

ALPINE CITY COUNCIL MEETING

April 9, 2024

Mayor Carla Merrill called the meeting to order at 6:04 pm.

I. CALL MEETING TO ORDER

A. Roll Call Mayor Carla Merrill

The following were present at the anchor location, which constituted a quorum: Brent Rummmler, Kelli Law, Chrissy Hannemann, and Jason Thelin. Jessica Smuin attended by Zoom.

Staff: Shane Sorensen, Ryan Robinson, Steve Doxey, Chief Brian Gwilliam, Chief Brian Patten, and DeAnn Parry

Others: Jen Wadsworth, Will Jones, Cameron Ketch, Wes Funk, Hayley Keton, Jason Nielsen, Chad Littlewood, Heidi Smith, Lon Lott, Loraine Lott, Mike and Lisa M, Lane Stevens, Stephanie Stevens, Jenni Lovelady, Mary Field, Paul Gillrie, Bryan Irving, Amy Shumway, Stephen Colvin, Bethany Sorensen, Scott Jenkins, Marcelle Jacobson, Kristin Eberting, Trent Savage, and Jamie Savage.

B. Prayer: Jason Thelin

C. Pledge: Brent Rummmler

II. WORK SESSION

A. Pressurized Irrigation and Water Questions

Shane Sorensen explained that Greg Kmetzsch, Alpine City's water supervisor, and John Schiess from Horrocks Engineers were in attendance to answer questions.

John Schiess said when they evaluate our master plan they look at needs, pressure zones, and usage sources, and come up with a recommendation to fix the problems in the system. Alpine has three pressure zones for pressurized irrigation (PI): High, Mid, and Low. Most of the PI water sources are in the Low zone. More water is needed in the two higher zones, which may require booster pumps. Sources from mountain runoff can feed the High zone, but because of water rights, we do not have unlimited access to that water in the early months of summer. When we improve the system to solve deficiencies, we should also build to a larger capacity for the future.

The following information was explained and discussed:

Culinary Water

Grove Springs provides all of Alpine's culinary water. What is not needed for culinary goes into the PI system. The Division of Drinking Water requires that we have two dedicated culinary wells in addition to Grove Springs. In the dry year of 2022 we had to pump a well for a time to provide culinary water. Grove Springs is adequate for culinary water, but not for PI. When the culinary Grove Tank reaches capacity it spills over onto Grove Drive, and we lose that water. The city needs a larger storage tank.

Small areas of the city do not have PI water available, so they use culinary water for landscape purposes. These areas are Box Elder, Three Falls, Pine Grove, and six lots in the Willow Canyon subdivision. In 2001 it was decided that the city would not extend the PI system to these areas because of the high cost of pumping. The Alpine Cove has its own water system. Although Box Elder South is currently in the County, Alpine City provides culinary water based on a city agreement.

Mayor Carla Merrill reported that a couple of years ago on Memorial Day we had to turn off the culinary water at the splash pad. Residents have said that we are not planning ahead. The new homes being built are large and have big yards. The city needs to be proactive and listen to the suggestions of professional water engineers.

Budget Details

Impact fees can be used for growth-related projects, while user rates and bonds pay for the remainder. Current impact fees were determined from the master plans adopted by the City Council. Alpine has a bond on the pressurized irrigation system with six or seven years left to pay. Any new bonds would be paid from user rates.

Impact fees must be spent on projects within six years of when they were collected. If this does not happen, the city cannot bank them and would have to transfer the fees to the state. In slow growth periods the city would not collect enough impact fees to pay for projects and would need a bond to raise money.

PI Sources

Pressurized irrigation usage is about 10 times that of culinary water. In past dry years we have had to run all the PI wells and still could not keep up with demand. Last year was an extra-wet spring, so that helped reduce the need for pumping wells. Greg Kmetzsch reported that in the drought year of 2022, the Healey well went down and the city had to tell people not to water. When storage tanks are empty, air enters the lines and creates further problems. Before the pumps are turned on (usually in July), there are often low-pressure problems where sprinklers will not pop up. A recent source of water is from the Central Utah Project (CUP). This is helpful, but we cannot just decide that we need more water and turn a valve. Our Healey Well is on the same line, so we have to choose one source or the other. Larger pumps and increased line diameters would alleviate this problem. The low zone reservoir should be expanded to handle storage needs.

Schoolhouse Springs was used previously for culinary water but would be more beneficial in the PI system. We cannot access it yet for PI because the point of connection is below the lower reservoir. Without a submersible pump and new piping down Alpine Blvd, we cannot use that water for PI.

