

ALPINE CITY COUNCIL MEETING

October 28, 2025

Mayor Carla Merrill called the meeting to order at 6:03 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 Rummler, Jessica Smuin, Kelli Law, Chrissy Hannemann, and Jason Thelin	
Staff: Shane Sorensen, Ryan Robinson, Steve Doxey, Chief Brian Gwilliam, Chief Brian Patten, DeAnn Parry	
Others: Troy Page, Tom Dell'Ergo, Brandon Page, Ken Berg, Jon Haderlie, Roger Bennett, Rachel Bennett, Preston Reading, Jen Wadsworth, Sheryl Dame, Andrew Young, Ron Campbell, Chris Challis, Will Jones, Lawrence Hilton, Greg Clark, Sarah Blackwell, Kevan Mills, Kurt Ostler, Brittany Bills, John Nash	
B. Prayer	Kelli Law
C. Pledge	Chrissy Hannemann

II. CONSENT CALENDAR

- A. Approval of Minutes for the October 14th City Council Meeting**
- B. Final Payment - Moyle Park Paving, Eckles Paving: \$35,273.92**
- C. Final Payment- 2025 Onyx Sealcoat Project, Morgan Asphalt: \$60,300.00**
- D. Award 2025 CDBG ADA Ramp Project, Pronghorn Construction: \$81,820.00 (Request approval up to budgeted amount of \$116,667 to maximize grant funds)**
- E. Partial Payment No. 2 - 2025 Overlay Project - Manholes/Valves, Arrow Landscape Construction, LLC: \$85,808.75**

Shane Sorensen explained Item D, the ADA ramp project, and said that we initially bid the number of ramps we thought could be completed. The low bid was \$81,820. With our matching funds we have around \$116,667 and would like to complete some additional ramps. Staff recommend that the City Council approve up to that amount so we can maximize the grant funds.

Motion: Brent Rummler moved to approve the Consent Calendar as proposed. Jessica Smuin 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>
Kelli Law		
Chrissy Hannemann		
Jason Thelin		
Brent Rummler		
Jessica Smuin		

III. PUBLIC COMMENT

Mayor Carla Merrill explained that public hearings were held during the Planning Commission meeting last week, so she would not be taking any public comments on those issues tonight.

IV. REPORTS & PRESENTATIONS

A. FY 2025 Annual Audit Report – Larson & Company

Jon Haderlie from Larson & Company said they met a few weeks ago with the Finance Committee and spent couple of hours going over the audit. Many good questions were posed.

Jon explained the detailed process that the auditors follow and the professional standards that guide them. He wants his team to see every nuance and red flag and to ask questions. They are looking for

actual mistakes, intentional ‘mistakes,’ and possible collusion. They look carefully at a city’s internal controls and accounting policies. They also look for negative trends or events. Jon wants to protect the city and its employees.

Jon received nothing but good reports from his team about the staff. During an audit, if requests for information have slow response times, it can indicate problems or fraud. Alpine’s staff were efficient in providing all the requested information. Dave Sanderson was very helpful in answering their questions, as well.

Brent Rummel asked specific questions about the pension program.

Jon gave a detailed and technical response. He urged the council to take pensions out of the equation when making decisions.

Brent also asked about the public safety expenses. Jon gave another detailed and technical response and explained that government financial statements are very different from those in private business.

Jessica Smuin asked about state guidance for rainy day funds.

Jon talked about the maximum allowed 35 percent of current year revenue and said he would like to see the city stay within the 25-35 percent range in the General Fund, so they do not have a revenue shortfall. If we want to plan for future projects, the money should be moved out of the General Fund and into Capital Improvement Projects. Orem City had been saving money in this way for years and did not need to bond for their new city building.

Chrissy Hannemann asked about the difference between assigned and unassigned funds on Page 14.

Jon explained that in some states, cities will set utility rates high and then use the excess money to pay for General Fund expenses. This could be interpreted as taxation without representation. In Utah we are restricted on the amounts that can be taken out of these funds. Committed and assigned money is earmarked for certain purposes, and any money not in the General Fund is either restricted or assigned.

Chrissy said it was helpful to meet with the audit team. She would like the Finance Committee to have some additional training and will invite the council members to attend.

Mayor Carola Merrill thanked Jon Haderlie for his presentation.

Shane Sorensen explained that our Finance Director, Dave Sanderson, would have been in attendance but he is out of town.

B. FY2025 1st Quarter Report - Shane

Shane Sorensen said that we just finished the first quarter of the new fiscal year. He explained the Fund Balances Trend graph and how the Capital Improvement Fund drops with large projects. Substantial payments will be made in the next month for projects like the PI line on Canyon Crest Road. We used some Streets and Recreation impact fees to purchase a new city property. Sales tax revenue was up 5.84 percent over last year. Some cities are currently trying to do curb and gutter projects, which have become very expensive. Fortunately, past City Councils approved the funds, so 90 percent of our city already has curb and gutter.

