happy not to be annexed into the City.

Will Jones said the fact was that Box Elder South was going to be there. It was approved. There were still a lot of things to be done before the plat was recorded. It was important to understand that the subdivision did not need to come into the city to be recorded. If it was within city limits, they could develop in phases and there was a slight benefit to that because they could take up to ten years to develop the 60 lots. In the county, they would have to develop the whole subdivision at once. If it was in city limits, the benefit would be that Alpine City received \$500,000 in impact fees. The physical impact on Alpine would be the same whether the subdivision was in the city or the county. They would still using Alpine roads and parks and water and sewer. The difference would be that the city would be getting the impact fees if they were annexed instead of them going to the county. He said Alpine City had been servicing Alpine Cove for years with fire and police and EMT services. It took two years for Alpine to finally get a payment from the county for those services, and what the Cove paid was less than what Alpine citizens paid for the same services.

Troy Stout said the Cove paid a higher fee for sewer and water. Will Jones said Alpine Cove had their own water system but they did use Alpine's sewer system and paid a higher monthly fee. However, the City still had the general overhead costs whether the residents paid into it or not. If more people were paying into it, the costs would be spread among more people and the cost per Alpine resident would be less.

Troy Stout said he was not saying he was opposed to it. He used Hurricane, Utah as an example where the town had annexed every piece of ground around them and were stretched to provide services to people who were far away.

Will Jones said the City would already be serving Box Elder South. There was an agreement that they would provide water and sewer to the subdivision.

Lon Lott said he had attended the Planning Commission meeting where this issue was discussed. One of the reason he had proposed they send it on to the Planning Commission in the first place was because they were a body who would be unbiased and evaluate the facts. He said that at the meeting there was a counterpoint to every issue that was raised. As they discussed it, the answers seemed to be consistent. They discussed hazards and safety issues. As they went through the process, they came to the same conclusion Steve Cosper did. He said one thing that would make the issue easier to decide was if there was a very serious hazard that couldn't be mitigated. They had talked about putting crash gates on the emergency access road. David Church had talked about getting a lot of pressure from residents to pave the road, but they were already getting pressure, one way or another.

Roger Bennett said that as he had studied the issue, no one had given him a good argument not to annex it. There was no compelling reason not to annex it, and he supported annexation.

Troy Stout said the next step would be a planning phase if they wanted to annex it. The landowner was not petitioning for annexation. What would the next step be?

David Church said annexations were typically initiated by the landowner, but there was a provision in the law that allowed for annexation without a petition if the property was less than 50 acres and was urban. If the city and the county came to an agreement to have the city annex it, then the landowner would receive a notice and could protest the annexation if he wanted to. It could not be annexed without the consent of the county and the landowner. If Alpine City wanted to consider annexing Box Elder South, they would want to inform the county and the landowner of their intent. He said he had heard that the county may not want Alpine to annex it.

Troy Stout invited Ross Welch, who represented the landowners, Patterson Construction, to speak.

Ross Welch said he would revisit the information he had given to the Planning Commission at their last meeting. Going back in history, there was a Settlement Agreement in 1992 and part of that agreement defined Box Elder South as part of the water service area. Subsequent to the Settlement Agreement, Alpine City designated Box Elder South as a park in Annexation Policy Plan.

In 2006, the landowner of Box Elder South came to Alpine with a petition to annex the Box Elder South area in the city with a development plan that showed 27 lots. Alpine City turned it down because they wanted that area to be a park. The landowner had the property appraised and offered it to the City for 13 million dollars. The City turned it down and told the landowner that any development requests would need to go to the county. Patterson then approached Utah County about developing the land in the county.

In 2011 there was another Settlement Agreement which included a confirmation that water services would be provided to the Box Elder South subdivision provided Patterson Construction built the tank and dedicated it to the city. A 400,000 gallon tank was constructed which would serve that area. In 1995, Alpine City passed an ordinance requiring anything on the north and east sides of Alpine to be sewerred. Patterson Construction said they would put in a sewer line. Regarding the secondary road access, he said it was just that - a secondary access.

