

**ALPINE CITY COUNCIL MEETING**  
**Alpine City Hall, 20 N. Main, Alpine, UT**  
**February 24, 2015**

**I. CALL MEETING TO ORDER:** The meeting was called to order at 7:05 pm by Mayor Don Watkins.

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

Mayor Don Watkins

Council Members: Will Jones, Roger Bennett, Troy Stout

Council Members not present: Lon Lott and Kimberly Bryant were excused.

Staff: Rich Nelson, Rich Nelson, Charmayne Warnock, David Church, Shane Sorensen, Jason Bond, Alice Winberg, Brian Gwilliam, Brad Freeman, Spencer Edwards

Others: Rich Moss, Kaden Moss, H.J. Moss, Mark Goodsell

**B. Prayer:** Don Watkins

**C. Pledge of Allegiance:** Spencer Edwards

**II. PUBLIC COMMENT:** Mark Goodsell asked the Council how high a deer could jump. He said he was an avid gardener and wanted to build a nine-foot high fence to keep the deer out but the ordinance said the highest a fence could be was eight feet. He asked if he could put up nine-foot posts and an eight-foot high wire. If the deer didn't jump it, that would be great. If they did, he would come back and see if he could get the ordinance changed to allow a nine-foot fence.

Roger Bennett said he had farmed in Alpine for a good many years. His orchard had an eight-foot deer fence. A portion of the fence was a six-foot chain link fence. He said the deer not jump either fence. It was on the hillside where they could jump from the uphill side.

David Church said Mr. Goodsell wanted a see-through fence in the front yard. The question to the Council was, did they want to legalize what he was doing and allow a higher, see-through fence. It was not a safety issue. It was purely aesthetic.

Mark Goodsell said it was going to be an art fence so it would be attractive.

Mayor Watkins said the concern was that when they made exception, they didn't get to pick and choose what different people could do. If the Council wanted to change the ordinance, they could consider that.

Troy Stout said he had a lot of deer who used his yard as an alleyway and ate his garden. It was his experience that if the deer could see through the fence, they would jump it. The City had a deer problem for which they hadn't found a solution. He felt they should look at the ordinance.

David Church said North Salt Lake wrote an ordinance that allowed gardens to have an eight-foot fence.

Mark Goodsell he would come into the City and try to pull a permit for a fence. The garden season was coming and he was in a hurry.

**III. CONSENT CALENDAR**

**A. Approve minutes of February 10, 2015**

**MOTION:** Will Jones moved to approve the Consent Calendar. Troy Stout seconded. Ayes: 3 Nays: 0. Will Jones, Roger Bennett, Troy Stout voted aye. Motion passed.

Mayor Watkins moved item B up on the agenda.

**B. Sewer to Accessory Buildings Discussion:** Rich Nelson said there were people in Alpine who built big homes and who wanted to build large, detached garages with sewer service to it. If they had sewer, there was always the potential that the garage could be used for a living space which was not permitted by the ordinance.

David Church said not allowing sewer to a detached building could be used as an enforcement mechanism, but there were people who may want a pool house with a bathroom or a shop with a sink. In attempting to keep people from building illegal apartments, it would be unfair to those people who were honest and intended only to use the structure as a garage or a pool house.

Troy Stout said he could sympathize with those who wanted to have a bathroom in their garage or a bonus room. It was sad that they had to assume everyone was going to do the illegal thing.

Don Watkins said the question they needed to address first of all was whether or not they were opposed to apartments in a detached building. If they weren't against it, it would take care of the problem.

Will Jones said he had a pool house with a bathroom and a barn with a bathroom, but he didn't rent them out.

Roger Bennett said the problem he had was if someone built a garage close to the property line then put a dwelling on top of it because it negatively impacted the adjoining property.

Will Jones agreed saying that under the ordinance accessory buildings could be five or ten feet away from the property line. If a detached garage was going to have a dwelling on top of it, it would need to have greater setbacks so it didn't impact the neighbors. He said that if someone came in for a permit for a detached building that had the potential of being an apartment, they could make it a condition of the permit that it would be inspected annually to make sure it wasn't occupied.

Brad Freeman said one of the problems the fire department would face was if there was a fire in a detached garage and people were living in an apartment above. They firefighters may not be aware that there were people up there.

Will Jones said he was aware of an older home in Alpine where they had a garage that had been converted into a full-on apartment.

Don Watkins asked the Council if they thought they should have the Planning Commission look at an ordinance for detached buildings to be occupied.

