

ALPINE CITY COUNCIL MEETING
Alpine City Hall, 20 North Main, Alpine, UT
January 26, 2016

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

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

Mayor pro tem: Troy Stout

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

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

Others: Marianna Richardson, Mike Marion, Marie Hafen, Levi Smith, Zach Hafen, Charlie Kraff, Dan Clark, Matthew Stanford, Lucas Marion, Cole Voss, Jacob King, Carter Reynolds, Eric Reynolds, Sheldon Wimmer, Paul Kroff, Scout Troop 819, Shauna Miller, Paul Bennett, Jim Phelps, Will Jones, Will Peterson, Steve Skirvin, Wesley Skirvin, Holly Reynolds, Jane Griener, Lisa Ashby, Kent Partna, Carla Merrill.

B. Prayer: Kimberly Bryant

C. Pledge of Allegiance: Lucas Marion

II. PUBLIC COMMENT: Sheldon Wimmer reminded the Council about the Earthquake Preparedness Fair that would be held on Saturday, February 6th at the Alpine Stake Center. They would have an helicopter landing and other events.

III. CONSENT CALENDAR

A. Minutes of January 12, 2016

MOTION: Lon Lott moved to approve the Consent Calendar with the minutes as corrected. Ramon Beck seconded. Ayes: 4 Nays: 0. Lon Lott, Ramon Beck, Kimberly Bryant, Troy Stout voted aye. Roger Bennett abstained because he had not been present at the meeting. Motion passed.

IV. REPORTS AND PRESENTATIONS

Troy Stout invited Shane Sorensen to talk about the Box Elder water study. Shane said he was asked to do a water study for the Box Elder zone. He was working on it and hoped the study would be complete and ready for presentation at the next meeting.

Troy Stout asked about water outlook for this year. Shane Sorensen said that the based on the snowpack at Snowbird they were at 100%.

V. ACTION/DISCUSSION ITEMS

A. New Alpine Mayor Selection Discussion: Troy Stout said that Mayor Don Watkins had resigned because he had accepted an opportunity to teach at the university in St. George. Mr. Stout said they were sorry to see him go. He had done a good job and they offered him their best wishes. He invited David Church to review the process for selecting a mayor.

David Church said the selection process was governed by the state election code. It was similar to what the Council had done when the a council seat and was vacated by Mel Clement and filled by Lon Lott. The vacancy would be filled by a vote of the legislative body. He said anyone who was a registered voter and had lived in the community for at least a year could apply.

Mr. Church said there had to be a public notice advertising the vacancy for at least two weeks before the meeting at which the Council would select the new mayor. The notice must give the date, time and place of the meeting. The notice must also give information about where interested people could file an application if they wanted to be a candidate for the vacancy. The notice must also include the deadline when the application must be received.

The applicants must be interviewed in an open public meeting. The Council was not allowed to discuss the candidates in a closed meeting or interview them in a closed meeting. The Council was not allowed to vote for the candidates in a closed meeting. The first candidate to get three first votes would fill the vacancy. The process had to be concluded in 30 days. If the Council could not agree, they would vote to reduce the number of candidates to two and vote again. If neither candidate got three votes, the Council would flip a coin.

The Council needed to decide when they wanted to make the selection. Don Watkins' term would expire in January 2018 so the candidate would fill the remainder of the term. David Church said that if a member of the Council applied for the mayor seat and was selected, they would begin the same process to fill the vacant seat on the City Council.

Lon Lott asked if Join In would continue to function as a method to disperse information. Rich Nelson said that was up to the Council. It had been funded by the mayor's discretionary fund.

Troy Stout suggested that the notice be posted on Facebook and the Alpine City website that evening and then they could interview the applicants at the next meeting. He said he would like to be able to thoroughly study each of the applicants before taking a vote.

David Church suggested that the cut-off date for applications be several days before the meeting so the applications could be reviewed by the Council prior to the meeting.

The Council asked David Church questions and discussed the process at length. Kimberly Bryant made a motion to select the mayor at the next meeting and set the deadline for one week from that evening. The Council discussed the motion and suggested the deadline be extended to the Friday, February 5th at noon. They also discussed the merits of narrowing the candidates down to two. Troy Stout said that if there were no more than three candidates it wouldn't make sense but if they had six candidates it would be good to narrow it to two candidates.

MOTION: Kimberly Bryant moved to advertise that the City Council would select a new mayor in two weeks at the next regularly scheduled meeting. Applications for mayor would be due on Friday, February 5th at noon and be delivered to Rich Nelson. Each applicant would have a fair chance to speak and be interviewed by the Council. If necessary, the candidates would be narrowed to two and selection made by a roll call vote. Troy Stout seconded. Ayes: 4 Nays: 1. Kimberly Bryant, Lon Lott, Ramon Beck, Troy Stout vote aye. Roger Bennett voted nay. Motion passed.