Mr. Welch said that they went to the County with a development proposal and had public involvement in the process. They wanted to make sure the proposed subdivision would be safe so they had more than one geotech review done. There were actually three studies done. All three said they needed to have a berm, which they built and made it even higher than recommended. They met with the fire chief and agreed to mitigate all his concerns. After those improvements were made, the fire chief said it would be the safest hillside development in Alpine for fire, and possibly in the county. The developer had gone overboard to make it safe.

Regarding the liability issue, Mr. Welch said it had already been addressed.

Mr. Welch said that at the Planning Commission meeting, some people asked why they wanted to annex into Alpine City. He said one advantage of being in Alpine City was that they could phase the development. On the other hand, the impact fees in the county were significantly less than the fees in Alpine City. He said that financially, it would be a wash for them whether they developed in the county or in Alpine City. A nonfinancial reason for them to annex was that it made more sense relative to creating a sense of community. It made more sense to be part of Alpine. The impact fees for parks would go to Alpine City instead of the county. They would be paying Alpine City for fire

service instead of paying the county. If they were in the county they would pay the county who would determine how much came back to the Lone Peak fire district. Mr. Welch suggested there would be some benefits to the City if the development was annexed. For the developers, it would be a wash.

Troy Stout asked Mr. Welch if they would revise the number of lots if they chose to move forward with the annexation.

Ross Welch said they started the process in 2009. It had been through several iterations and they had a lot invested in the plans. This was their business and they were trying to make a return on their investment, not a loss. It wouldn't make sense to go back and reengineer and redo. The smallest lots was 20,000 square feet. Some were 30,000 square feet.

Troy Stout asked Mr. Welch if they desired to be annexed provided they could work out a mutually beneficial situation.

Ross Welch said they did. As residents of Alpine, it made sense for the development to be in Alpine. That was why they designed it with roads that met Alpine City standards. At the end of the day, they felt it should be in the city. It didn't have to be done today, but he felt it should be annexed before they started selling lots. He expected that would be in the spring of 2016.

Troy Stout recommended they continue the discussion on Box Elder South at the next meeting when they had more members present.

Will Jones made a motion to extend formal notification to Utah County and to the landowner to find out if they were willing to allow Alpine City to annex Box Elder South. The motion was not acted on until later in the discussion.

Troy Stout asked David Church to outline the steps that would take place if the motion passed.

David Church said that if the City was annexing without a petition, the City would first make some kind of semi-formal contact with the County to see if they agreed to having the property annexed into Alpine. If the County was not opposed, the City Council would pass a resolution of intent to annex which started a public notification process and protest period and a public hearing. That's what they would do if they were annexing without a petition from the landowners. If they got a petition from the landowner, it was a different process. Notices were published and mailed out to affected entities. There would be a protest period. He said that process took longer than annexing without a petition. He said what he had heard Mr. Welch say was that they wouldn't want to annex until the plat was recorded. If they annexed before it was recorded, the County would want a plat approved by Alpine City. He said Mr. Jones' motion was appropriate. They needed to know the position of the County.

Lon Lott clarified that the motion to notify the County and the landowner did not obligate the City to annex Box Elder South whether the County agreed to it or not. Mr. Church said that was correct. Until the Council held a public hearing and adopted an ordinance of annexation, it was not annexed.

Troy Stout asked David Church if there was anything about the motion that would obligate the City to annex Box Elder South. David Church said no. It was only a notification which could begin a process if the County was amenable to annexation. At the end of the process, the City would decide whether or not to annex.

Ron Madson said he was a resident of Alpine Cove and he had a business in Alpine. He said he was a codefendant with the mayor and Alpine City in a lawsuit. He asked if the motion was a legislative act or not. David Church said it was not. Mr. Madson said he wanted that to be in the record.

Marianna Richardson asked if the lawsuit between Patterson and Alpine City was still going on and was told that is was. She asked if it had been discussed whether or not Patterson would be willing to drop the lawsuit if Box Elder South was annexed.