Proposed Heritage Hills PI Well

This well is in the plan, but not currently on the budget. The master plan calls for wells to supplement the water needed for growth. Right now we do not have the capacity to serve the High zone in dry years. The Heritage Hills well would fix the deficiency in the High zone and fill a hole in the PI system to allow for build-out needs. Most new homes are being constructed in the High zone.

John Schiess explained that when we drill a well, we do not know exactly what we will find. A hydrogeologist and a well specialist conducted a study to find best location for a source. The proposed Heritage Hills well is based on the best information they had. They believe the well will produce 1,000 gallons per minute. Shane Sorensen clarified that the study looked at properties the city currently owns in order to save money. The Heritage Hills well proposal came from that effort.

Growth & Population

Our current population is around 11,327, with an expected increase of 1.56 percent per year. It is estimated that we will reach total build-out around 2041. This growth will be on existing vacant lots, and in the Bangerter, Mendenhall, and Smooth Canyon areas. Total population in 2041 is estimated at 14,519.

Conservation

Applications for building permits have declined lately, and conservation efforts could help alleviate some of the PI water needs. Beginning in 2023 we were able to gather actual metered data for PI. Shane recently learned that Draper City raised their PI rates and residents continued to use extra water and just pay for it. We have a penalty for overuse built into our billing, but many will just pay the fee. We do not have a way to limit PI water access.

The Aquifer

The last 20 years of drought has lowered the overall water table and this has affected our wells in Alpine. Experts are looking at this issue, and Central Utah Water purchased the gravel pit at the entrance of American Fork Canyon to help recharge the aquifer.

Duties of the City Water Supervisor

Greg Kmetzsch was hired in 1996 and started running the culinary system in 2013. In 2014 he also took over the PI system. Additionally, Greg works in the cemetery, laying out graves and marking headstones. When Greg turns the PI on in the spring, he has to watch over every detail for the next six months. There are multiple alarms during the night, and he must keep close tabs on the levels in each zone so that

residents can water during the night. In the daytime he fills the tanks for the next evening. It is a stressful job. During mid-summer when everyone is watering at night, Greg has to turn off the pumps mid-day because the pressure rises too high. Larger pipe diameters would help alleviate this problem.

In a good water year like 2023 he is constantly cleaning filters and managing the runoff. Greg estimates that it would take two seasons to train a new water employee, but commented that he is still learning things, even after 10 years on the job.

The council expressed appreciation for John Schiess and his report, and for Greg Kmetzsch and his expertise and hard work for the city.

This PI master plan gives the council a roadmap for future decisions. Shane Sorensen invited the council to email him with any questions.

B. Fire Station Expansion/Remodel

Shane Sorensen reported that we are working with Chad Littlewood from Babcock Design and SIRQ Construction to come up with a plan for the firehouse.

Chad Littlewood presented a map of the current and proposed floor plans. The existing fire station would be remodeled into a senior/community center. The apparatus bay would be updated, and an addition would be constructed on the east side of the bay, with dorms, a kitchen, a dining area, and a small gym for the firefighters. Chad explained that these are conceptual drawings, and he would welcome feedback. This should be a collaborative process.

Chad explained the Construction Manager General Contractor (CMGC) system. The designer works directly with the contractor in meetings. The project does not go to a public bid, but to the General Contractor who has been prequalified.

Shane Sorensen said that SIRQ Construction just completed the American Fork fire station. SIRQ has done a lot of work and provided us with a cost estimate. This estimate was for our previous plan, but the costs should be similar, in the \$4.5 to \$5 million range. SIRQ is very skilled at estimates, but the projected cost will be refined as we continue to plan. With the CMGC model, Alpine can set a guaranteed maximum price. The plan must be designed to meet that number. If the city is ready, Chad can start the design process and include the CMGC.

The council discussed the need for convenient parking for seniors and that more spaces may need to be created. Arnold Patrick's property is on the northwest corner. He has life estate there, but if he agrees to the city using part of his land, we can work something out.

Mayor Carla Merrill reported that originally Alpine had a volunteer fire department, so the station was not built with actual living spaces in mind. The fire fighters have been making do, but we need to remodel and update their facility. We held off on this project because of high interest rates, but construction costs continue to rise. The addition gives us an opportunity to establish a senior center and a gathering place for the community.

III. PUBLIC COMMENT

No public comments were offered at this point.