V. ACTION/DISCUSSION ITEMS

A. Approval of Material Change to the Alpine City Hall Park Site – Expansion of the Alpine City Fire Station No. 202 Located at 50 East 100 North

Ryan Robinson showed the updated site plan that was completed yesterday. This plan is to update, remodel, and expand the existing fire station located at City Hall Park. Because this project represents a

material change to an existing city park, Alpine Development Code 3.16.040 requires additional public input and review.

Under this provision, land included in a city park may not be materially changed, improved, altered, disposed of, or used for another purpose unless:

1. The Planning Commission holds a public hearing and makes a recommendation, and
2. The City Council approves the change by a supermajority vote (at least 4 of 5 members).

A material change is defined as including, but not limited to:

- A change to the park's essential defining characteristics,
- Creation or improvement of roadways or parking lots within the park, or
- Other alterations that affect the existing nature of the park.

Because this project involves expanding the fire station and adding parking, both the Planning Commission and City Council must review it. It is important to note that at this stage, the review is limited to the proposed change to the park itself. Design details for the new fire station building and related features will be considered in the future as separate agenda items. In addition, the city anticipates that the multiple parcels on the City Hall block will likely need to be consolidated to accommodate the project.

During the public hearing held by the Planning Commission, several residents expressed concerns about the project's impact on the park and neighborhood. Neighbors to the east whose home faces the proposed new entrance, opposed the plan due to traffic, lights, and noise, and urged the city to consider alternate access points to the west or south. Other residents supported the need for improved fire facilities but advocated minimizing the building's footprint and preserving as much green space as possible. Others questioned the necessity of including a senior or community center and asked that the Arnold Patrick home be preserved, if possible.

Planning Commissioners discussed alternative access routes, potential alteration of the senior center, and the reuse of materials from the historic home. The senior center was also discussed as being used for other needs of the community. In the end, the commission voted to recommend approval of the proposed plan with the following considerations:

1. Use bricks and other architectural items from the Arnold Patrick home if it cannot be salvaged (as was done in the Lehi Public Safety Building).
2. Residents to the east would have input in the planning of the west side parking area.
3. Remove eight parking stalls on the south side (east entrance) and shrink the parking area.

Chad Littlewood, the architect, has worked hard to accommodate more than 30 change requests in a short time.

CITY CODE:

- Alpine Development Code 3.16.040 Special Provisions

GENERAL PLAN:

- Parks, Recreation, Trails, And Open Space Pg. 20.

PUBLIC NOTICE:

A public hearing was required and held as part of the review of this agenda item by the Planning Commission.

STAFF RECOMMENDATION:

Review and give feedback on the proposed material change to the City Hall Park. The council can vote to approve if 4 of the 5 members do so.

The council discussed the following details:

Fire Station

- Eight dedicated parking spaces are needed to handle fire fighter shift changes.
- A secure door is needed to keep visitors from wandering through the station.
- Our fire fighters have stressful jobs, so the proposed addition has large windows in their gathering spaces.
- We hope to preserve the large tree on the northeast corner as well as the outdoor grassy area.
- Having separate driveways and parking for the fire station and the senior center will allow the fire fighters to better perform their jobs.
- The east approach for the driveway is best for the large apparatus turning radius.
- The architect hopes to have the concept plan for the station ready for the November 11th council meeting.

Senior Center

- The city can apply for grants from MAG to purchase equipment for the warming kitchen. The city has also received a private donation of \$250,000 for the senior center.
- We want to maximize parking for the center, but do not need to try to accommodate all the extra parking for the three-times-a-year senior luncheons.
- A legacy wall or monument may be more visible if it is constructed outside the building.

The Arnold Patrick home is not part of the park and is not in city open space, so a super majority vote is not needed to make changes or demolish it for a parking lot.

Mayor Carla Merrill clarified that if a small change is needed in the footprint of the building, like moving an exterior wall a few feet, it will not need a super majority vote. If material changes are proposed, such as relocating the driveway or the addition of a parking lot, those changes will be brought to the council for another super majority vote.

Motion: Brent Rummller moved to approve the material changes to the City Hall Park to allow for the expansion of the current Alpine Fire Station No. 202 Project as proposed in the latest version dated October 27, 2025, and presented to the City Council at this meeting, which provided a general footprint for the proposed improvements. Kelli Law 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>
Kelli Law		
Chrissy Hannemann		
Jason Thelin		
Brent Rummller		
Jessica Smuin		

B. Discussion Item: Alpine Fire Station No. 202 Concept Design

Since the last City Council meeting, Chad Littlewood with Babcock Design provided a link that was shared with the council, fire station project steering committee members, city staff, the staff from Navigate, and fire department staff, to receive input as we attempt to finalize a concept design. The comments from all submitting parties were compiled and then discussed at a follow-up meeting.

Then Mr. Littlewood prepared another iteration of the station design incorporating the suggestions. Because of the short turnaround, the new iteration of the concept plan was not included in the City Council packet but was sent out as soon as it was available. Following the presentation, we will request additional feedback, and plan to have an action item on the November 11th City Council agenda to approve a concept plan. This will allow the project to move into the next phases of design.