B. Urban Deer Control Committee Discussion: Troy Stout opened the discussion by saying that the deer issue would not be resolved that evening. They were going to discuss forming a committee and developing an approach to deal with the deer problem.

Kimberly Bryant said that she and Lon Lott had previously met with Rich Nelson and talked about how they would go about forming the committee. They put together a statement and purpose, a procedure, composition of the committee, and a time frame in order to give direction to the committee.

Lon Lott said the City Council would nominate citizens to be on the committee. Minutes would need to be taken so they would need to designate a member of the committee to act as secretary to post an agenda and take minutes. He said the committee could be a long-term committee because they would always have deer.

Kimberly Bryant said that if there were any people in the audience that were interested in participating on the committee they should let the Council or Rich Nelson know.

MOTION: Lon Lott moved to form the deer committee within a three-week time frame and begin to work on the purpose and procedures that were outlined and any other procedures that were beneficial. Ramon Beck seconded. Ayes: 5 Nays: 0. Lon Lott, Kimberly Bryant, Troy Stout, Roger Bennett, Ramon Beck voted aye. Motion passed.

C. Obere Annexation Redlined Resolution: Troy Stout said the Council had adopted a resolution on the proposed Obere Annexation at the meeting of October 27, 2015. Since that time, Paul Kroff who represented

the owners of the Oberee Annexation and submitted some proposed revisions to the Resolution, which were included in the packet. Troy Stout invited Paul Kroff to address the revisions he wanted the Council to consider.

Paul Kroff said that when the Resolution was adopted at the end of October, it was to lay the groundwork for the annexation with the possibility of further discussion. He had submitted some revisions to the previously approved Resolution which he hoped the Council would find to be mutually agreeable.

The first revision was in paragraph B which talked about the overall density and lot size. Mr. Kroff read paragraph B in the original Resolution which set the total number of lots in the Oberee and Grant annexation at 53 lots with a minimum lot size of 30,000 square feet. No more than 20% of the lots would be the minimum lot size.

Mr. Kroff then read the revision to the Resolution which would limit the maximum total density to the slope calculated base density as defined under 3.9.5.2 of the Alpine City Development Code. There would be no density bonus. He said that normally a detailed slope analysis would include all the proposed project area, but in this case, the property owner acknowledged that the conservation easement area would be excluded. Mr. Kroff said that excluding the conservation easement area resulted in a much lower density for the property owner.

Mr. Kroff said the revised Resolution would state that the lot size would be an average of 30,000 square feet with no more than 20% of the lots at the minimum size allowed in the PRD.

Troy Stout said he was concerned that the proposal went from a minimum lot size of 30,000 square feet to an average of 30,000 square feet. It would increase the density and reduce the size of the lots to well below the lot size of the surrounding lots.

Paul Kroff reminded the Council that the property owner had made concessions. He was only proposing that the total density be based on the slope analysis which would yield 60 lots. If the conservation easement area was included in the slope analysis, as was typically done, the base density would be 76 lots. If the property owners were given the value for the conservation easement as a density credit, they would have 95 lots.

Mr. Kroff continued with the revisions. Paragraph D dealt with improvements to Grove Drive. The original Resolution stated that the property owners would agree, at their cost, to provide improvements from the intersection of Alpine Boulevard to the new development including improvements to the 90 degree bend. The proposed revision stated that the property owners would provide improvements to the 90 degree bend. They would also improve their proportional share of Grove Drive along their property frontage as opposed to the entire width of Grove Drive. Mr. Kroff said that the reason for that was because that the City should be consistent and treat them the same as other property owners who put in improvements along Grove Drive or contributed money to them.

Paragraph E would change in that the property owners would agree to provide the new development with a "third" access from the proposed development that connected with Elk Ridge Lane rather than a "second" access when the development exceed "30" lots rather than "20" lots. The reason for the change was that they already had two accesses to the property because the second access point would be through Alpine Cove. The reason for the 20 lot threshold was because the Alpine City Development Code required any project with 20 or more lots to have a second access. Additionally, since it was in the Wildland Interface zone, they needed a second access regardless of the number of lots. Mr. Kroff pointed out that there would already be a second access through Alpine Cove. The Fire Marshal, Ben Bailey had certified the access and said the plan was in compliance.

Mr. Kroff said that in paragraph F, a line was added to state that the City would pay for any upsizing of necessary infrastructure. This clarified that the developers would do the necessary offsite improvements to serve their development. If the City wanted those improvements upsized, they would pay for the increase.