IV. CONSENT CALENDAR

A. Approve Minutes from the March 26th City Council Meeting

B. Partial Payment No. 2 Lambert Park BST Connector Project – SMM Excavation: \$85,015.38

C. Resolution R2024-11 Update to the Consolidated Fee Schedule

Back in January, staff moved the fee schedule from a Word document to an Excel spreadsheet to help with some formatting issues. A few errors were noticed recently that were not found in the previous review. The following corrections are recommended:

- Item F.6. Culinary Water Meter Connection Fees: 1” meters are being installed throughout the city today. The table incorrectly listed 1” meters for “One acre or larger” lots rather than just “Residential” lots.
- Item G.8. Moyle Park Weddings: This item should be deleted.
- Item H.7. This item should read “Pressurized Irrigation without Culinary Water” as opposed to “Culinary Water without Pressurized Irrigation.”
- Item H.8. This item is being replaced by the impact fee for pressurized irrigation in item H.7. and should be deleted altogether.

STAFF RECOMMENDATION: Review and approve Resolution R2024-11 adopting the Consolidated Fee Schedule with corrections as noted above.

D. Resolution R2024-10 Appointment of Ryan Robinson to Utah Lake Watershed Council

The Utah Lake Watershed Council is one of the 12 local watershed councils that operate in Utah. Local watershed councils are created to encourage and facilitate discussion and collaboration of water-related issues and concerns among the stakeholders within the watershed. As feasible, the watershed council will facilitate communication and coordination among a variety of interests. Each local watershed council will designate one representative to serve on the Utah Watersheds Council, where issues of concern can be brought to the attention of the legislature and governor. Alpine City’s representative no longer works for the city. It is proposed to appoint Ryan Robinson as a replacement.

STAFF RECOMMENDATION: Approve Resolution R2024-10 appointing Ryan Robinson as the Alpine City Representative to the Utah Lake Watershed Council.

Motion: Jason Thelin moved to approve the Consent Calendar as proposed. Chrissy Hannemann seconded the motion. There were 5 yes votes and 0 no votes as recorded below. The motion passed unanimously.

<u>Yes</u>	<u>No</u>	<u>Excused</u>
Brent Rummler		
Jessica Smuin		
Kelli Law		
Chrissy Hannemann		
Jason Thelin		

V. REPORTS AND PRESENTATIONS

- A. Financial Report** – Mayor Carla Merrill recently learned that we are required to review the financial report quarterly, and the council has already done that. Because of the full docket this evening the mayor wished to continue with the agenda. Mayor Merrill encouraged council members to review the financial report in their packets and to direct any questions to Shane Sorensen.

VI. ACTION/ DISCUSSION ITEMS

The order of the Action Items was adjusted by Mayor Carla Merrill, due to the time commitments of attendees.

A. Resolution R2024-09 Creating a Communications Partnership in an Emergency

Alpine City adopted a Comprehensive Emergency Management Plan on November 14th, 2023. Part of that plan focused on the need to communicate citywide in case of an emergency. To meet that need, it is recommended that the city appoint the following Alpine residents to serve on the communications committee and help the city during a potential emergency:

- Jason Nielsen
- Jeff Stratford
- Charles Knadler

Each of these individuals has the needed experience and knowledge as HAM radio operators. This would be the primary method of communication if all other forms of communication were unavailable.

STAFF RECOMMENDATION: That Resolution R2024-09 be approved appointing Jason Nielsen, Jeff Stratford, and Charles Knadler to the emergency communications committee.

Mayor Carla Merrill stated that the three communications specialists are very capable, and the city is grateful for their willingness to help.

Motion: Brent Rummmler moved that Resolution R2024-09 be approved appointing Jason Nielsen, Jeff Stratford, and Charles Knadler to the emergency communications committee until a successor has been appointed and striking the “Said term shall be as follows:” language. Jason Thelin seconded the motion. There were 5 yes votes and 0 no votes as recorded below. The motion passed unanimously.

<u>Yes</u>	<u>No</u>	<u>Excused</u>
Brent Rummmler		
Jessica Smuin		
Kelli Law		
Chrissy Hannemann		
Jason Thelin		

B. Resolution R2024-12 Authorizing the Naming of the Burgess Park Baseball Field #4 as “Staffieri Field”

Shane Sorensen said that at the March 12th City Council meeting, representatives from Lone Peak Baseball presented a proposal to upgrade Burgess Park Field 4. Funding for the proposal included a generous donation of \$42,000, with another \$25,000 coming from city funds to complete the project. In recognition of the donation, the City Council agreed to give the naming rights of the field to the donor for 20 years, with the condition that the City Council approve the name. The improvements to the field are currently under construction and the name of the field needs to be approved prior to ordering a sign. The sign will be metal with the name cut into the plate, and created by the same vendor that supplied the sign for city hall.

Shane reported that staff are also drafting a policy for future naming rights in the city.

