

**ALPINE CITY COUNCIL MEETING
ALPINE CITY HALL, 20 North Main, Alpine, UT
September 23, 2014**

I. CALL MEETING TO ORDER: The meeting was called to order at 6:37 pm by Mayor Pro Tem Troy Stout

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

Mayor Pro Tem Troy Stout

Council Members: Lon Lott, Will Jones, Kimberly Bryant

Council Members not present: Mayor Don Watkins, Roger Bennett

Staff: Rich Nelson, Marla Fox, Shane Sorensen, Jason Bond, Brian Gwilliam

Others: Steve Cospers, David Fotheringham, Rick Armstrong, Cheryl Armstrong, Wilson Armstrong, Spencer Armstrong, Julianne Rowley, Daniel Noot, Ethan Smith, Gerrit Noot, Landon Wallace, Queston Wallace, Nicklaus Ambuehl, Tia Summers, Jackson Summers, Scott Summers, Troy Erb, Tina Page, Sherry Arnold

B. Prayer: Lon Lott

C. Pledge of Allegiance: Daniel Noot

II. PUBLIC COMMENT

Spencer Armstrong said he was a candidate for Eagle Scout. He would like to renovate the volleyball court at South Point Park and replace it with grass. He would also like to replace the sand at Creekside Park Volleyball court. Rich Nelson said the City would pay for the sand for the Creekside park volleyball court. Lon Lott asked if there was a plan to have a sprinkler line going to the new grass court at South Pointe. Shane Sorensen said staff would have to help coordinate the project because the water pressure was low in that area. He reminded the Council that the pressurized irrigation water would be turned off in two weeks.

Sherry Arnold said her backyard bordered the Alpine Recovery Lodge and she wanted to report violations of city ordinances. Most recently there were problems in the morning with noise levels starting at 6:00 am with smoking breaks and exercising. Noise levels were also high at 11:00pm and midnight. Ms. Arnold said the Recovery Lodge had a fire pit right next to her fence and had a fire quite frequently. She said the residents of the lodge climbed over neighbor's fences to get their balls without permission. Ms. Arnold said she was uncomfortable with strangers climbing into her backyard. She said the home has a drum set that was pounded on, and the language used was undesirable.

Ms. Arnold said she had personally called the police department six times. She had also called Ms. Miller, the owner of the home, and told her of the concerns, but Ms. Miller said the police had no record of the calls. Police Chief Brian Gwilliam said they'd had nine phone calls about this property. Ms. Arnold also said she told Cindy Miller that she would head up the neighborhood committee. She also wanted to know if the home was being mismanaged because Cindy Miller since she had no knowledge of the police being called or coming out to the home. Ms. Arnold said the Lodge had a staff member with a criminal background.

Kimberly Bryant said she lived in this neighborhood and the neighbors had been very tolerant. She told neighbors to call and get complaints on record so they were informed about what is happening. Police Chief Gwilliam said they had been called out to the Lodge ten times in the last year. Troy Stout asked if there was a record of any warrants.

Jason Bond the ordinance didn't state a time when a residence had to be quiet. Police Chief Gwilliam said it was up to interpretation. Troy Stout wanted to know what could be done about it. Police Chief Gwilliam said this could be considered a misdemeanor but an officer had to witness it in order to give a warrant. Troy Stout said the Council's hands were tied when they let the Recovery Lodge into the neighborhood, but it was done in good faith. He said the owners and staff were not living up to their agreements and it was upsetting the neighborhood. Rich Nelson said they needed to invite the attorney and Cindy Miller to review the issues.

Garn Arnold said he would be more than happy to sign a complaint to have it on record.

III. CONSENT CALENDAR

- A. Approve the minutes of September 9, 2014**
- B. Approve a 15 mph speed limit in Lambert Park including a penalty for violation.**
- C. Approve outside audit contract with Greg Ogden**
- D. Bond Release – Box Elder Plat E - \$28,425.60**

Will Jones asked if the independent auditor contract ever went to bid. Rich Nelson said they would go to bid next time.

MOTION: Will Jones moved to approve the Consent Calendar. Lon Lott seconded. Ayes: 4 Nays: 0. Lon Lott, Troy Stout, Will Jones, Kimberly Bryant voted aye. Motion passed.

IV. REPORTS AND PRESENTATIONS: None

V. ACTION/DISCUSSION ITEMS

A. Planning Commission Appointment: Mayor Don Watkins had recommended David Fotheringham to fill the vacancy on the Planning Commission. Mr. Fotheringham was a long-time resident of Alpine and had previously served on the PRO Commission.

MOTION: Kimberly Bryant moved to appoint David Fotheringham to the Planning Commission. Troy Stout seconded the motion. Ayes: 4 Nays: 0. Will Jones, Troy Stout, Kimberly Bryant, Lon Lott voted aye. Motion passed.

B. Setback Exception Request - 121 N. Main - Bair Property: Jason Bond said the property was located in the Business Commercial zone. According to the Zoning Ordinance, Section 3.7.5.4, if circumstances justified an exception, the Council may approve an exception to the setback requirements if recommended by the Planning Commission.

