

**ALPINE CITY COUNCIL MEETING  
20 North Main, Alpine, Utah  
March 24, 2015**

**I. CALL MEETING TO ORDER:** The meeting was called to order at 7:00 pm by Mayor Don Watkins.

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

Mayor Don Watkins

Council Members: Troy Stout, Will Jones, Roger Bennett, Lon Lott

Council Members not present: Kimberly Bryant

Planning Commission Members: Steve Cosper – Chairman, Dave Fotheringham, Judi Pickell

Staff: Rich Nelson, Charmayne Warnock, David Church, Shane Sorensen, Jason Bond

Others: Craig Skidmore, Loraine Lott, Barb Sanders, Spencer David, Mike Davis, Elaine ??, Allison Fetters, Rachel Rossi, Lauren Hall, Angela Walker, Trisha Walker, Koltan Wild, Jaxon Tadge, River Jensen, Carlee Hood, Randall Hood, Sue Gillespie, Jane Griener, Erin Darlington, Hailey Jenkins, Addie Spencer, Paul Kroff, Myrna Grant, Myrna Grant's son, Sheldon Wimmer, Jake Lloyd, Jaxon Henley, Bill Lee, Steve Zolman, Mike Russon, Ross Welch, Bobby Patterson, Alan Jensen, Ryan Callister, Mr. Zolman, Commissioner Larry Ellertson, Commissioner Bill Lee

**B. Prayer:** Lon Lott

**C. Pledge of Allegiance:** Ryan Callister

Mayor Watkins welcomed the Youth Council and asked them to introduce themselves.

**II. PUBLIC COMMENT:** Spencer Davis said he was working on a Eagle project which was to repaint the boards fence in front of the Alpine cemetery. He was asked how much of the fence he planned to paint because there was another scout who was also planning to paint the fence. It was agreed that it was a big enough job that they could divide it in half. The fence was in bad shape and very much needed to be done.

**III. CONSENT CALENDAR**

- A. Approve the minutes of March 10, 2015
- B. Declare the Shepherd Plat A subdivision in default of the Bond Agreement
- C. Heritage Hills Plat C Bond Release #1 - Downing Akin - \$261,741.36

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

**IV. REPORTS AND PRESENTATIONS:** None

**V. ACTION/DISCUSSION ITEMS**

**A. PUBLIC HEARING** - Amending the Parking Regulations in Part 11-340 of the Alpine City Municipal Code to state that any vehicle parked on a public street for more than 48 consecutive hours will be subject to a fine and being impounded.

Trisha Walker asked if the amendment would apply to work trailers. She said her husband owned a landscaping business and parked his work trailer in front of their house. He didn't drive it every day. She said it would be difficult for people who owned their own business.

Will Jones said that when a business license was issued, one of the conditions was that the equipment was supposed to be parked off the street.

Mayor Watkins said that if the amendment was adopted, they would need to educate the public.

There were no more comments and the Public Hearing was closed.

**B. Ordinance No. 2015-04 - Amending parking regulations in Part 11-340 of the Alpine City Municipal Code:** Jason Bond explained that since this was part of the Municipal Code, it didn't go to the Planning Commission.

Troy Stout said he would like to see some additional language in the ordinance that addressed low-profile vehicles without reflectors that were parked on the street at night. It was difficult to see the vehicles for someone who was walking or biking. He felt there needed to be some language that vehicles without reflective devices should not be parked overnight. He was also concerned about people "scooting" vehicles where they just went out and moved a vehicle everyone 48 hours but still left it parked on the street.

Mayor Watkins suggested that the overnight parking for low-profile vehicles was a separate issue, and recommended that the Council take action on the ordinance as proposed. They could discuss the other issues later.

Will Jones said that it was critical that they advertise the new parking regulation because they'd never enforced it before. It should be noticed in the Newsline.

**MOTION:** Will Jones moved to adopt Ordinance No. 2015-04 as proposed and add language to include "any other vehicles that might pose a hazard." Lon Lott seconded. Ayes: 4 Nays: 0. Will Jones, Lon Lott, Roger Bennett, Troy Stout voted aye. Motion passed.