STAFF RECOMMENDATION: Review and approve Resolution R2024-12 authorizing the naming of Burgess Park Field No. 4 as “Staffieri Field”.

Motion: Kelli Law moved to approve Resolution R2024-12 authorizing the naming of Burgess Park Field No. 4 as “Staffieri Field”. Brent Rummmler seconded the motion. There were 5 yes votes and 0 no votes as recorded below. The motion passed unanimously.

<u>Yes</u>	<u>No</u>	<u>Excused</u>
Brent Rummmler		
Jessica Smuin		
Kelli Law		
Chrissy Hannemann		
Jason Thelin		

C. Proposal to Reduce the Speed Limit on a Portion of Canyon Crest Road

Shane Sorensen reported that an item was on the February 27, 2024, City Council agenda to consider approving a proposal from Hales Engineering to conduct a speed limit study on Canyon Crest Road, after a council member requested a reduction in the speed limit on a portion of the road. The proposal is included in the packet. The recommendation for the study was based on information staff had about changing speed limits. There was some discussion on the item followed by a motion to not perform the study but to lower the speed limit to 25 mph from the roundabout to the south side of the hill. Only four council members were present. Voting on the motion ended in a 2-2 tie, with Mayor Carla Merrill breaking the tie, which resulted in the motion not being approved.

Later, Councilmember Rummmler requested that the speed limit reduction be placed back on the City Council agenda. He has provided his analysis and reasoning for considering a reduction in the speed limit. (See information in the packet from Councilmember Rummmler.) It should be noted that a change was made in the Utah Code in 2022, which allows cities to determine the reasonable and safe speed limit

within their city. With various sections of Utah Code being cited, City Attorney Steve Doxey will be in attendance at the meeting to provide his legal review of the information.

Our previous City Engineer, Jed Muhlestein, downloaded some speed data from the northbound radar speed limit sign for the period of January 28 to February 14, 2024. The southbound sign needs a software update in order to download data. When data is downloaded from the signs, lowest and highest speed data is given. Jed contacted the manufacturer to get an explanation of the data sets. He found that the signs take two readings for every vehicle, the high speed and the low speed. The data shows that when people see the sign, they actually slow down. The data sheets are included in the packet. The highest speed summary shows an average speed of 37 mph, while the lowest speed summary shows an average speed of 33 mph.

STAFF RECOMMENDATION: Consider approval of the proposal to reduce the speed limit on a portion of Canyon Crest Road from 35 to 25 mph.

Brent Rummler gave a presentation on the proposed speed limit adjustment on a portion of Canyon Crest Road and encouraged council members to review the detailed packet. Brent spoke to 47 residents in the area and found nearly unanimous agreement that the speed should be reduced. Brent estimated that reducing the speed would create delays measured only in seconds.

Brent talked about the factors that increase hazards on this stretch of road which include limited sight distance because of the hill and curve, (4) three-way intersections, six residential and one commercial driveway, the lack of a bike lane, and frequent crossings by urban deer. Nearby cities are taking action to lower speed limits, including Cedar Hills, Highland, Park City, and Salt Lake City.

Brent also reported on crosswalks. Zebra crosswalks have striped lines across the road, and motorists are required to stop until the pedestrian has completely exited the road. With parallel open crosswalks (two parallel white lines), motorists must stop until the pedestrian has moved off their side of the road. Pedestrians may also cross at unmarked intersections and motorists must yield. Chief Gwilliam confirmed that if a person is waiting at a crosswalk, a motorist should stop.

Brent Rummler is confident that if we can reduce the speed on Canyon Crest Road it will be safer.

Public Comment

Mayor Carla Merrill invited public comment on the speed limit issue.

Bethany Sorensen

601 S. Pheasant Ridge Circle, Alpine

Bethany uses this intersection multiple times every day. She is aware of at least six neighbors who have had accidents at that intersection in the last ten years. She spoke about bicyclists and frequent deer crossings there. Winter weather can make the north side of the hill icy, and with cars coming over the hill quickly it is very dangerous. Left turns in both directions are difficult. Bethany feels that the crosswalk to Ridge Drive is also dangerous and reported that her daughter was almost hit by a car while in the crosswalk.

Cameron Ketch

734 S. Cumberland Court, Alpine

Cameron is a real estate developer who grew up east of the current Creekside Park. He feels that even as an adult, using the Ridge Drive crosswalk is dangerous. Cameron defined a street as residential, and a road as a means for travel. This section of Canyon Crest is a "stroad," which is a combination of the two. It is challenging to make everyone happy in a situation like this, because he knows that people want to get to their destinations quickly. Cameron hopes that we can find a solution so that it is safe for people to use the crosswalk.