Roger Bennett said that in paragraph B, he would like to have 10% of the lots at the minimum lot size of 20,000 square feet and the other 10% of the lots would be between 20,000 and 30,000 square feet. The remaining 80% of the lots would be at least 30,000 square feet rather than an average of 30,000 square feet. He would also like to see the road improvements done in front of the Russon and Walz home, which would require city involvement.

The Council discussed the original Resolution in comparison to the proposed revisions to the Resolution including the issue of density, lot size and road improvements. They also discussed water pressure and the need for infrastructure that would improve water pressure in other parts of the community.

Following the discussion, it was agreed that for the sake of clarity and order, individual motions would be made on each paragraph that had been revised.

MOTION: Roger Bennett moved that **paragraph B** read: "All subdivision applications in the annexed area known generally as the Oberee property and Grant property will be processed as planned residential developments (PRDs) with an agreement from the property owners that the maximum total density shall be limited to the slope analysis calculated Base Density only, per section 3.9.5.2 of the Alpine City Development Code, with no bonus density. Although a detailed slope analysis calculation would typically include all proposed project area, property owner acknowledges in this case the Conservation Easement Area will be excluded. The project shall have a minimum lot size of 30,000 square feet except for 20% of the lots which may be smaller than 30,000 square feet with a minimum of 20,000 square feet." Ramon Beck seconded. Ayes: 4 Nays: 1. Roger Bennett, Ramon Beck, Kimberly Bryant, Lon Lott voted aye. Troy Stout voted nay. Troy Stout said he would be more supportive if only 10% of the lots were less than 30,000 square feet. Motion passed.

The Council began speculating about the engineering details of the improvements. David Church said that at that point all they needed to decide on was the resolution. The engineers would work on the details later on.

There was a discussion about having the developers escrow funds to improve the west half of Grove Drive in front of the Russon and Walls properties.

Paul Kroff said he knew there were a number of people who wanted to see Elk Ridge Lane go in first and if it did go in first, they would still do their proportional share of Grove Drive but would not need to escrow funds for improvements in front of the Russon and Walls properties.

MOTION: Lon Lott moved that **paragraph D** read: "The property owners of the Oberee and Grant properties would agree to provide to the City, at the property owner's cost, improvements to the now 90-degree bend, and their proportional share (half-street improvements along the property frontage) of Grove Drive, and that the property owners escrow funds for half-street improvements along the Russon and Walls properties, but if the property owners chose to construct the connection to Elk Ridge Lane first, then the escrowed funds for improvements in front of the Russen and Walz properties would be waived " Roger Bennett seconded. Ayes: 5 Nays: 0. Lon Lott, Roger Bennett, Kimberly Bryant, Ramon Beck, Troy Stout voted aye. Motion passed unanimously.

Regarding the required second access road, Shane Sorensen said that if the road into Alpine Cove was considered the second access, it would had to be a paved, non-gated road to qualify. The Council agreed.

MOTION: Lon Lott moved that **paragraph E** read as redlined which was: "That the Oberee and Grant property owners agree to provide the new development on their properties a third access from the proposed development to the City that connects with Elk Ridge Lane when the development exceeds 30 lots" with additional language stating that the second access into Alpine Cove must be paved. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Lon Lott, Roger Bennett, Kimberly Bryant, Ramon Beck, Troy Stout voted aye. Motion passed unanimously.

MOTION: Lon Lott moved that **paragraph F** read: "That the property owners at their sole cost and expense build the culinary and secondary water infrastructure necessary to serve their developments as currently recommended for that area by the City's culinary and secondary water master plans. The City will pay for any upsizing including the cost of pumps for PI and culinary service, and change the date on the Resolution to the current date. Troy Stout seconded. Ayes: 5 Nays: 0. Kimberly Bryant, Lon Lott, Ramon Beck, Troy Stout, Roger Bennett voted aye. Motion passed unanimously.

David Church explained that since impact fees were based on the capital facilities plan, and the area of proposed annexation was not included in the capital facilities plan, the impact fee would be handled as a credit for the project.

D. Resolution No. 2016-02 - Boundary Line Adjustment with Highland City: Jason Bond said that Paul and Courtney Belcher were residents of Highland City whose property lay on the Highland side of border between Alpine and Highland. Belchers wanted to purchase some adjacent land in Alpine that was located in the Alpine Meadows subdivision and belonged to Shauna Miller. They wanted to have it added to their property in Highland. The owner of the Alpine property, Shauna Miller, had agreed to the transfer and boundary line adjustment. The remainder of the Miller property would still meet the size and setback requirements for Alpine.