**C. Ordinance No. 2015-03 - Nonconforming Buildings and Uses:** Jason Bond explained that this was a minor change to Article 3.22 of the Development Code which regulated nonconforming uses. There was some contradictory language in the ordinance and this would clarify it.

**MOTION:** Troy Stout moved to adopt Ordinance No. 2015-03 regulating nonconforming uses. Will Jones seconded. Ayes: 4 Nays: 0. Troy Stout, Will Jones, Roger Bennett, Lon Lott voted aye. Motion passed.

#### **D. Planning Commission Appointment**

**MOTION:** Roger Bennett moved to table the Planning Commission Appointment until the Council met in Executive Session to discuss personnel. Will Jones seconded. Ayes: 4 Nays: 0. Roger Bennett, Will Jones, Lon Lott, Troy Stout voted aye. Motion passed.

**E. Burgess Park Improvements - Tennis Courts and Pickle Ball Courts:** Rich Nelson said the City Council had previously discussed redoing the tennis courts, which were deteriorating and in need of repair or replacement, and adding some pickle ball courts. The estimated cost of reconstructing the two tennis courts in Burgess Park was \$105,075. Installing lights would be an additional \$45,118. The cost of installing four new pickle ball courts would be approximately \$80,000.

The proposed source of funding would be the Capital Improvement Fund and \$37,000 from Questar for the purchase of an easement to across City property.

Shane Sorensen said they would raise the courts to match the existing volley ball court. It would eliminate the retaining wall and take the tennis courts out of a hole. There had been a problem with water pooling on the court and raising the court would eliminate the problem. He said the construction and design would be the same as the courts in Creekside Park.

The Council agreed they would not put lighting on the tennis courts. However, Troy Stout suggested they install conduit for electricity during construction so that it would be there in the event they wanted to install lights in the future.

**MOTION:** Will Jones moved to approve the construction of two tennis courts and four pickle ball courts in Burgess Park and not install lights, but they would install conduit during construction in the event that lighting was desired at a future date. Troy Stout seconded. Ayes: 4 Nays: 0. Will Jones, Troy Stout, Roger Bennett, Lon Lott voted aye. Motion passed.

**F. Budget Discussion - Tentative Budget and Personnel Request:** Rich Nelson said they would begin reviewing the budget with the Council members at individual meetings. As part of the budget, it was proposed that they hire a new staff member to work in City Hall. The range of duties were included in the packet and had been reviewed with the mayor. The salary would range between \$30,000 to \$40,000 a year. Will Jones asked what the total cost would be including insurance benefits, etc. Since that information was not immediately available, a motion was made to table the item. Rich Nelson said he would send that information out to the Council.

**MOTION:** Troy Stout moved to table the personnel request until the next meeting when the additional information was available. Will Jones seconded. Ayes: 4 Nays: 0. Troy Stout, Will Jones, Roger Bennett, Lon Lott voted aye. Motion passed.

**G. Box Elder Plat E - Power Line Easement:** Shane Sorensen said Rocky Mountain Power required a power line from the Box Elder booster pump station going southward to Box Elder Plat E. There was an existing 20-foot wide public utility easement (PUE) that ran along the back of the Palmer and Erickson properties. Since it was a recorded PUE, Rocky Mountain had a right to place the utilities in the easement without the permission of the City or the homeowners. However, to do so would disrupt the homeowner's landscaping. Scott Dunn, who represented Patterson Construction, had requested that the City look at some other options for running the power line to avoid upsetting the property owners.

Shane Sorensen said there were three options: 1) Install the power conduit within the 20-ft. PUE; 2) Alpine City grant an easement to construct the power line in Lambert Park which would require clearing dense oak brush; 3) Install the conduit in the 20-foot PUE as far as possible with the alignment running to the edge of Lambert Park for the remaining 550 feet. A 10' x 550' long easement would be required from the City. The 3rd option would minimize the impact to the homeowner's landscaping.

David Church said the power company had a right to run the conduit down the PUE, but if the City would allow part of it on Lambert Park, it would keep the power company from tearing out the people's landscaping.