Lane Stevens

73 S. Matterhorn Drive, Alpine

Lane expressed appreciation for the work and thought that went into Brent Rummler's presentation, but he did not think the proposal will lead to the desired outcome. Sometimes we make changes to solve a

problem and end up with less-desirable outcomes. Lane did not know if the presentation constituted a traffic study, but had low confidence that the speed limit reduction would make the desired difference.

*Kristin Eberting
576 S. Cascade Avenue, Alpine*

Kristin exits Sierra Avenue onto Canyon Crest Road regularly and says that the danger is not a new issue. She approached the city in 2017 and expressed concern about this intersection. It is also dangerous when trying to make a left turn, as cars are coming around the blind corner quickly. A suggestion was to make Sierra a right-turn-only exit, but the city shrubs make it difficult to see oncoming cars around the curve. Kristin has trimmed the shrubs personally and wonders if they could be removed altogether. She commented that Councilmember Rummler's report listed the number of accidents that have happened, but it does not include the number of near-accidents that residents see every day. Kristin asked that the city lower the speed limit to 25 mph.

*Marcelle Jacobson
235 E. Paradise Lane, Alpine*

Marcelle's family members live close by, and it is a challenge to pull out from Paradise Lane and from Sierra Avenue. She feels that it is a dangerous crossing and is in favor of lowering the speed limit.

*Bryan Irving
371 N. Matterhorn Drive, Alpine*

Bryan thanked Councilmember Rummler for taking so much time to research the speed limit issue. Bryan heard from a previous council member that Code of Conduct 20-11-4 Item 9 states that once a proposal is voted upon it cannot be brought back for another vote. Bryan asked if this topic should have been brought up again in this meeting.

Mayor Carla Merrill responded that we do have a resolution in our Code of Conduct that she found recently. Because the code was discovered late, Councilmember Rummler was very invested in the issue and its importance to the residents, and Councilmember Smuin was planning to join the meeting on February 27 by Zoom but because of technical difficulties she was not able to vote, the mayor felt that revisitation of the issue was warranted because of the extenuating circumstances. The mayor printed the code for the council members and asked them to read it and be aware of proper procedure going forward.

After various comments by the council, Attorney Steve Doxey suggested that the council discussion be postponed until after the public comment portion.

*Trent Savage
226 S. Pfeifferhorn Drive, Alpine*

Trent expressed appreciation for Councilmembers Rummler and Thelin reaching out to the public about the issue. He lives at the bottom of the street where the speed limit is 25 mph, but cars still fly down the hill. He does not know if lowering the speed limit alone will change things. Trent thinks that everyone would want the speed limit lower in front of their own homes, and we all want to protect our children and families. He did not feel that the accident data supported a lower speed limit, as he thinks tailgating is likely to increase at lower speeds. Trent is concerned that if we lower the speed limit on Canyon Crest Road it will encourage drivers to take the Alpine Highway, which will cause a similar problem there. He is opposed to the speed limit change.

*Cindy Marlin
464 E. Peach Tree Circle, Alpine*

Cindy attended to gain more information. She is a long-term resident and knows that there are three roads to get in and out of Alpine. When we make a change to one of those roads it affects the whole town, not just a neighborhood. She would like the council to look at everything that could be done to make those arteries more efficient, not just the speed limit. She is opposed to the change at this point and would like to see studies or other information about how we can improve the arterial roads.

*Kyle Nelson
827 N. Country Manor Lane, Alpine*

Kyle is opposed to the speed limit reduction. Icy conditions have been mentioned, and we should all slow down when the weather is bad. Kyle runs on this road in the winter and bikes on it in the summer. Kyle

has not had problems pulling out from Ridge Drive. He said that the Canyon Crest speed limit is already lower than the Alpine Highway. If the drowsy driver and deer collision were removed from the data, the accident numbers are similar between Canyon Crest Road and Alpine Highway. Kyle felt that 47 residents was a small sample size compared to the population of Alpine. He does not think that reducing the speed limit is the correct solution.

Markell Staffieri

126 S. Matterhorn Drive, Alpine

Markell is against lowering the speed limit and thinks that we are not looking in depth at all the options. Other solutions that have not been investigated are the consequences of lowering the speed limit, and the precedent for other arterial roads. Markell would like to see further discussion about alternatives and long-term consequences. He mentioned the crosswalk on Westfield Road which has flashing lights that are activated when a pedestrian pushes the button. Driver habits are such that even when he and his family cross with the flashing lights, cars often do not stop if pedestrians are not in their lane. Markell is doubtful that this proposal will change driver habits. He thinks there may be unintended consequences and is against the proposal.