Jason Bond said the property consisted of 0.59 acres with an existing home on it. The owner would like to subdivide it into two lots. Each lot could meet the frontage requirement of 90 feet, but due to the location of the existing home, the lot with the home on it would not meet the required side yard setback of ten feet. The owner was requesting an exception of five feet to the side yard setback.

Mr. Bond said the Planning Commission had not recommended approval of an exception, but David Church said it could still go to the City Council for discussion.

Planning Commissioner Steve Cosper said the lot had weeds on it and didn't fit the character of Main Street. He said most of the Planning Commission felt subdividing the lot would be an improvement to Main Street by filling in a vacant piece of property. There were only four members at the Planning Commission meeting when this was discussed. Three members of the Planning Commission voted to recommend approval of the exception, but one member abstained due to a conflict of interest so it did not pass. He said the Planning Commission felt approving the exception would be a good trade-off.

Shane Sorensen said that Bill Devey had to get extra property from Keith Wilson in order to meet the ordinance in order to make his subdivision work.

Lon Lott said they needed to determine the intent in the ordinance. If the ordinance didn't make sense then it needed to be changed. It was hard to grant exceptions because then everyone would want one.

Kimberly Bryant said they should try to follow the ordinances, but there were times when an exception was warranted. She didn't want to change the ordinance for just one exception. She said she agreed with the Planning Commission; it would look better for Main Street if something was built on the property.

Mike Pierce said he had reviewed the code and the provision to allow an exception to setbacks did not exist in other zones. It was only in the Business Commercial zone. It allowed the City to look at special circumstances in the BC zone. He said he could separate the new home by 15 feet to give more distance between the homes. He felt it would improve the look of the property on Main Street. He said the other structures on that block were residential so construction of another home would be consistent with the neighborhood. The neighbors would prefer a home on the property rather than a commercial building. Mr. Pierce said the driveway for the existing home would have to be moved, which would improve the safety.

Kimberly Bryant asked about the Gateway Historic guidelines. Jason Bond said the ordinance only applied to the Business Commercial. The Planning Commission had recommended that the new home would meet the guidelines for the Gateway Historic zone, but he wasn't sure if the request was legal and said he would ask David Church.

MOTION: Kimberly Bryant moved to approve the property setback exception to allow a 5-foot side yard setback at 121 N Main Street with the following recommendations:

1. There be a 15-foot side yard setback for the new home so there was a 20-foot separation between the two homes.
2. Meet Gateway Historic Guidelines for aesthetics

Lon Lott seconded the motion. 1 Aye 3 Nays. Kimberly Bryant voted aye. Will Jones, Troy Stout and Lon Lott all voted nay. Motion failed.

C. Moyle Park Master Plan Discussion: The future of Moyle Park had been discussed over past months by the Moyle Park Committee, but a master plan had not been formally adopted. The purpose of the master plan was to create a vision for the historic park, facilitate improvements, and provide opportunity to pursue additional funding.

Jason Bond said the plan went before the Planning Commission the previous week. They were in favor of it with a couple of exceptions. They didn't like the concrete wall or the open grass area. Jason Bond reviewed the twelve proposed improvements to the park, which were: install a drinking fountain, build restrooms, clean up the entrance and west fence line, plant shade trees, move plaques to the entrance, acquire an easement for a bridge, provide additional parking, install a swing set, build an amphitheatre, install a buffering fence, provide an open grass area, acquire property to add to park.

Will Jones said there was no watering system in the northwest area where the trees would be planted so that would need to be addressed.

Troy Stout asked if a cross country ski track could be put around the park for winter use. It would diversify the park. Jason Bond said the Moyle Park Committee said this was an historical park and not necessarily an activity park, but all ideas were encouraged.

Jason Bond said the Planning Commission was in favor of hiring a landscape architect to help with the master plan. Lon Lott said an architect would be expensive and they may not like what they designed, and could end up changing it. He said he liked what was presented and felt it was a good concept plan.

Steve Cospers said the intent of the Planning Commission was to tweak the plan and get ideas for where to place the farm equipment or how to lay out the amphitheatre, etc. He said they wanted to preserve the historical nature of the park.

D. Ordinance No. 2014-15, Amending the Wireless Telecommunication Ordinance: At the previous City Council meeting, Will Jones moved to adopt the language from Federal Statutes which stated: "State or local government may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station."

The term “eligible facilities request” meant any request for modification of an existing wireless tower or base station that involves: a. Collocation of new transmission equipment; b. Removal of transmission equipment; c. Replacement of transmission equipment.

MOTION: Will Jones moved to adopt Ordinance No. 2014-15 amending the Wireless Telecommunications Ordinance to include language from the Federal Statute regarding the approval process for requests to modify existing wireless towers and base stations. Kimberly Bryant seconded. Ayes: 4 Nays: 0. Will Jones, Kimberly Bryant Lon Lott, Troy Stout voted aye. Motion passed.