Troy Stout said he agreed somewhat with David Church, but in defense of Lambert Park he understood as a property owner that he took a risk when creating obstructions in the public utility easements. He noted that the City would be taking out their own trees in Lambert Park.

David Church said that the state statute said the power company would be responsible to replace low shrubs and plants and flat work that was less than four inches high. Anything else they would not replace. He said the power company would probably argue about replacing flat work. They were not required to replace trees. He said property owners planted in the PUE at their own risk.

Elaine Erickson said this was her property that they were talking about. She said they had a swimming pool and trees planted in the easement. She begged the Council to take that into consideration. She said that putting conduit onto Lambert Park wouldn't make a big difference but it would make a huge difference on her property.

Shane Sorensen said that Patterson Construction had done a good job when they restored Lambert Park after installing the sewer line through the park. He asked if they would do the same thing for the power easement.

Scott Dunn said they would work hard to make sure the landscaping was restored in a good way, but the people's yards would be difficult because of the rock walls, etc. He said it would be easier to restore the vegetation in Lambert Park.

Troy Stout asked how long the additional encroachment would be in Lambert Park. Shane Sorensen said it would be an additional ten feet wide and 550 feet long. Troy Stout said that if it was going to be a permanent clearing, it might be a good place to put a trail.

**MOTION:** Will Jones moved to approve the request to construct electrical service for the Box Elder Plat E subdivision through Lambert Park but it would be no wider than ten feet and would be as close to the property line as possible. The easement would be restored according to a proper restoration agreement approved by staff, with possible future use as a trail. Troy Stout seconded. Ayes: 4 Nays: 0. Will Jones, Troy Stout, Roger Bennett, Lon Lott voted aye. Motion passed.

**H. Heritage Hills, Plat C - Cash in lieu of water rights:** Shane Sorensen said the ordinance allowed the Council to accept cash in lieu of water rights. The developers of Heritage Hills, Plat C were finalizing the requirements to record the plat, but they were short 3.5 acres feet of water. They requested permission to submit cash in lieu of the remaining water rights.

Will Jones said they had put forth a good effort to find water shares but were unsuccessful. Roger Bennett said he disagree with the proposed cost of \$5000 per share. He said he'd sold shares for \$6000. Shane Sorensen said the City had recently purchased water for \$5000 a share. According to ordinance, there would be an additional 25% added to the fair market value.

**MOTION:** Will Jones moved to accept cash in lieu of water rights for Heritage Hills, Plat C for a cash price of \$5500 per share for 3.5 acre feet of water plus 25% . Roger Bennett seconded. Ayes: 4 Nays: 0. Will Jones, Roger Bennett, Lon Lott, Troy Stout voted aye. Motion passed.

**I. 2015 Pressurized Irrigation Restrictions and Appointment to the Irrigation Management Committee.** Shane Sorensen said that in the early part of 2000, the City entered into an agreement with the Alpine Irrigation Company. The Management Committee consisted of three members appointed by the City Council and three members from the Alpine Irrigation Company. He said they were Jay Healey, Ron Devey, and himself. Since that time, the other two had left Alpine City employment and he was the only one left. He recommended that Greg Kmetzch and Jed Muhlestein be appointed to the Committee.

**MOTION:** Lon Lott moved to appoint Greg Kmetzch and Jed Muhlestein to the Pressurized Irrigation Management Committee. Troy Stout seconded. Ayes: 4 Nays: 0. Lot Lott, Troy Stout, Roger Bennett, Will Jones voted aye. Motion passed.

Shane Sorensen said that because of the dry winter, they would need to implement water restrictions earlier this year. Will Jones said that the citizens would need to know that restrictions would begin immediately.

**MOTION:** Will Jones moved to approve the same water restrictions the City adopted last year and review possible changes. Troy Stout seconded. Ayes: 4 Nays: 0. Will Jones, Roger Bennett, Lon Lott, Troy Stout voted aye. Motion passed.