Stephen Colvin

557 S. Cascade Avenue, Alpine

Steve's back yard overlooks the intersection with Ridge Drive, so he can see the traffic activity on Canyon Crest Road. He has had to pull his children to safety multiple times along this stretch. Steve conducted his own informal speed study where he watched the radar signs on three occasions. He found that 7 out of 10, 9 out of 10, and 8 out of 10 motorists were speeding. Steve does not feel that the convenience of saving 15 seconds along that half-mile stretch is worth endangering lives. He suggested an elevated crosswalk and high-cost ticketing to help improve the safety factor. He supports speed limit reduction, as well as other solutions.

Rob Gardner

2025 N. Three Falls Drive, Alpine

Rob is against the reduction because he has not heard enough data to support the proposed change. He understands the emotion behind the support for the reduction and is sympathetic to residents who live there. Rob said that the 25 mph prima fascia law does not apply to this situation. He is in favor of improved crosswalk signs and is not opposed to making it safer, but thinks it should be done in a different way.

Amy Shumway

172 W. Brookside Court, Alpine

Amy is opposed to the speed limit change. Forty-seven residents in the immediate area were interviewed, but no residents living in the rest of Alpine. She agrees that something needs to be done to improve safety but does not think lowering the speed limit is the solution.

Scott Jenkins

148 West 150 North, Alpine

Scott said he is in favor of a traffic study conducted by unbiased professionals who look at all the situations, circumstances, facts, and data on both sides to come up with a proposal.

City Council members discussed the following points:

- Residents have repeatedly asked members of the council to do something about speeding in this and other areas of the city.
- It is difficult to enforce the speed limit at this location.
Police Chief Brian Gwilliam explained that the lack of space for officers to park along the road makes it challenging to issue tickets. Photo radar has been disallowed, so an officer has to be present to issue a ticket. When asked, Chief Gwilliam confirmed that people speed in 25 mph zones as well as in higher speed zones.
- Changing the speed limit will not prevent motorists from following too closely or failing to stop at crosswalks. Some research shows that when speed is reduced where higher speeds are warranted, it may create dangerous situations like road rage.
- We may need to layer solutions for traffic calming to create safer streets: traffic circles, narrowing lanes with white lines, speed bumps, etc. Lowering the speed limit may be a first step.

- Changes to the state law allow the city council to set a speed limit. Some council members are not comfortable with changing the speed limit without a study completed by experts. Some council members are not comfortable with the 85th percentile traffic study method.
- Public opinion is important, and we also need data.

Mayor Carla Merrill asked Attorney Steve Doxey to address State Code 301 regarding traffic signs.

Steve Doxey said he appreciated the extensive effort that went into the proposal and offered background on the traffic code. Previously, municipalities and counties were required, as is UDOT, to have a traffic engineering and safety study in order to determine a speed limit. In 2022, House Bill 235 stated that municipalities and counties are allowed to determine a reasonable and safe speed limit. The Alpine Transportation Plan adds that a speed limit must be “safe and efficient.” These goals may sometimes involve competing interests.

Steve Doxey also explained that the City Council has the power to make the determination of what is reasonable and safe, but a speed limit will not be effective unless proper signage is erected. The state has adopted the *Utah Manual on Uniform Traffic Control Devices*, and a speed limit sign is such a device. The guidance portion of the manual says, “The decision to use a particular device at a particular location should be made on the basis of either an engineering study or the application of engineering judgment.” In the mandatory section it states, “Any deviation from this guidance must be based on an engineering study or the exercise of engineering judgement.” The council has the authority to determine the speed limit but does not have the authority to place a device without an engineering study or engineering judgement.

Jason Thelin asked about the application of the City Council’s meeting rules of procedure to this speed limit discussion.

At the request of Mayor Carla Merrill, Steve Doxy responded. In 2011 the City Council passed a resolution adopting rules of procedure for public meetings. The resolution states that the city attorney is the parliamentarian regarding compliance. Steve Doxey said that it is good for people to voice their opinions and for the residents to be heard in meetings. We should remember that one of the rules is that when one member speaks, everyone else listens.

Steve Doxey said he appreciated the mayor’s explanation of why the council was considering this issue tonight. Now that the council has reviewed the rules of conduct, the council should adhere to them going forward or change them through a resolution. Considering the mayor’s explanation, Steve did not see a problem with moving forward on the speed limit issue. Steve further explained that Item 9 in the code is regarding finality, and to prevent the repeated submission of an issue after it has been voted down.