Jason Bond said that some time ago he had proposed looking at accessory detached dwelling units but the Planning Commission was concerned they would double the density. However, they could regulate them by requiring a minimum lot size before it was allowed, and restricting the size of the dwelling to accommodate only a couple or a single person. They would probably affect density less than many of the accessory apartments in basement which could be quite large. It would also be easier to enforce the regulations if it wasn't in a basement.

Troy Stout said he thought it would be worth evaluating. They could look at minimum acreage.

Regarding detached buildings with sewer service, Don Watkins said they could ask the Planning Commission to look at it and have the applicant sign something with their building permit that agreed to annual inspections.

#### **IV. REPORTS AND PRESENTATION**

**A. Monthly Financial Report:** City Finance Officer Alice Winberg reviewed the financial report as of the end of January. She said they were at 2.2 million in the General Fund Balance which was an all-time high for Alpine City. They had almost met their goal for the fiscal year in property taxes and redemption taxes. They collected an average of \$84,000 a month in sales tax revenue. The motor vehicle tax and franchise tax revenue was at 64%. The fees from plan check and building permits was within 1% of their goal for the fiscal year.

The Council next reviewed the combined cash investment sheet. Alice Winberg said they had 12 million dollars in the Utah Public Treasurers' Investment Fund (PTIF). The interest it earned was minimal but it was very safe. The

City made between four and five thousand dollars a month in interest. The Council agreed it was more about keeping the funds safe than making money off them.

Ms. Winberg said the category called return checks was actually bad debts (unpaid water bills) which the City was hoping to collect. They needed to rename it. They sent it to a collection agency and were able to collect on about 50% of the unpaid bills.

Ms. Winberg said she was working on a project for the next fiscal year which was a model based on past performance. They would also be looking at expenditures based on assumptions which would help them make decisions now that would ensure the city's financial security.

Will Jones asked what the top five sources of income were for the city. Rich Nelson said the top two were property tax and sales tax. The combined income from those was about two million dollars.

Don Watkins said Alpine City had a history of being frugal. They didn't have a lot of the other fun things like some other cities.

## V. ACTION/DISCUSSION ITEMS

**A. FY 2015-2016 Budget Discussion.** Rich Nelson said the Lone Peak Public Safety District meeting for the previous week had been canceled, but since the agenda for the next Council meeting was going to be big, he felt it would be good to have a preliminary discussion about the Public Safety District budgets that evening.

### Fire/EMS Budget

Fire Chief Brad Freeman reviewed the Fire/EMS Budget. He said they had converted two battalion chiefs to part-time administrative chief which gave them a fire marshal, a public information officer, a training officer and grants writer at a substantial savings to the district. He explained that other fire departments paid separate salaries for the each position but in their department the deputy chief and battalion chief each served in two positions while they were on duty so it saved the taxpayers thousands of dollars and there was zero percent increase in the budget.

They also consolidated their staff plan which allowed them to hire four fulltime firefighters to replace part-time positions. He said that part-time positions were very hard to fill because people wanted fulltime work with benefits. When they did have part-time employees they were not always reliable because they were fulltime employees at other jurisdictions and if they were needed at their primary place of employment, that was where they went. He said the fire fighter/paramedics they had hired were top recruits in the state of Utah. It also allowed them to create part-time jobs for the fulltime employees. He explained that the fulltime employees were able to go home after work but were on-call. They took a fire truck home in case there was a call, and were given a minimal payment for being on-call. If they were needed, they came in and were paid overtime for the call. In that way, the department had the backup coverage they needed without having to pay another part-time officer. He said it worked well because the firefighters/EMT lived in the jurisdiction and the response time was good. He said they also promoted three fulltime captains and were able to absorb the costs in other areas so there was no budget increase for that.

Regarding vehicles, Chief Freeman said they had replaced the old ambulance with a 4x4 state-of-the-art ambulance. The cost was reduced to \$154,000 and the first payment of \$19,500 would come out of next year's budget. They also bought a new interface Class A structure pumper for a cost of \$335,000, which was also rated as a Type III wild land engine so it could do double duty. He said they were able to make all those purchases with some consolidation, selling, and other financial maneuvering so that there would be a zero percent increase in the budget.

Chief Freeman said they had finished the Mobile Emergency Command trailer/rescue trailer with a grant and some hard work by the employees. The trailer was paid for so it would zero impact on the budget. He said that an equivalent trailer would cost over \$100,000.