Two other related items are on this City Council agenda:

- Approval of Material Change to the Alpine City Hall Park Site – Expansion of the Alpine City Fire Station No. 202 located at 50 East 100 North
- Award and Approval of Agreement and General Conditions with SIRQ Construction for the Alpine Fire Station No. 202 CM/GC Services

With approval of these items, the project should be able to move forward on the planned schedule with construction beginning in the spring of 2026.

STAFF RECOMMENDATION:

Review the latest concept plan for the Alpine Fire Station No. 202 Project and provide feedback to staff and the project architect.

The council discussed the following:

- The need for a loading and unloading area for residents with limited mobility to directly access the senior center. The west entrance will allow vehicles to drop off visitors close to the building.
- An engineer may need to move the ADA parking location.
- Open areas to the south will provide year-round viewing of the future sculpture garden and landscape features.
- A south door will allow access to outdoor seating or events in the park.
- Future enhancements to the south outdoor area, such as picnic tables, benches, or a patio cover for shade can be discussed in the future based on resident usage and funding.
- Mechanical equipment requirements affect the rooflines.
- The table storage closet needs a straight-shot entrance and double doors.
- Walking through the restroom area to get to the kitchen is a problem.
- Per architect input, the views of the mountain are obstructed from the north side of the building where the senior center is located.
- A radio room is included in the senior center for emergency procedures.

Mayor Carla Merrill said that if council members have suggestions, please send them to Chad Littlewood soon. We need to freeze the design so the process can move forward.

C. Alpine Fire Station No. 202 – Award Contract to and Approval of Agreement and General Conditions with SIRQ Construction for CM/GC Services: \$638,022.00

Shane Sorensen said that over the last month city staff have worked with Navigate to issue an RFP for CM/GC services. Thirteen firms submitted proposals, which is great for a project of this size. The proposals were reviewed and initially ranked based on the following:

- Firm qualifications
- Project team
- Past work and references
- Management plan
- Project schedule
- Risks and value-added services
- Cost

Upon review, the top three proposals were determined based on the above criteria and in-person interviews were held. The staff from Navigate, both fire chiefs, Mayor Merrill, and Shane Sorensen were all present for the interviews. After the interviews and review of the proposals, SIRQ Construction is the recommended General Contractor for the fire station project. All firms submitting proposals were required to outline their fees on a cost proposal fee form. Following is a summary of costs proposed by SIRQ Construction:

<u>Cost Proposal Fee Form</u>		
A	Pre-construction Fee: For all work during the pre-construction period.	\$ 46,675.00 No Charge for Alpine City
B	Construction Management Fee (including overhead and profit): For all work during the construction phase of the contract for the management of the project.	\$ 233,325.00
C	Cost of Bonds: The cost of Payment and Performance Bonds based on the amount of the FLCC.	\$ 29,326.00
D	CM/GC Change Order Markup: For all work added to the contract by change order as the max percentage of markup to the subcontractor/supplier costs.	% 5.49 For work added or deducted
E	Self-Performed Work Markup: For all self-performed work,	% No Self Perform Work (Please ask why)
F	General Conditions: State the dollar amount and include the excel version of the attached Exhibit B.	\$ 375,371.00

The CM/GC will not do the work personally but will get bids for the different trades. The cost associated with the SIRQ Construction proposal is \$638,022 and the project schedule shows final completion of the project in March 2027.

Included in the packet were the following documents related to the contract:

- AIA Document A133 – 2019: Standard Form of Agreement Between Owner and Construction Manager as Constructor
- AIA Document A201 – 2017: General Conditions of the Contract for Construction
- SIRQ Construction’s Proposal for CM/GC Services for Alpine Fire Station 202

STAFF RECOMMENDATION:

Review and approve the contract documents with SIRQ Construction for CM/GC Services for the Alpine Fire Station No. 202 Addition/Remodel Project and award the project.

Motion: Jason Thelin moved to award the Alpine Fire Station No. 202 Addition/Remodel Project for CM/GC services to SIRQ Construction and to approve the contract documents. Kelli Law 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>
Kelli Law		
Chrissy Hannemann		
Jason Thelin		
Brent Rummel		
Jessica Smuin		

D. Ordinance 2025-24: Proposed Code Amendment to Section 3.07- Business Commercial Zone to Remove Single-unit Detached Dwellings as a Permitted and Conditional Use, and to Create an Overlay Zone for Single-unit Detached Dwellings Applicable Only Within the Business Commercial Zone

Ryan Robinson said that currently, within the Alpine City Development Code, a single-unit detached dwelling within a recorded subdivision is listed as a *permitted use*, and a single-family dwelling not located within a recorded subdivision is listed as a *conditional use* within the Business Commercial (B-C) Zone. The proposed amendment would remove both these uses from the permitted and conditional use sections of the B-C Zone.

This change would not affect existing residential dwellings currently located within the B-C Zone. Those properties would be considered legal nonconforming uses and may continue to operate as such. The

Development Code also includes provisions for the extension or expansion of a legal nonconforming structure, if applicable.