Following additional questions from the council about whether or not the speed limit issue was voted on previously, Mayor Carla Merrill explained that in the meeting on February 27, the agenda item was for a traffic study. Jason Thelin asked if we could just vote to reduce the speed limit, and legal advice was that we could. Jason Thelin then moved to reduce the speed limit to 25 mph without a traffic study. Brent Rummeler seconded it. Then it was voted on and the motion did not pass.

Jessica Smuin asked if we should have been able to vote on the speed limit when it was not noticed on the agenda according to the Open Public Meetings Act.

Steve Doxey responded that he did not recall giving legal advice that we could vote on a proposal to reduce the speed limit without a traffic study. The agenda item was noticed as a proposal to obtain a traffic study. It was probably improper to have that vote when it was noticed otherwise. The mayor made a good case as to why it is important to hear this item tonight. This is clearly a divisive issue with lots of community interest. Based on Steve Doxey’s reading of the law, either an engineering study or the exercise of engineering judgement would be required if the speed limit changes.

Steve Doxey’s suggestion was to look at the rules. If the mayor wanted to be strict in enforcing the rules, technically this was an item that was voted upon, whether or not it was properly noticed. This is a request to reconsider that vote. In that case, the request would have to be made by someone who voted against

reducing the speed limit, not someone who voted (unsuccessfully) to reduce it. If the council wants to apply the rule with liberality, and then come back and say that we really only had an item on the agenda for the traffic study so we cannot reconsider it, that is not a fair application. This is a rule of procedure for the council. If the council wants to be liberal with that rule and say that they are not going to prohibit consideration of this item based on that rule, equally so, they should not prohibit reconsideration of a traffic study.

Mayor Carla Merrill stated that her understanding of Rule 9 is that it is directed to what was voted upon, not what was listed on the agenda.
Steve Doxey confirmed that Rule 9 refers to a vote.

Motion: Kelli Law moved to table the proposal to reduce the speed limit on a portion of Canyon Crest Road based on the fact that we need to have an engineering study in order to post speed limit signs, and we need to address the safety concerns on the road regardless of the speed limit. Chrissy Hannemann seconded the motion to table, and requested more information, as stated. There were 3 yes votes and 2 no votes. The motion passed.

<u>Yes</u>	<u>No</u>	<u>Excused</u>
Kelli Law	Brent Rummmler	
Jason Thelin	Jessica Smuin	
Chrissy Hannemann		

D. Resolution R2024-13 Justice Court Interlocal Agreement

Shane Sorensen reported that several months ago, Highland City received a notice requiring a re-certification of their justice court. Through that process came questions about the justice court for Alpine City. Historically, Alpine has participated with Highland in a joint justice court. Upon review, no formal agreement for the arrangement could be found. Highland City contacted the Administrative Office of the Courts (AOC) and asked for clarification on what was needed to provide justice court services to Alpine City. The AOC responded that an interlocal agreement would be required and gave a deadline of May 1, 2024, to submit a signed agreement. Rob Patterson, Highland City Attorney, prepared the interlocal agreement. Steve Doxey has reviewed the agreement on behalf of Alpine City. Highland City will consider approval of the interlocal agreement at their next City Council meeting.

STAFF RECOMMENDATION: Review Resolution R2024-13 and approve an interlocal agreement for justice court services with Highland City.

Brent Rummmler asked if this is a good deal for Alpine because Highland City is providing the infrastructure.

Chief Brian Gwilliam confirmed that this arrangement provides cost savings for both cities with the shared court. Alpine City receives revenue from citations that are issued in our city, and we pay court expenses based on a percentage.

Motion: Chrissy Hannemann moved to approve Resolution R2024-13 for an interlocal agreement for justice court services with Highland City, subject to Highland City approval and our legal review. Brent Rummmler seconded the motion. There were 5 yes votes and 0 no votes as recorded below. The motion passed unanimously.

<u>Yes</u>	<u>No</u>	<u>Excused</u>
Brent Rummmler		
Jessica Smuin		
Kelli Law		
Chrissy Hannemann		
Jason Thelin		

E. Moyle Park Landscape Plan Approval

Shane Sorensen reported that the Moyle Park landscape plan was adopted on September 11, 2018, by the City Council. A landscape plan, master plan, and minutes were included in the packet. This landscape project was included in the FY2024 budget. Staff are planning to begin work on this project soon. Much of the work will be done in-house.

Because the plan was adopted by a different council, staff wants to make certain that the current council concurs with the plan. The city does not anticipate concerns from the neighbors but will notify them as a courtesy.

Mayor Carla Merrill was pleased to report that a Lone Peak firefighter and his wife will be moving into the Moyle Park home in May or June, and they will act as caretakers for the property.