The department was planning to purchase the most advanced heart monitor/pacer/CO2 monitor/defibrillator in the industry which cost around \$50,000 but they received a grant which reduced the cost to \$25,000. With additional negotiations and a trade-in, they were able to get it with a zero percent increase in the budget. They were also able to

acquire cordless vehicle extrication equipment and new wildland safety gear, which through grants and creative finagling would not increase the budget.

The Alpine station and Cedar Hills station both needed built-in closets for clothes, bedding and gear for firefighters who were spending the night. Through many hours of donated time and materials they were able to outfit both stations with no increase to the budget.

Chief Freeman said there had been an alarming increase in teen suicides and drug use. The District had come up with a plan to start a mentoring program for students in elementary school. It was a four week academy for 5th graders where they taught the students positive life skills and provided a firefighter as a big brother to look up to.

The District was successful in getting an emergency phone installed in the Tibble Fork parking lot. It would cost over \$40,000 but there was no impact on the budget due to donations from private parties and a local company that would do the project for free. They were also able to secure wildland training and Class A suits for all full-time employees. It was paid for by extra money they had made on the side working as paramedics for the movie set up Fort Canyon.

Items that would create an increase in the budget were uniforms, posting and printing, building maintenance, utilities, radio fees, insurance, equipment lease. Those items would raise the budget by a total of \$38,367. They were also proposing an average 3% merit increase for all employees.

The proposed budget for fiscal year 2015-2016 was \$3,029,900 which was an increase of \$56,505 (1.9%) over last year's budget of \$2,973,395.

### **Police Budget**

Police Chief Brian Gwilliam reviewed the proposed budget for the Lone Peak Police Department for fiscal year 2015-2016. He provided a budget sheet showing line items for revenue and expenses that compared the adopted budget for 2014-2015 and the proposed budget for 2015-2016.

The revenue sources for the department came from the following:

- Assessments to the two cities in the police department jurisdiction which were based on population. Alpine City provided 37% of the assessment. Highland City provided 63%.
- Alpine School District
- court revenue
- police report charges
- finger printing
- grants
- proceeds from sales
- miscellaneous income

The expenses for the police department were itemized with a cost comparison between the current fiscal year and upcoming fiscal year. There was a decrease in part-time wages and specialty pay. Chief Gwilliam explained that they had changed two part-time positions to one fulltime position. They had also retired one of the service dogs which reduced the specialty pay by half. The K-9 expenses had also gone down. When asked if they needed to get another dog, Chief Gwilliam said that having two dogs put a larger burden on a department their size. They were able to use dogs from other agencies if they needed to.

Chief Gwilliam said the number of calls had gone down since September. That might be partly due to having 20% of their force down from injuries. They had an officer in the building that took calls from walk-ins rather than calling Dispatch so that could also contribute that to the reduced number of calls.

He said they had made some changes in staff. Two part-time clerical positions were converted to one fulltime position. At the moment they were down to 19 officers because one of their men had been recruited by another agency. He said the Council had probably seen in the news how difficult it was to hire police officers because the

climate for law enforcement was not good. There were some people who didn't like the police very much. When they were successful in hiring a new officer it took several months before they could put them out on the road. It took three months to train them. He said the training budget had doubled. With the attitudes toward police officers, they were seeing a shift in law enforcement. There was more talk of resolving issues with tactics and SWAT. They would be seeing more training to solve problems with negotiation rather than force. He said the training budget had been low but he thought it would be beneficial to have additional training for the officers. There would also be travel expenses associated with the training. He said he understood they weren't going to get everything they were asking for. Will Jones said that if they needed it, they should be able to get it.

Chief Gwilliam said the cost of professional services had gone up due to an increase in major crimes. The professional agency they utilized had been very helpful in eradicating the drug issue on 100 South.

There was a discussion about body cameras. Chief Gwilliam said they weren't asking for those. It would cost about \$95,000 to equip the officers with body cameras. They also discussed the need for vehicles that were reliable.

Rich Nelson said they couldn't run a police department without equipment and training. Don Watkins said they didn't want to get behind on police vehicles and equipment. Catching up was more costly than keeping up.

Chief Gwilliam said they were looking at a 3% salary increase overall. The cost of living would be separated from the merit increase. Some may get a higher merit increase and others may get nothing.

Will Jones asked if they had collected the \$30,000 from Utah County for coverage in Alpine Cove. Rich Nelson said the County had called Hunt Willoughby and told him Alpine City would be receiving the money.