The proposal would also create a new overlay zone, applicable only to areas with a Business Commercial (B-C) base zone. This overlay would allow the city to consider specific residential components through a separate rezoning and public hearing process.

The purpose of this amendment is to eliminate the potential for a property rezoned to B-C to be developed with residential lots (e.g., 10,000 square feet), in addition to the commercial uses currently permitted or conditionally allowed in that zone. The proposed language was included in the packet for review, and final section numbering is being developed.

A public hearing was held by the Planning Commission on October 21st to review this agenda item. There was a discussion about whether or not an overlay zone was needed, and if an applicant could ask for a rezone to residential if the area were already zoned Business Commercial (B-C). It was recommended by staff to include the proposed overlay zone for review by the City Council. By including an overlay zone, those residential parcels surrounded by B-C zoning could also be eligible for a rezone request, rather than creating a potential spot zone. Applicants would have to request a zone change for this to happen.

Planning Commission member Susan Whittenburg moved to recommend approval of the proposed code amendment to the Business Commercial Zone and the creation of the Town Center Residential Overlay Zone as presented. There were 7 Ayes and 0 Nays.

ALPINE CITY CODE:

- Alpine Development Code 3.07 Business Commercial (B-C) Zone.

GENERAL PLAN:

(Business Commercial) shall consist of professional office, retail, and other commercial uses serving the community and situated within an environment which is safe and aesthetically pleasing. Limited residential shall be permitted as set forth in the Alpine City Development Code. Policy 2.2 Pg. 7

PUBLIC NOTICE:

This item has been noticed according to Alpine City code and the State of Utah requirements. A public hearing was held as part of the Planning Commission review.

STAFF RECOMMENDATION:

The purpose of this proposed code amendment is to ensure that the Business Commercial Zone remains focused on commercial and community-serving uses, rather than unintentionally allowing residential subdivisions within the zone. This structure mirrors the Senior Housing Overlay Zone, which also requires a separate rezoning process, which includes a Planning Commission review with a public hearing, and City Council approval.

This amendment is patterned after the Bountiful City ordinance, and staff recommend that the council consider approval of the proposed amendment to the city codes.

Ryan Robinson explained that this only impacts single-family home subdivisions. Alpine currently allows commercial use in the front part of a lot with a residential home in the back (as with Links & Kings). This amendment would still allow that situation, it would just remove a single-family residential subdivision as an option in the Business Commercial zone. If the owner of a B-C zone lot wanted to convert it to residential lots, they would need to go through the rezoning process with the City Council, much like for the Public Facilities Zone.

Steve Doxey clarified that this amendment provides a layer of protection, and a rezone would require a development agreement approved by the City Council, which allows this body to have oversight.

Motion: Brent Rummel moved to approve Ordinance 2025-24 the proposed code amendment to the Business Commercial Zone and the creation of the Town Center Residential Overlay Zone as presented. 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>
Kelli Law		
Chrissy Hannemann		
Jason Thelin		
Brent Rummel		
Jessica Smuin		

E. Ordinance 2025-23: Rezone of 243 E. Red Pine Dr. and 242 East 100 South from the CR-20,000 Zone to the Business Commercial Zone and Senior Housing Overlay Zone

Ryan Robinson said that Troy Page has applied to rezone the properties located at 242 and 243 E. Red Pine Drive from the CR-20,000 zone to the Business Commercial (B-C) zone with a Senior Housing Overlay. The property at 243 E. Red Pine Drive is proposed for a full parcel rezone, while 242 E. Red Pine Drive will be a partial rezone — only the southern portion (south of the creek on the property) currently zoned CR-20,000, is requested for inclusion. The upper portion will remain TR-10,000.

The applicant proposes 24 units on 3.21 total acres, meeting the minimum overlay zone requirement of at least two acres, no more than 32 total units, and no more than 8 units per acre. There are also 15 visitor parking spaces planned in addition to the two spaces provided for each dwelling.

Per Alpine Development Code Section 3.18.040, the Planning Commission and City Council should consider the following when reviewing a Senior Housing Overlay application:

1. The harmony and compliance of the proposed location with the objectives and requirements of the city's General Plan and zoning ordinances;
2. Whether the overlay may be injurious to potential or existing development within the vicinity;
3. The current development or lack thereof adjacent to the proposed location and its harmony with existing neighborhood uses;
4. Proximity of the proposed location to major arterial or collector streets;
5. Compatibility with the density analysis of the underlying zone and neighboring development;
6. The economic impact of the proposed facility or use on the surrounding area;
7. Demonstrable need for Senior Housing in the proposed area;
8. It is the City Council's sole discretion to determine whether a project qualifies under the intent of the Senior Housing Overlay ordinance.

The property to the west is an existing senior housing development. Surrounding properties include approximately half-acre single-family lots to the east, and one-acre lots to the north and south.

If approved, the proposed subdivision will go through a staff review as part of the subdivision review process. During that time more details will be provided for such items as setbacks, utilities, landscaping, architectural standards and other infrastructure requirements. Restrictive covenants and a development agreement will also be required.