David Church said they hadn't had any discussions about the annexation as part of the lawsuit.

Troy Stout questioned if it would be in the City's best interest to deal with someone they were in a lawsuit with. As a Councilman, he would like to be part of that discussion.

Marianna Richardson clarified that the lawsuit had to do with Box Elder South and asked if Mr. Welch could address that issue.

Ross Welch said he probably shouldn't address it but since he wasn't an attorney he could possibly speak. He said it was their feeling that the City did breach the contract. He said they had extended multiple requests to Alpine City to sit down and resolve the issue before the lawsuit was filed. They were told to speak to the attorneys and eventually a lawsuit was filed. He said they had been willing to talk about the lawsuit all along. He thought they would be willing to sit down and talk about settling the lawsuit.

Ron Madson asked if the lawsuit against Alpine City and the Mayor was covered by insurance then said he was told that it did not. He suggested they should estimate the cost of attorney fees to see that case through. They had talked about being good citizens and yet the cost of the attorney fees could far exceed anything they were talking about. That needed to be part of the equation.

Will Jones said those things would still be the case whether the development was in Alpine or not. There was still a question of whether or not the City breached the contract.

Troy Stout said he would like to wrap up the discussion and asked for a vote on the motion which was restated.

MOTION: Will Jones moved to extend formal notification to Utah County and to the landowner to find out if they were willing to allow Alpine City to annex Box Elder South. Roger Bennett seconded. Ayes: 4 Nays: 0. Will Jones, Roger Bennett, Troy Stout, Lon Lott vote aye. Motion passed.

Troy Stout clarified that there was no commitment on the annexation made that night. They were merely opening it for further discussion.

D. Resolution No. R2011-04 - Amending the Rules of Procedures for Public Meetings. David Church said that an earlier Council adopted Rules of Procedure for Public Meetings based on Roberts Rules of Order. Since that time, some members of the current Council proposed amending them, particularly Rule #9 which dealt with the ability of the Council to reconsider an issue that had already been acted on.

The proposed amendment, which was drafted by David Church and based on state law, was discussed at the previous meeting of July 14, 2015. Action on the proposed amendment was postponed until all the Council members were present.

The Council continued the discussion on the proposed amendment that evening and considered different scenarios and to what extent the current rule could bind a future council. The discussion came down to a definition of what it meant to "reconsider" an issue. Would the Council be restrained from reconsidering an identical issue on which a previous Council had acted and was there a time period that would come into play?

David Church said the intention of the state code was to prevent a minority from hijacking the majority by holding a special meeting when it was known that certain members of the council would be absent.

Troy Stout was hesitant to amend the Rules of Procedure as proposed, but thought a six-month period before a decision could be reconsidered would be reasonable. If something needed more urgent reconsideration, the Council could vote to suspend the rules.

MOTION: Roger Bennett moved to adopt Resolution No. R2015-09 amending the Rules of Procedure for Public Meeting. Will Jones seconded. Ayes: 2 Nays: 2. Roger Bennett and Will Jones voted aye. Lon Lott and Troy Stout voted nay. Motion failed.

MOTION: Lon Lott moved to direct David Church to bring the Council a definition of "reconsider" as it pertained to Rule # 9 in the currently adopted Rule of Procedure, and address a time limit for Rule #9, and create a new Rule

#11 giving the Council the option of voting to suspend the rules. Troy Stout seconded. Ayes: 4 Nays: 0. Lon Lott, Troy Stout, Roger Bennett, Will Jones vote aye. Motion passed.

E. Ordinance No. 2015-11 - Amending the Retaining Wall Process in the PRD Ordinance: Jason Bond said the Council had already adopted Ordinance No. 2015- 07 regulating retaining walls. There was residual language in the PRD Ordinance pertaining to the process of approving retaining walls that would need to be updated to be consistent with the currently adopted ordinance on retaining walls.