E. Authorize amending the Public Safety District Interlocal Agreement to require four years notice to leave the Lone Peak PSD: The purpose of the amendment to the Interlocal Agreement was to bring more stability to the Lone Peak Public Safety District structure by lengthening the notice of intent to withdraw period from twelve (12) months to forty-eight (48) months. Instead of one of the cities being able to give a one-year notice of intent to withdraw, they would have to give a four-year notice. It would give the police and fire departments more stability so they could plan for long-range activities and recruit personnel. Under the current agreement, the present fire/EMT positions could be eliminated in one year’s time.

MOTION: Will Jones moved to approve the amendment to the Lone Peak Public Safety District Interlocal Agreement. Kimberly Bryant seconded. Ayes: 4 Nays: 0. Will Jones, Troy Stout, Kimberly Bryant, Lon Lott . Motion passed.

Rich Nelson said all the other cities have to approve the amendment as well in order to make the change.

F: Utah Valley Dispatch Facility Cost Assessment - Decision on Alpine City’s Participation in Funding the Proposed Dispatch Center: Rich Nelson said Alpine City was a member of the Utah Valley Dispatch Special Service District (UVDSSD). The present UVDSSD Dispatch Center was inadequate to meet the needs of the cities that it served. The UVDSSD Board recommended that a new dispatch center be built on land that was part of the county jail/sheriff complex in Spanish Fork. The cost of the facility would be approximately \$3,500,000. Alpine City’s share would be \$95,074.

The Lone Peak PSD Board had voted to have each member city determine if they wanted to participate in building a new dispatch center. Staff recommended that if the City Council voted to be a funding member of the new dispatch center, the City would pay off its assessment with a one-time cash payment.

Rich Nelson said Alpine City had two options. The Lone Peak Public Safety District could create their own dispatch service, or they could participate in the UVDSSD Dispatch Service. He said he would prefer not to try and do it themselves. The turnover was bad and people were unhappy.

Lon Lott asked if Alpine was currently paying for the dispatch service and who was the governing body. Rich Nelson said Alpine was currently paying for the service. The position on the board was advertised and appointed.

Lon Lott asked Police Chief Gwilliam if he was happy with the Dispatch Service. Police Chief Gwilliam said he would like to see if there are other options before they committed to this and would like to discuss it further with Rich Nelson. He said he felt the cost was a fair amount. Rich Nelson suggested that this issue be tabled for further review.

Troy Stout asked Rich Nelson to identify his main concern. Rich Nelson said the service didn’t have enough equipment and staff to give the help needed. Police Chief Gwilliam said communication was sometimes poor but said they had been better and fixed most of these issues. Troy Stout asked if the payment would come out of this year’s budget. Rich Nelson said the City had the money this year but could defer to next year as well.

MOTION: Will Jones moved to approve the new Utah Valley Dispatch Facility but to give Rich Nelson and Police Chief Gwilliam time to review other options. Troy Stout seconded the motion. Ayes: 4 Nays: 0. Will Jones, Troy Stout, Kimberly Bryant and Lon Lott voted aye. Motion passed.

VI. COUNCIL COMMUNICATION

Will Jones asked about the status of the Utah County General Plan. There was no immediate information.

Kimberly Bryant said that during the past week, Alpine had lost a jewel to the community with the passing of Ula Hemingway. She had contributed much to the city and to Alpine Cemetery. Rich Nelson said maybe they could dedicate a bench in the cemetery to her.

Troy Stout

- Mr. Stout said they needed to address the traffic problems on Canyon Crest. There needed to be a better way to get people out of the city. He suggested they appeal to the state for help. Shane Sorensen said the state didn't have jurisdiction in that area. Troy Stout said they did have jurisdiction up to 100 feet from SR 92.
- He said he would like to move the City Council meetings back to 7:00 pm because it was too hard to get to the meetings from work. Lon Lott agreed. Rich Nelson said they would move the starting time to 7:00 pm.
- He asked if something could be done about the flashing light on 100 South. It flashed if someone was going only one mile over the speed limit.

Will Jones asked Chief Gwilliam if the police could do a crosswalk sting in the city because cars were not stopping for kids in the crosswalk.

VII. STAFF REPORTS

Shane Sorensen

- The road in the roundabout had been milled down 3 inches. They planned to finish it on Sunday. They would redo the Stonehedge subdivision on Thursday.
- Questar would like to get started on the pipeline replacement throughout the city. They said they need a staging place for equipment and would fence the area. They will start at SR-92 and head north up Canyon Crest.
- There would be a 200-foot sewer extension on Canyon Crest in a couple of weeks.

VIII. EXECUTIVE SESSION: None held

MOTION: Kimberly Bryant moved to adjourn. Will Jones seconded. Ayes: 4 Nays: 0. Will Jones, Troy Stout, Kimberly Bryant, Lon Lott voted aye.

The meeting was adjourned at 9:13 pm.