The city code says a concept plan must first be approved by the council with a final approval to be done at the same time as a decision on the rezone request. This section of code needs to be updated, as State Code 10-9a-601 says that a single-family dwelling, two-family dwellings, or townhomes can only require a preliminary review by the Planning Commission, and a final review completed by staff.

The Planning Commission reviewed this item during their October 21st, 2025, meeting and held a public hearing. Most public input reflected support for additional senior housing. Some residents, however,

expressed concern about potential traffic congestion, emergency access, adequate parking, and maintaining the neighborhood's residential appearance.

The applicant discussed adding trees, fencing, and limiting signage to preserve privacy and the residential feel. Members of the Planning Commission agreed that the proposed project was compatible with nearby senior housing, while acknowledging neighborhood concerns about traffic and parking. These issues were also addressed by the applicant in planning additional parking spaces and explaining the general lower impact created by a senior housing development.

The commission voted unanimously to recommend approval of the rezone, with conditions requiring the project to:

- Remain age-restricted to 55 and older,
- Include privacy fencing,
- Provide neighborhood access pathways and visitor parking,
- Maintain minimal signage,
- Establish HOA standards similar to the HOA to the west.

ALPINE CITY CODE

- Alpine Development Code 3.03 — CR-20,000 Zone
- Alpine Development Code 3.07 — Business Commercial Zone
- Alpine Development Code 3.18 — Senior Housing Overlay Zone

GENERAL PLAN

- Country Residential (20,000 sq. ft. minimum lot size) areas are intended to provide for medium-density residential development that maintains the rural and open space image of Alpine City.
- The Senior Housing Overlay Zone provides flexibility for specialized senior housing types that address the varied needs of Alpine's senior population while promoting independence and quality of life.

PUBLIC NOTICE

This item has been noticed according to Alpine City code and the State of Utah requirements. A public hearing was held as part of the Planning Commission review.

STAFF RECOMMENDATION

As a legislative decision, the City Council should consider whether the proposed rezone is compatible with the city's General Plan policies and Development Code standards. Staff has reviewed this application and determined it would meet the administrative criteria for the Senior Housing Overlay Zone.

The council and staff discussed the following:

- The existing senior housing HOA voted to support this development and plans to invite them to join their HOA.
- The landowner was complimented for reaching out to neighbors and working with the HOA to best meet the needs of all parties.
- The cul-de-sac to the north would have three single-family lots and would go through the traditional approval process.
- The senior housing overlay requires that at least one person who is 55 or older must live in 80 percent of the units. Typically, age discrimination is a concern for employers dealing with older applicants or employees, not with excluding younger residents from senior housing. Historically, the age requirement for senior housing has not been a legal issue.
- Most of the units will be sold, and the owner may retain one unit for himself.
- The Planning Commission did not think the development would have a negative impact. Senior residents make good neighbors, they go to bed early, and do not create as much noise traffic as with typical neighborhoods. The economic impact would likely be neutral.

Shane Sorensen explained that our Trails Master Plan shows a trail along Dry Creek from Main Street to Creekside Park. Currently the Main Street connector is not feasible, but a trail from Red Pine to 100

South would be beneficial. This would allow residents and neighbors to more easily access Creekside Park. Also, an easement for the new PI line would greatly help the city and save significant funds.

Mayor Carla Merrill invited Will Jones to the microphone.

Will Jones –Trails Committee Chair - Elk Court, Alpine

Will said the Trails Committee is in favor of this path along Dry Creek and the committee considers this a ‘homerun.’ Hopefully in the future the trail can also be connected to Main Street.

Troy Page, the landowner, was invited to the microphone.

Troy Page – S. High Bench Road, Alpine

Troy explained that when his father Leroy passed away, the responsibility for the property fell to the six children. The current senior housing development to the west has been a great success, and the family received multiple proposals to construct similar housing on the land. The siblings felt that it would be best for the city, the residents, and the neighbors to build an additional 55+ development.

Ken Berg, Berg Engineering, is the engineer for the project. Ken commented that if the Senior Housing Overlay is approved, the family will determine the best contractor for the project. They have already received several great proposals.

Construction is planned for the spring of 2026. City ordinance allows for 32 units, but this is too dense, and twelve units do not provide enough housing. The plan calls for 24-26 units, plenty of visitor parking, and maintaining open space. They also want to preserve mature trees and create nice landscaping.

Ryan Robinson clarified that specific details such as the width of the road, the number of units, parking requirements, and other aspects would be handled during the subdivision approval process.

Steve Doxey recommended that a community access trail be included in the motion. If the existing HOA wants to include the new development, they need to amend their CC&Rs to reflect that, and the HOA can handle that internally. The developer should work with the city and the recommendations from the Trails Committee on the details of the pathways and the trail.

Jessica Smuin commented that surrounding property owners asked about preserving specific trees and other details and the applicant said he plans to work with everyone. Once the project begins, however, trees and other aspects may be sacrificed. If the council has important requests, they need to be included in the motion.