Brad Freeman said the developers of Box Elder South had included payment for paramedics and fire in their CC&Rs and would collect them with their association dues. They were going to try and get all the new subdivisions to do that.

## **VI. STAFF REPORTS**

Shane Sorensen

- The sewer line through Lambert Park was completed. Patterson Construction had raked and prepped the area and it would hopefully be hydro seeded before the weekend storms. There was a concern about keeping the motorcycles off the area. They would put up some fencing and signs where a trail crossed the easement.
- The road on 100 South had been fixed.
- Questar was constructing a gas line for the north part of town. It was not the high pressure gas line.
- The PI system would be turned on sometime in April. They didn't want to turn it on while people were on spring break. Roger Bennett asked if they needed to start putting water back in the ditches and Shane said they did. They were making preparations for it.
- The floors in the restrooms were so bad that they had torn out the concrete and repoured the floors. They should be ready for baseball season in April.

Jason Bond

- Lewis, Young, Robertson and Burningham would be presenting the tax leakage study at the Council meeting on March 10th. The Planning Commission was invited.
- The Planning Commission would hold a public hearing on amendments to the nonconforming ordinance. They would also be looking at the proposed State Farm building on Main Street.
- Patterson Construction was making some minor changes to the final phase of the River Meadows Senior Living PRD. Troy Stout asked about the Alzheimer unit that was proposed at one time. Shane Sorensen said they had decided to build senior housing instead.
- There had been a request to annex 63 acres belonging to Melby. The area was not in the Annexation Policy Declaration Area so they would submit a formal request and go to the Planning Commission.

Rich Nelson

- The public safety district was looking at increasing the interlocal agreement to three or four years.
- There was a proposal to hire Sheldon Wimmer as the emergency preparation coordinator. The funds were already budgeted. He said they had a plan and the equipment but they needed someone to coordinate it.

## VII. COUNCIL COMMUNICATION

Will Jones said they needed to address annexation issues. Jason Bond said the owners of the Melby property were requesting annexation but it was not in the City's Annexation Policy Declaration Area. Jason Bond said it would go to the Planning Commission first and then to City Council.

Mayor Watkins said the Council already voted on the question of annexation and agreed that county land would only be annexed into the CE-50 zone. Jason Bond said they voted on at the meeting of January 13, 2015 but it failed. There were two votes for it and one against. There were only three Council members at the meeting.

Rich Nelson said that in order for the applicants to develop in the county, they had to show that they approached the City for annexation. If the application was rejected they could request development in the county.

There was a discussion about the Oberee Annexation Request. Rich Nelson said an annexation petition was submitted and came to the Council on December 9, 2014. The petition was accepted and the annexation process was begun. The required notifications were sent and posted and a public hearing was scheduled for February 24, 2015. The applicant asked to have the public hearing postponed. Mayor Watkins said the applicants should be told that the City was leaning toward annexing property only into the CE-50 zone.

Will Jones said he saw that Patterson had brought in a request for annexation of Pine Grove. Rich Nelson said Patterson had been referred to David Church. He hadn't made a formal application for annexation.

Troy Stout

- He asked if the signatures on the petition for the referendum had been certified. He was told that the petition was short about 1,500 for the number of required signatures so there was no reason to certify them.
- He asked about the progress on the Canyon Crest intersection. Shane Sorensen said UDOT estimated it would take about 30 days to find someone to do the study. They wanted the study completed by April 15th. There was a discussion about swapping roads with the state. Alpine City could take over a greater portion of SR-74 and have the state take over Canyon Crest Road.
- He suggested they have Lon Lott head up a water conservation class to be held at City Hall on a Saturday. He said they should look at the water consumption of the dentists' offices in Alpine because they consumed a large amount and there were other options. Don Watkins said that 67% of the water usage was for outside watering.
- He asked Chief Gwilliam if a car would be impounded if they didn't have proof of insurance in the car. Brian Gwilliam said the officer could usually look it up and see if a car was insured. If a car wasn't insured, they would impound it.
- He asked Shane Sorensen if the East Mountain water line was on the schedule. Shane said it wasn't on the schedule for this year.

**VIII. EXECUTIVE SESSION:** None held.

**MOTION:** Roger Bennett moved to adjourn. Will Jones seconded. Ayes: 3 Nays: 0. Motion passed.

Meeting was adjourned at 9:35 pm .