Jason Bond said the staff had reviewed it saw no problem with the requested boundary line adjustment. It would need to go through a legal process which required a resolution, public notices and a public hearing.

MOTION: Kimberly Bryant moved to approve Resolution No. 2016-02 indicating the intent of the City to adjust its boundary with Highland City. Ramon Beck seconded. Ayes: 5 Nays: 0. Kimberly Bryant, Lon Lott, Ramon Beck, Troy Stout, Roger Bennett voted aye. Motion passed unanimously.

E. Resolution No. 2016-03, Recycling Can Cost Increase: Rich Nelson said the contract with ACE split the profit for recycling between the City and ACE. The bottom had fallen out of the recycling market so costs had increased. Another problem was that residents were putting contaminated material into the recycling cans and ACE could not process it. It was proposed that the cost be increased to sixty cents per can per month.

It was pointed out that sometimes institutions raised rates when operating costs went up, but when the costs went down, the rates remained the same rather than being decreased to reflect the decreased cost.

MOTION: Troy Stout moved to approve Resolution No. 2016-03 amending the Consolidated Fee Schedule to increase the rate for a recycling can to sixty cents per month per can. This would be a temporary measure to see what the recycling market did in the future and adjust the rate accordingly. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Kimberly Bryant, Lon Lott, Ramon Beck, Troy Stout, Roger Bennett voted aye. Motion passed unanimously.

F. General Plan Assistance RFP: Jason Bond said that at the last Planning Commission meeting they discussed how to go about updating the General Plan. It was suggested the City look at getting an outside consultant to assist in the process. The Planning Commission voted unanimously to recommend to the City Council that they send out an RFP for a consultant. It was stressed that the consultant would be there only to assist and offer direction, and not do the whole project.

MOTION: Ramon Beck moved to accept the request to draft an RFP for a consultant to assist with the update of the General Plan. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Ramon Beck, Roger Bennett, Troy Stout, Kimberly Bryant, Lon Lott voted aye. Motion passed unanimously.

G. Ordinance No. 2016-02 Clarifying Flood Plain Requirements: Jason Bond said that at an earlier Planning Commission they discussed the need to clarify the requirement for lots that lay partially in the flood plain. The current the ordinance read "Existing lots that contain land in the floodplain shall contain a minimum area outside the floodplain corresponding to the underlying zone." The amendment would change the ordinance to read "*Proposed and existing* lots that contain land in the floodplain shall contain a minimum area outside the floodplain corresponding to the underlying zone."

Shane Sorensen said they also needed to take a look at the requirement that it be 2 feet above the 100-year flood level because it wasn't something they were enforcing.

Troy Stout asked if they needed to address the 2-foot issue in that meeting since the Planning Commission hadn't made a recommendation on it. David Church said yes.

MOTION: Lon Lott moved to approve Ordinance No. 2016-02 to clarify the floodplain requirements for existing and proposed lots that contain land in the flood plain. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Ramon Beck, Roger Bennett, Troy Stout, Kimberly Bryant, Lon Lott voted aye. Motion passed unanimously.

H. FY 2016-17 Budget Development Process and Discussion: Rich Nelson said he had included graphs in the packet showing the fund balances in the different categories. In every category, pressurized irrigation, sewer, storm drain, and water, the fund balances exceeded the goal. Mr. Nelson also reminded the Council that at the previous meeting he had asked the Council to let him know if they had comments on the proposed big projects for the next fiscal year.

I. Open and Closed Session Training- David Church: David Church said the state law required city council training to be held every year. Since Ramon Beck and Lon Lott had attended the newly elected officials training the past week, they had received the necessary training. For the returning members of the Council that did not attend the training, Mr. Church said he had also printed out the training packets for them to review, which would comply with the requirement for annual training.

VII. STAFF REPORTS

David Church said that in consequence of the passage of the revised resolution on the Oberee Annexation, he would get together with the Oberee attorney and work on an Annexation Agreement to bring back to the Council for approval.

Jason Bond said the Alpine Recovery Lodge had put up a monument sign outside their facility. Signs for residents could only be 2' x 2' so they would be speaking to them. He also reported that the issue on the legality of Paul Anderson's *Alpine Fitness Center* sign would be going to court on Thursday.

Shane Sorensen said the men in the public works department had plowed a lot of snow so far this winter and they were doing a great job.

VIII. COUNCIL COMMUNICATION: None

IX. EXECUTIVE SESSION: None held

MOTION: Kimberly Bryant moved to adjourn. Ramon Beck seconded. Ayes: 5 Nays: 0. Kimberly Bryant, Ramon Beck, Roger Bennett, Troy Stout, Lon Lott voted aye. Motion passed.

The meeting was adjourned at 10:00 pm.