**J. Joint Planning Commission/City Council Work Session on Proposed Oberee Annexation Request.** Mayor Watkins welcomed two of the County Commissioners, Larry Ellertson and Bill Lee to the work session. He said Commissioner Graves had met with them previously to discuss the issues. He also recognized Mr. Zolman and Paul Kroff who were the applicants for the Oberee Annexation. The area proposed for annexation was located in Alpine City's Annexation Declaration Area.

Mayor Watkins said he would step down for a bit and have Planning Commission Chairman Steve Cospers chair the meeting. He added that he wasn't saying he wouldn't lobby his opinions but he had decided to find out what the public thought.

Planning Commission Chairman Steve Cospers said the work session came about because they understood how important it was to work comprehensively on the Annexation Plan. The meeting was open to the public but comment would be restricted to the City Council and Planning Commission members and staff. There would be opportunity at future meetings for the public to comment. He said he appreciated the members of the County Commission being present.

**1. Annexation law/special service districts:** David Church said he was asked to give a review of annexation law and how special service districts worked in conjunction with annexations. He said he would first address general annexation law, and then talk about how it specifically affected the Oberee annexation petition.

State law required municipalities to adopt an Annexation Policy, the purpose of which was two-fold. First, it let the county and other entities know what a city's intentions were. Second, it informed property owners what they could expect in regard to annexation. Once the Policy was adopted, a city could annex in accordance with the plan. If a piece of property lay outside the Policy Declaration Area and the city wanted to annex it, the city would first have amend the Annexation Policy Plan before proceeding with the annexation. The Oberee annexation area was already included in Alpine City's Annexation Plan. Other properties like Melby or Pine Grove were not.

Once the Annexation Policy Plan was in place, a landowner had the right to petition for annexation if they were contiguous to city limits. They would need to get the signatures of the owners of a majority of the acreage and have at least 1/3 of the owners of the assessed valuation. Large property owners carried more weight than small property owners.

When the annexation petition was submitted to the City, the Council would vote to say if they were willing to study the petition for annexation, or they were not. If they accepted the petition, it did not guarantee that the property would ultimately be annexed. It simply meant they could move forward in the process. The Council had accepted the Oberee Annexation Petition in December 2014. After the petition was certified, a notice was published in the newspaper and affected entities received written notice stating

that the annexation was being considered. A 30-day protest period began in which the entities could protest the annexation.

The Oberee Annexation had been certified and noticed as required. No protests were filed. The next step would be to hold a public hearing, after which the Council would decide whether or not to approve the annexation. Typically, prior to the public hearing and as part of the annexation process, the petitioner and the city negotiated a development plan or agreement. That was the step at which the Oberee annexation had gotten stuck. Mr. Church said that if the petitioner and city could not come to an agreement on the development plan, either party could choose not to annex. The petitioner could also withdraw their application anytime during the process.

Regarding special districts that existed in the county, annexation would not affect the boundaries of the district. Alpine Cove had a special water district. If Alpine City annexed the Cove, the district would still manage the water district.

Judi Pickell asked what the justification might be for excluding an area from the plan. David Church said that it might be that the city could not serve the area, or it might be too costly to provide service and it would burden the community. Or it might be that the area would be more appropriate in another city. A city would not annex forest service or BLM ground.

David Church said that he'd been involved in annexations for 30 years and the thing he had learned from the legal side was that you did not annex to prevent growth. You annexed to control growth. You annexed because you were ready to provide service and allow some level of growth. Annexation was not a tool to stop growth. The city would assign a zone and require a development plan. The Oberee Annexation had come to the City several years earlier as the Alpine Canyon Annexation. It got down to the development plan and the owner said they could not afford to do the things that Alpine City required, and withdrew the petition. One of the requirements the developer had a problem with was the offsite roads. The City required them to upgrade Grove Drive and get a second access through the Grant property. He said one of the issues worked out in the negotiations was who was going to take care of the necessary infrastructure. The City wouldn't want to make it a burden on existing residents. He noted that it was rare for landowners to say they would simply annex and accept the requirements the city gave them.

If a city and county agreed, there could be an annexation of less than 50 acres without a petition from the landowners provided the landowners did not protest it. A city could annex islands or a peninsula of land for which the city had provided services for a year. He said Alpine Cove was contiguous to Alpine and the City had provided fire and sewer service for over a year. The City could initiate a process to annex. The landowners could protest the annexation. With enough protest, the City could not annex. If the City did initiate the annexation, they would be bringing them in as is.