MOTION: Lon Lott moved to approve Ordinance No. 2015-11 amending the retaining wall process in the PRD Ordinance and verify the ordinance number. Will Jones seconded. Ayes: 4 Nays: 0. Lon Lott, Will Jones, Roger Bennett, Troy Stout voted aye. Motion passed.

F. Art Exhibit Agreement: David Church said that he had put together an agreement to exhibit art in City Hall in response to an offer from a local artist, Mary Ann Judd Johnston, who had painted a number of paintings of historic homes and sites in Alpine. He felt the agreement protected the City and protected the artist. He said that when the issue first came to the Council, Will Jones had some concerns about the proposed agreement, which Mr. Jones would address.

Will Jones said he felt the opportunity to exhibit local art in City Hall should be extended to other artists under the same agreement, regardless of the art form. He was bringing the issue back for reconsideration to allow other artists to participate. It was noted that Mr. Jones was in the majority on the previous vote.

Lon Lott said he wanted the City to have the ability to rotate the art if they had other artists who wanted to display their work. David Church said that the agreement allowed the artist to loan the City their art and it would be hung at the City's discretion.

The Council discussed various art forms and what constituted acceptable art and agreed that they wanted to be able to approve any art that was exhibited in City Hall.

MOTION: Will Jones moved to approve the Art Exhibit Agreement with Mary Ann Judd Johnson with the condition that the same type of agreement be open to other artists, and that it be Alpine art which was approved by the Council, and that the City be able to make a change in the art that was displayed as needed. Lon Lott seconded. Ayes: 4 Nays: 0. Will Jones, Lon Lott, Roger Bennett, Troy Stout voted aye. Motion passed.

The following item was handled out of order after Staff Reports and Council Communication.

G. Ordinance No. 2015-10, Amending the Condominium Conversion Ordinance: Jason Bond said amendment would take out language that required a 2-hour fire wall between units in a condominium project. It would make it consistent with the Uniform Building Code, which required a one-hour fire wall. The Fire Marshal from the Lone Peak PSD had submitted a letter supporting the amendment. The Building Inspector from Sunrise Engineering also approved the amendment. Will Jones asked Shane Sorensen if he approved the amendment who said he was fine with it.

Roger Bennett said he would like the two hour fire wall just for added protection but no other city required it so it wasn't fair for Alpine City to require it.

Troy Stout questioned if they should beef up the requirements for other construction and require a two-hour fire wall for all commercial buildings. There was a question if the two-hour fire wall would also apply to homes with an accessory apartment since they were also, in a sense, a commercial use.

Jason Bond said that a two-hour fire was enough of an additional expense that it could discourage commercial construction in Alpine.

Lone Lott clarified that the Uniform Building Code only required a one-hour fire wall and it was supported by the Building Inspector and the Fire Marshal.

MOTION: Lon Lott moved to adopted Ordinance No. 2015-10 amending the Condominium Conversion Ordinance to require a one-hour fire wall between units. Will Jones seconded. Ayes: 3 Nays: 1. Lon Lott, Will Jones, Roger Bennett vote aye. Troy Stout voted nay. Motion passed.

Accessory Apartment Enforcement: This item was postponed.

STAFF REPORTS

Jason Bond said the Planning Commission had held a work session prior to the City Council meeting to discuss buildings that were proposed for the Gateway Historic zone and also discuss guidelines for the Gateway Historic zone. The Planning Commission would also hold a special meeting on August 4, 2015 to discuss those same items. Three new buildings were proposed belonging to Larry Hilton, April Cooper, and Ezra Lee.

Shane Sorensen reported on the following:

- There were projects in the budget that would need to be done before the Council met again so he would bring them back for ratification.
- They would be repaving the roads in the cemetery.
- Water Report/Discussion. Shane Sorensen said they'd had to pump the small wells in April for PI since there was no runoff. Fortunately May was very wet or they would have been pumping the big wells in May. They had struggled to keep water in the high zone during June and July, and had to work out a deal with Lehi City to use water for the high zone. Right now they were pumping the Healey, Ranch, Carlisle, Fort Creek and 300 North wells. At night they were using all the water in the reservoirs. With all the demand, it pulled the pressure down so some high zones had issues with sprinklers. He recommended getting another well to serve the high zone.