STAFF RECOMMENDATION: Review and approve the proposed Moyle Park landscaping plan.

Motion: Kelli Law moved to approve the Moyle Park landscaping plan as presented. Brent Rummmler seconded the motion. There were 4 yes votes and 1 excused vote as recorded below. The motion passed.

<u>Yes</u>	<u>No</u>	<u>Excused</u>
Brent Rummmler		Jason Thelin
Jessica Smuin		
Kelli Law		
Chrissy Hannemann		

VII. STAFF REPORTS

Police Chief Brian Gwilliam reminded council members of the 7:30 LPPSD meeting tomorrow morning.

Fire Chief Brian Patten had no comments.

City Planner Ryan Robinson said that April 18 is the Great Utah Shake Out. The Emergency Preparedness committee has been talking with stake representatives and schools about communication and radio drills. The drills will hopefully be conducted on April 18, but could be set for another day.

Attorney Steve Doxey had nothing to report.

City Administrator Shane Sorensen said that the ground finally dried out sufficiently so staff could tear down the old Burgess Park pavilion. Staff will bring an overall plan to the council in the future. The baseball field improvements at the park are moving along quickly and games are being played on the fields.

Shane said that the old backstop south of Field 4 is in the way of the try zone for rugby and the club has requested that it be removed.

Heidi Smith reported that it is an orphan backstop on a corner that is not connected to a field. The end cuts into the rugby field and creates a hazard for the players. Heidi spoke to coaches of the various sports, and no one uses the backstop. The rugby club has offered to provide the labor to remove the backstop at no cost to the city.

Shane said the backstop removal, sand volleyball court location, and other considerations will be presented to the council as part of the overall plan.

Shane provided an update on the Grove Drive Trail and said that a contractor hit a Comcast line recently and caused some delays. Comcast is working on the lines in the Box Elder subdivision now, and we anticipate paving sometime around April 20.

Shane reminded everyone that the pressurized irrigation water will be turned on by April 15.

VIII. COUNCIL COMMUNICATION

Brent Rummmler had nothing further to report.

Jessica Smuin had nothing to report.

Kelli Law asked for clarification on the section of Canyon Crest Road where there is not adequate room to park police cars to enforce the speed limit.

Chief Brian Gwilliam confirmed that enforcement is more difficult on the curved section of Canyon Crest Road because of a narrow or non-existent shoulder. There are advantages to using motorcycles in the

summertime. Part of the challenge is how the radar equipment works, which makes it difficult to identify speeders on a curve. Police procedure is to have a visual estimate of speeding and then confirm it with LiDAR or radar, which holds up better in court.

Kelli Law would like to see ticketing for motorists who do not stop for pedestrians in marked or unmarked crosswalks.

Chief Gwilliam said staffing is an issue, but they can talk about Kelli’s suggestion.

Mayor Carla Merrill requested that we remove the shrubs on the curved section of Canyon Crest Road for visibility.

Shane Sorensen explained that we have a grant that will allow us to overlay the road in three to four years, and the road will shift to the west.

Kelli Law asked that we install lighted warning signs on the curve.

Shane Sorensen said that we already have advance warning signs in place, and he will check to see if we can add the lighted signs in that location.

Kelli Law asked if the council could vote at their next meeting to have the traffic study.

Shane Sorensen suggested that because he has authorization to use the budget at this level (\$4,200), he will order the traffic study which will address the speed issue and safety concerns. The council would not need to vote.

Chrissy Hannemann had nothing to report.

Jason Thelin had nothing to report.

Mayor Carla Merrill said that she sent contact information to Ryan Robinson for a representative from UDOT with Move Utah. They want to partner with communities to help them apply for funding with the Safe Streets and Roads for All (SS4A) initiative. Hopefully the rep will be able to help us apply for grants for our active transportation plans. Mayor Merrill felt that this would be a key element in traffic calming and reducing speeding to make the roads safer for pedestrians and bicyclists.

Motion: Chrissy Hannemann moved to end the City Council meeting and move into a closed session to discuss property acquisition and disposal, to be held in the conference room at City Hall, and to adjourn the meeting at the end of the closed session. Brent Rummmler seconded the motion. There were 5 yes votes and 0 no votes as recorded below. The motion passed unanimously.

<u>Yes</u>	<u>No</u>	<u>Excused</u>
Brent Rummmler		
Jessica Smuin		
Kelli Law		
Chrissy Hannemann		
Jason Thelin		

The City Council meeting ended at 9:56 pm.

IX. EXECUTIVE SESSION

The executive session closed at 11:09 pm.