Dave Fotheringham asked about the referendum. David Church said annexation was a legislative process. If an opponent obtained the required number of signatures for a referendum, it would hold off the annexation until it went to a vote. When Alpine City annexed Willow Canyon, it went to a vote and the citizens approved it.

Judi Pickell asked if the legislature had changed the law on islands and peninsulas. David Church said they had changed it to say that in island or peninsula could be left with the county's permission. The governor had not yet signed it. He read the definition of a peninsula.

David Church advised the Planning Commission and Council to work on amending the Annexation Policy if it was not what they wanted. The current Policy stated a recommended density for those areas included in the Declaration Area. Before the current owners purchased the Oberee property, they came to

the City and reviewed the City's Policy. The Policy was not binding but it gave property owners expectations. He added that the City recently wrote a letter to the County stating they were committed to looking at the ground north and east of Alpine. To be polite, the Council needed to let the Oberee people know if the City planned to amend the Annexation Policy in regards to their property or if they were going to negotiate a development agreement with them. He recommended that the City Council and Planning Commission look at what was originally required for the Pack (Alpine Canyon Estates) annexation. The recommendations for water, sewer and roads probably wouldn't change that much. One of the big issues on any annexation was how the city was going to serve them. They had a fairly good idea on what would be needed for the Oberee annexation but nothing for other properties.

Lon Lott asked about the other areas that were included or excluded. Was there some reason for excluding those areas. Was water an issue? Shane Sorensen said that the study for Alpine Cove was done in the late 90s and the Cove chose to go a different direction so they were taken off the plan. The big thing for Alpine Cove was that they would need to upgrade their roads which would require a donation of so much per lot.

**2. Annexation Policy Plan & Map:** Jason Bond next reviewed Alpine City's current Annexation Policy Plan which was adopted May 26, 2009. Some of the properties named in it were already annexed such as the Nield and Bennett properties. The Pack, Grant and Christensen areas made up the Oberee annexation and they were not annexed. A small portion of the Melby property had been annexed. The Melby's had recently requested annexation for a larger piece of their property, but it was not included in the Annexation Policy Plan.

Jason Bond said that each property named in the Annexation Plan had a projection on density, service, etc. Ted Stillman had done the projections.

Lon Lott asked if the firm that performed the Tax Leakage Study had looked at the Annexation Plan to come up with their numbers, and if it was included in their potential build-out. Jason Bond said the firm was supplied with that information.

**3. Oberee Annexation:** Jason Bond reviewed what had happened with the Oberee annexation. The annexation petition had been submitted to Alpine City and was accepted. It went through the process, but when there were questions about whether or not Alpine City would allow the density shown in the currently adopted Annexation Policy Plan, the landowners applied to the County for rezoning. Since the property was included in Alpine City's Annexation Policy Plan, the County referred it back to the City for a 60-day period.

**4. Financial Considerations:** Rich Nelson gave a brief review of financial considerations related to annexation. Projections of property tax revenue, sales tax revenue, etc was based on the assumption that all new homes in the annexed area would have a value of \$600,000 and would generate \$600 in property tax. Costs to the City that had to be considered were additional police and fire/EMT protection, additional City staff, additional infrastructure costs including roads, PI and culinary water capacity. Mr. Nelson said there were one-time revenue sources associated with new home construction which were nice to have but should not be used when considering ongoing operational reserves, and should never be a major consideration in the annexation discussion. There were also unquantifiable costs associated with development in areas that had the potential for fires, floods, mud slides, and other natural disasters. Those, too, should be taken into consideration when analyzing the impact of annexation.

Judi Pickell asked about impact fees. David Church said the current impact fee plan and ordinance did not include the area outside the city so when they negotiated the annexation agreement, they had to consider those fees as part of the contract. For the Pack (Oberee) property, the big cost was upgrading Grove Drive

and extending the water and sewer. The City had agreed that they would not charge certain impact fees in exchange for the extensions and improvements. Impact fees from properties inside city limits would not bear any relation to the actual costs. If Melby came in without the Pack property coming in, how would they calculate the cost of extending services to the Melby property?