Ryan Robinson explained that the details can be addressed in the development agreement. Because of the new state statute, the subdivision itself will not come back to the council, but the development agreement will be brought to the City Council for approval.

Will Jones was invited back to the microphone to answer a question about the route of the proposed trail.

Will Jones said if we strictly follow the Trails Master Plan, the trail should connect to Main Street along the side of the gym. This would be difficult. The committee wants to extend the trail as far as possible, and this proposal is a great way to connect with 100 South. If they can get an easement along Dry Creek in the future, that would be great, but it is likely that this trail will travel along Red Pine Drive.

Motion: Jason Thelin moved to approve the proposed rezone of 242 and 243 E. Red Pine Drive to the Business Commercial and Senior Housing Overlay Zone as proposed, with the conditions that the landowner work with the city and the Trails Committee to provide neighborhood access and a pathway connecting Red Pine Drive and 100 South, and that they will provide visitor parking and an easement for the city pressurized irrigation line. 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>
Kelli Law		
Chrissy Hannemann		
Jason Thelin		
Brent Rummel		
Jessica Smuin		

F. Request to Upgrade Equipment for a Wireless Cell Tower Located at 694 S. Rocky Mountain Drive
 Ryan Robinson explained that Crown Castle Inc. has applied to add or replace antennas, ancillary equipment, and ground equipment as shown in the submitted plans for an existing carrier on an existing wireless communication facility. The facility is located at 694 S. Rocky Mountain Drive on private property.

Staff have reviewed the proposal and determined it to be a substantial change, requiring a public hearing and a Planning Commission recommendation, with a vote by the City Council.

According to the submitted plans, the proposed modifications include:

- Installation of underground conduit connecting to facilities within the leased area,
- Running a new feedline cable up the existing pole,
- Installation of three (3) new wireless antennas at the top of the existing pole.

The new antennas are approximately seven (7) feet at their longest dimension and will extend approximately two (2) feet from the pole. No additional height will be added. The pole will remain at 25 feet, and the original footprint will not change.

Because this project involves the upgrade and maintenance of an existing structure, most applicable requirements have already been satisfied. The city may require the color and materials to meet city standards. City Code allows for an administrative decision regarding color, requiring that equipment extending above surrounding vegetation be painted in a non-reflective light gray, light blue, or brown tone to blend with the skyline or hillside. The existing pole is brown, which blends with the surrounding hillside. This proposal is also subject to all applicable FCC and FAA regulations.

The Planning Commission reviewed the proposed equipment upgrade and held the required public hearing. The discussion centered around the pole being located on private property, the desire of residents to move the cell towers to different locations, and the need to camouflage the pole. Because the pole is already in place, moving the pole did not seem to be a credible option at this time. In the future, as this pole requires replacement or become obsolete, or federal law changes, moving it may be an option.

The Planning Commission discussed the different camouflage options available, including faux tree designs, and the color of the pole/equipment. Some commissioners did not like the look of the faux trees, so they recommended the approval of the upgraded equipment proposal, with the City Council reviewing different camouflage options to better protect the views of neighbors.

Staff have received several questions since the Planning Commission originally reviewed this item. Crown Castle's representative was contacted and provided the following answers:

- Is the pole active? Yes, it is a collocation pole and is functioning and active.
- Are there different design options? Creating a faux tree or water tower look would require a complete teardown and redesign of the existing pole. If these towers need replacement in the future, that would

be something they would be willing to do. It does not make sense for them to make an expensive upgrade for such a minor change to an existing pole.

- Could real trees be planted near the existing tree? If the trees are not taller than 30' in height, that would be fine.
- Could the company move towers or equipment to a different site? The towers are tested by engineers for the best location and reception areas. For this tower, it needs to remain within one-half to one mile to work as it should. There are not other options within that distance that are feasible.

The property owner is willing to plant additional trees around the tower to better protect the views of neighbors.

ALPINE CITY CODE:

- Alpine Development Code 3.27 Wireless Telecommunications Ordinance

GENERAL PLAN:

- N/A

PUBLIC NOTICE:

This item has been noticed according to Alpine City code and the State of Utah requirements. A public hearing was held as part of the Planning Commission review.

STAFF RECOMMENDATION:

Pursuant to City Code and federal regulations, state and local governments may not deny, and shall approve, any eligible facilities request for modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station.

An “eligible facilities request” includes any modification that involves:

- Collocation of new transmission equipment,
- Removal of transmission equipment, or
- Replacement of transmission equipment.

Staff recommend approval of the proposed equipment upgrade, subject to the condition that the paint color of the new antennas must match the existing brown color of the pole to blend with the surrounding hillside.

The council and staff discussed the following details:

- Faux trees or a water tower cannot be required because this is an existing pole. If a new tower is proposed, those options may be considered.
- An upgrade to existing equipment is not considered a material change.
- The council can make an administrative decision on the paint color.
- A landscaping plan for live trees will be submitted to staff and their recommendation will be brought to the City Council.
- We do not want to delay equipment upgrades that are necessary to provide services to our community.