Lon Lott said he'd received a complaint from a resident about the restrictions on using the PI system while residents in Box Elder used culinary water to water their yards as long and as often as they wanted. Shane Sorensen said the water in Box Elder was metered but the City had to pump it up there so there was an additional cost. They would have to review the rates. Roger Bennett said the residents in Box Elder were not paying a fair rate compared to the rest of the residents.

David Church suggested they change the wording on the watering restriction to Outdoor Water Use instead of Pressurized Irrigation Use so it would applied to residents who were not on the PI system.

Shane Sorensen said there were some residents who had PI but did not have a sprinkler system and had to drag a hose so they allowed them to water during the day.

- Shane Sorensen said that Greg Kmetzch had been taking care of the water system fulltime for 15 months and was doing a great job.
- In response to a question from Troy Stout, Shane Sorensen said the line in his street would be upsized but not as soon as hoped.
- The lights were in on the tennis courts and they would be surfaced in August. The pickle ball courts would be ready for Alpine Days. Will Jones said they would have someone giving instruction on pickle ball for Alpine Days.
- The sewer project on 100 West was completed. It was the last major sewer project and almost completed the sewer master plan. The street would get an overlay.
- Questar would be helping pave the roads in Alpine that were affected by their work. The area in Burgess Park affected by the gas line was almost ready for sod.

COUNCIL COMMUNICATION

Lon Lott asked about filling the potholes in the asphalt throughout town. Shane Sorensen said to let him know where they were. Mr. Lott also reported on the MAG meeting and open house on transportation. He said he didn't know how soon it would happen but they planned to make improvements to the intersection of the SR-92 and the road to Lone Peak high school. There would be a right-hand turn lane going east bound and traffic turning right wouldn't have to stop at all because of a concrete barrier. That would mean the green light for southbound traffic would be on longer. He said he would continue to be a presence at the MAG meetings to capitalize on projects the County might want to do. Shane Sorensen said the County had it in their budget to replace the culvert on Dry Creek but had taken it off so he might want to remind them about it.

Roger Bennett said he been talking to Alice Winberg about the cemetery and was told they were about out of cemetery plots. He wondered if the City was planning to expand in the future. Shane Sorensen said they had some areas that they were looking at. Charmayne Warnock said that in the past when they were running low on lots they limited the sale of lots only to families that had an immediate need. It was suggested it be on a future agenda to address cemetery issues.

Will Jones reported on the following:

- He wanted to know who was taking the rocks out of the trails in Lambert Park. It was suggested they have groomed trails for those who wanted smooth trails and natural trails for the others. Troy Stout said they needed to get some signs that said alteration of trails was prohibited, including removal of rocks.
- GPS system for Lambert Park that Steve Richardson had brought up. It was thought that Mr. Richardson said he would do it. He said they also needed to look into how young riders were getting their vehicles to Lambert Park. Were they hauling them in a trailer or riding them on the streets? They needed to address that. David Church said the City had passed a street legal ATV ordinance but the driver had to be licensed.
- Bat houses in the open space to control mosquitoes. It could be an Eagle scout project.
- Accessory Apartment Enforcement. Jason Bond said Tucker Hanson, the attorney who handled enforcement, had a prior commitment. He would try to set up a meeting with him.

Troy Stout asked when the ballots would be mailed out and what the regulations were on election signs. Charmayne Warnock said they would be mailed out the first part of October. Regarding signs, there was no restriction on when election sign could be put up.

MOTION: Will Jones moved to adjourn. Troy Stout seconded. Ayes: 4 Nays: 0. will moved to adjourn. Troy seconded. Ayes: 4 Nays: 0. Will Jones, Troy Stout, Roger Bennett, Lon Lott voted aye. Motion passed.

The meeting was adjourned at 10:40 pm.