Steve Cospers asked if the city covered their costs with an annexation. David Church said they had in the past. It was part of the negotiation. In response to another question about impact fees, Mr. Church said that if a subdivision had lots of lots, impact fees might cover the cost of extending services but it wasn't guaranteed. That was why they negotiated the costs at annexation. He said that if the county chose to approve a development in the county, it would be helpful if the county would require the same improvement standards as a neighboring city. Then if at some point it was annexed, it would be consistent with city standards.

Steve Cospers asked if the Planning Commission could study the Annexation Policy Plan along with the Obere annexation concurrently.

David Church said they could do that. However the City Council had sent a letter to the county stating a commitment to study the Obere annexation request. Since they were looking at a time frame of 60 days, they couldn't leave that behind while looking at the general Annexation Policy Plan.

Judi Pickell asked the property owners of the Obere annexation what would be the benefit of going to the county for 35 lots when the City had discussed 65 lots.

Paul Kroff said there were 65 lots in the previous Alpine Canyon annexation. There was no mention of the number of lots when they submitted the annexation petition in December 2014. Mr. Kroff said they had looked at the City's Annexation Policy Plan and saw annexation as a step in the process to start development on a similar level. Then they saw some things happening in the City that made them think their only alternative was to seek a rezoning in the county. He said they would continue to seek annexation and development in the City. However, a landowner would not want to annex into Alpine if there was no promise of what they could expect. There would need to be some negotiation in anticipation of development.

Judi Pickell asked if the Obere annexation had approached the City with a development plan.

Paul Kroff said they had not submitted a plan to Alpine City. After approaching the county about a rezone, they had agreed to the 60 day waiting period to see if Alpine City would approve the density shown for their property in the current Annexation Policy Plan. He said they weren't asking for a density of more than that, and they would possibly accept less.

David Church pointed out that the Grant property was included in the Obere annexation and had not been part of the earlier one. That would change the number of lots. He said he assumed improvement of Grove Drive and a second access would still be important to the City.

Dave Fotheringham asked what the next step would be. David Church said the next step for the Obere annexation would be for them to get on the Planning Commission agenda and propose a concept, if they wanted to.

Paul Kroff said that for their specific property, it was critical that the density remain the same as it was in the 2009 plan. Offsite improvements would be negotiated. He said what they'd heard from the City was that they wouldn't support a zoning for more density than the CE-1 zoning in the county. If that was no longer the case, they wanted to discuss specific details.

Lon Lott said that in the Annexation Policy Plan, it stated that Alpine would annex land that helped realize their goals. He asked what the vision or goal of the City was? He said he leaned toward Alpine being a unified community. Outlying areas that were not part of the City would make it divided. They would, however, need to consider the financial ramifications of annexation.

Troy Stout said he didn't want to shut down a reasonable discussion. He felt the community was unified in wanting to protect Alpine's hillsides and environment. But there was the question about property rights and the right of people to develop over the rights of people who didn't want it developed. Some of the areas were sensitive lands and were homes for wildlife. He said that when people wanted to rezone to build a higher density, that was where the discussion came in. Did they want to see quarter-acre lots on the hillsides. He said the reasonable point lay somewhere between no development and over-development. There were some areas that shouldn't be developed at all, but the City had lost some influence because of county rezoning. It came from ignoring input from the community.

Steve Cospers said the Planning Commission would welcome looking at the issues that had been discussed.

David Church suggested they ask the visiting County Commissioners if they would like to comment.

Larry Ellertson asked the City to please give serious consideration to the annexation questions. Bill Lee agreed.

Jason Bond said he would appreciate getting some kind of submission for the Oberee annexation so the Planning Commission had something to work from.

Paul Kroff said he felt like he was not getting any specific direction. He didn't want to work toward a stalemate. They had been working with the DRC for five months.

Dave Fotheringham said he would like to see an overview of the lots and what kind of support would be needed from the City.