Motion: Brent Rummller moved to approve the Wireless Cell Tower Equipment Upgrade located at 694 S. Rocky Mountain Drive based on the findings and conditions listed in the staff report, with additional conditions that the antennas and associated equipment be painted to match the existing brown color of the tower, and that the landowner submit a landscaping plan to be approved by city staff to provide additional landscaping tall enough to screen the existing antennas, not to exceed 30 feet at maturity. Kelli Law 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>
Kelli Law		
Chrissy Hannemann		
Jason Thelin		
Brent Rummller		
Jessica Smuin		

Motion: Chrissy Hannemann proposed a short break, after which the council would consider the two remaining agenda items and adjourn no later than 9:30 pm. Jessica Smuin 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>
Kelli Law		
Chrissy Hannemann		
Jason Thelin		
Brent Rummeler		
Jessica Smuin		

G. Consideration to Expand the Existing Balcony in the Business Commercial Zone Located at 333 S. Main Street

Ryan Robinson said Larry Hilton submitted a request for a reduced side yard setback for the property located at 333 S. Main Street. The request involves expanding the existing balcony across a drive-thru lane to provide weather protection for patrons and an extended balcony for the second floor. The project also includes the construction of a new outdoor staircase to create an alternative access point to the second floor.

Applicable Code: Alpine Development Code §3.07.050 – *Location Requirements* provides that in commercial developments adjacent to other commercial areas, the side yard and rear yard setbacks shall not be less than ten (10) feet, unless recommended by the Planning Commission and approved by the City Council where circumstances justify.

- The current side yard setback is approximately 20 feet (measured from the property line to the building foundation).
- If approved, the proposed setback exception would reduce the setback to approximately zero feet, with the building expansion located on or near the property line.

The Planning Commission reviewed this item during their October 7th meeting. Commission members expressed concern about the setbacks proposed and the potential impact of placing a solid wall along the property line, which could create an undesirable alleyway effect. The commission noted that the proposal did not meet the city's requirement of a justified circumstance for the reduced setbacks.

Following the discussion, Jeff Davis moved to recommend denial of the requested side yard setback exception, and John MacKay seconded. The motion passed unanimously, with all seven members voting in favor of denial.

The applicant has submitted two options to consider based on the feedback from the Planning Commission. Option A is what was reviewed by the Planning Commission. Option B has a smaller impact, with a reduced landing off the extended balcony.

ALPINE CITY CODE:

- Alpine city Code 3.07.050 Location Requirements

GENERAL PLAN:

- Gateway Historic District Guidelines
 - Orientation of new construction should be toward the street to establish a pedestrian-friendly quality. Chapter 1 Pg. 3 – Design Standards.
 - The use of stone, brick, wood, or stucco is encouraged as the primary exterior material. Chapter 3 Pg. 5
 - The use of color schemes should be compatible with the surrounding area. Simplicity is encouraged – excessive amounts of different colors should not be used. Chapter 7 Pg. 9
 - The natural colors of brick masonry, stone, or other existing building materials should dominate the color scheme of the building. Other colors should be respectful of adjacent buildings. Chapter 7 Pg. 9

PUBLIC NOTICE:

City and State codes do not require a public hearing or additional notice for this agenda item.

STAFF RECOMMENDATION:

Because the expansion extends into a common area owned collectively by businesses on the recorded plat, staff recommend requiring a written letter of consent from the property ownership group. The approval letter was included in the packet for consideration.

Ryan Robinson said that in April of 2015, the City Council approved this building with the extended balcony, which had a five-foot setback. Then in August of that same year, the applicant decided he did not want to build the extended balcony. The council approved the updated plan without a balcony.

The business to the north would be most affected by this proposed change, but they are not part of the HOA and are not required by code to sign off on this proposal.

The council and staff discussed the following details:

- The support wall for the balcony would be on the north property line.
- You can see the balcony as you pass on Main Street, but it is not right along the street.
- The stairs provide ingress and egress for the second-floor condo without going through the lobby.
- It does not appear that sight lines from windows in the building to the north would be affected.
- Some purposes of side setbacks are to ensure public health, safety, and wellness, such as firebreaks or as a utility access. We also want a consistent neighborhood appearance.
- We do not currently know the opinions of the business owners to the north.
- Police cars could travel through the arch, but fire trucks could not. They would access the building from another side.

Shane Sorensen commented that this is a planned commercial development with building pads. It seems like this change would require an amendment to the building pad. A letter of support from other owners is not recordable with the County. Larry's proposal requires a change in the easement.

Ryan Robinson clarified that the city does not need an entirely new plat to be recorded, just a document that will stay with the property.

Steve Doxey said this change would require an amendment to the CC&Rs for the development.

Jessica Smuin said this is an opportunity to have the property owner change out signage with the addition of the balcony. She thinks the current signs are incongruent with the long-term vision for Main Street and need to be smaller and limited in number.

1st Motion: Kelli Law moved to deny the requested side yard setback exception at 333 S. Main Street based on the finding that the proposal does not sufficiently justify reduction from the required 10-foot setback standard under Alpine City Code 3.07.050. There was no second. The motion failed.