David Church said that if he was the landowner knowing the political process, he would get on the Planning Commission agenda and submit a document stating that he would be willing to enter into a development agreement that designated a minimum number of lots, and define what kind of infrastructure they would be willing to build. That would be a starting point. The Planning Commission could look at it and recommend that if the City entered an agreement, it could be changed in certain ways. Then when the landowner submitted an application they would know what had been agreed on.

Rich Nelson said that what David Church suggested was a good way to move forward. Otherwise it became a chicken or egg question. Troy Stout said it sounded like the process would take several months.

David Church pointed out that the discussion on Pine Grove began in the early 90s and went to a vote in 1998. But he felt the Oberee annexation was more straightforward. In 60 days the City should be able to tell the people what the potential was for the number of lots. They would need to consider that the Grant property was included in the Oberee annexation. If the discussion was going to be successful, they needed to say something like they would sign a contract to do these things. The landowners would ask Alpine to sign a commitment that if the applicant submitted a compliant subdivision, the City would approve x number of lots.

Myrna Grant said Pheobe Blackham had tried to annex their ground a long time ago, and she'd been willing to annex. She wasn't a developer, but the City had to realize that when she bought her property a long time ago, she didn't intend to sit on it as CE-1. They hadn't applied for annexation because they needed a development plan and they didn't have one. She said the people in Alpine couldn't possibly believe that they bought their property just to let people look at it.

Paul Kroff noted that Bryan Hofheins was present and wondered if he would like to comment. Mr. Hofheins said he had his questions answered.

Steve Cospers moved to the audience and turned the chair back over to Mayor Watkins.

Mayor Watkins said he was disappointed there weren't more Planning Commission members present at the workshop.

Rich Nelson asked the Council to make a formal decision on whether or not they wanted to move forward with negotiations on the Obere annexation.

**MOTION:** Troy Stout moved that the City Council make it clear that they intended to enter into a discussion with the Obere annexation representatives. Lon Lott seconded. Ayes: 3 Nays: 0. Troy Stout, Lon Lott, Roger Bennett voted aye. Will Jones abstained. Motion passed.

Mayor Watkins said he was not making a commitment to not be involved.

**VI. STAFF REPORTS:** None

**VII. COUNCIL COMMUNICATIONS:** None

**VIII. EXECUTIVE SESSION**

**MOTION:** Troy Stout moved to go to Executive Session. Will Jones seconded. Ayes: 4 Nays: 0. Troy Stout, Will Jones, Roger Bennett, Lon Lott voted aye. Motion passed.

The Council adjourned to Executive Session at 9:50 pm.

It was determined that "Planning Commission Appointment" was not a topic for an executive session and no discussion took place. The Council returned to open meeting at 9:52 pm.

**MOTION:** Troy Stout moved to go back into open meeting. Lon Lott seconded. Ayes: 4 Nays: 0. Troy Stout, Will Jones, Roger Bennett, Lon Lott voted aye. Motion passed.

Roger Bennett said he had looked at a map of Alpine and identified where all the Planning Commission members lived. There was a heavy representation from the north and east side but nothing from the southwest side of town. Since there was undeveloped ground on that side of town, he felt that area should be represented.

Mayor Watkins said that annexation was one of the hottest issues and there was no one on the Planning Commission from the northeast area.

Will Jones disagreed. He said Bryce Higbee and Jason Thelin lived in that area. On the Council, he and Don Watkins lived in the northeast area.

Lon Lott said that he had talked to the Mayor earlier in the meeting. Since there was no name recommended in the packet, he assumed he was expecting recommendations from the Council. He said he had mentioned Richard Nelson who had served on a previous City Council He was an engineer and understood building issues. He also lived in the southwest area of town.

Don Watkins said the term only went to January 2016 which was when Chuck Castleton's term ended. He said he would like to have someone on the Commission that consistently attended the meetings. There was only person that had consistently attended the meeting and that was Jane Griener. She was very bright and she lived in an area of town that was near critical environment.

Troy Stout suggested they delay the item to another meeting. They could open it up and see if there were other people they should consider.

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

The meeting was adjourned at 10:15 pm.