2nd Motion: Jessica Smuin moved to table the requested side yard setback exception based on the need for a recorded document that will transfer with property ownership and title, and to bring the building up to current sign code guidelines for the Main Street Historic District.

Brent Rummller asked if Jessica would include a condition to notify and seek input from the property owner to the north about this requested exception. Jessica agreed to that addition.

Amended 2nd Motion: Jessica Smuin moved to table the requested side yard setback exception based on the need for a recorded document that will transfer with property ownership and title, and to bring the building up to current sign code guidelines for the Main Street Historic District, and that the property owner to the north will be notified and their input sought. Brent Rummller seconded the motion.

Attorney Steve Doxey clarified the required legal documents. He said that typically in a development that shares common areas, those areas are not owned by a particular property owner, so you would have to amend the document that created those common areas (typically the CC&Rs). The document could change that common area to be owned by a particular owner, or it could note that everyone agrees that the common area now includes this new structure and the stairs as proposed. This would be done at the development level. However, the council can require this document to be recorded because they cannot approve changes to something that the applicant does not own.

Kelli Law commented that the Planning Commission (PC) recommended denial of the exception by a 7-0 vote. If the applicant records the required document, it sounds like council approval could override the recommendation of the PC and add a structure that goes all the way to the property line. He thought it was ironic to require new signs for visual reasons when this addition would be adding a structure to the side of the building, which is a large visual change.

Chrissy Hannemann said she would like to hear from the applicant and the Fire Chief about the safety issues of access for the residential unit on the second floor of a commercial building.

Applicant Larry Hilton was invited to the microphone.

Larry Hilton, building owner – Stone Creek Drive, Highland
 Larry said that the CC&Rs currently include the ability to put extensions out from the building that will receive lateral support from the common areas. He agrees that it is a good idea to get a document recorded that stays with the property.

The safety issues were not discussed in the Planning Commission. The building has a separate condo above, with a commercial office below. This was not a problem previously because the same entity had been in the building for ten years, but they recently moved across the parking lot. Since then, there has been limited activity in the commercial space below, and the residential condo has been vacant for months. Because the building's storage of precious metals dictates high-level security measures, the insurance company requires specific locking mechanisms. Currently the only way to access the second-floor condo is to go through four security doors. In the past, people have been locked in upstairs because of these requirements. The condo is basically unusable right now without a separate entry.

Larry said to create their Plan B they looked at a state statute that says a landing of 31 square feet with stairs would be considered an "allowable feature," and a city cannot preclude an applicant from encroaching into the setback to provide ingress or egress. He commented that the business to the north also has a basement entry that encroaches into their own ten-foot setback.

Steve Doxey said he has reviewed the statute and does not think it applies to this petition because: 1) the state statute is addressing the rear setback of a residential building lot or parcel, and 2) it does not apply to the Gateway Historic District within the city. He said Larry has a fair point, but the statute is not legally binding in this case.

Larry clarified that the State statute was merely the inspiration for Plan B. He also explained that the building contains three condos. Office 341 is a separate business and includes both the main floor and second floor space. In the 333 condo, the main floor is a business and the upstairs is the residential space. Larry does not live in the residential condo. The most likely use would be for visiting business guests.

Motion: Jason Thelin made a motion to adjourn. There was no second. The motion failed.

Motion: Jessica Smuin moved to extend the council meeting until the business of the city is complete. Chrissy Hannemann seconded the motion. There were 4 yes votes and 1 no vote, as recorded below. The motion passed.

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

Fire Chief Brian Patten was asked about the issues of safety and egress. Chief Patten said that you should not have a situation where residents cannot get out or fire personnel cannot get in. He is in favor of some kind of secondary access.

Mayor Carla Merrill asked Larry if he knew about the security locks and the safety issues when he constructed the building.

Larry said he did not know about the extra insurance requirements at that point. He also did not know that the building would end up with three condos because of funding decisions. These were unforeseen circumstances.

Ryan Robinson said that in a residential neighborhood, rental of an accessory apartment requires that the home be owner-occupied. This is different for a commercial building, but more research is needed on the topic.

Kelli Law asked if Jessica would be willing to amend her motion to table contingent upon city staff verifying what exceptions were granted in 2020 and if a non-owner-occupied exception was granted.

Jessica Smuin did not accept the suggestion to amend her motion.

Mayor Carla Merrill called for a vote. There were 4 yes votes and 1 no vote, as recorded below. The motion to table passed.

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

H. Discussion Item: Lone Peak Public Safety District Fire Assessment

Shane Sorensen said Highland City has requested that changes be made to the way the Lone Peak Public Safety District (LPPSD) Fire Department budget is allocated between the cities. Highland City feels that Alpine City should be paying a higher percentage of the total fire budget, which for FY2026 is \$4,346,343.

The current allocation for fire is distributed as follows:

- 10 percent is split 50/50 between the cities
- 45 percent is allocated based on population
- 45 percent is allocated based on equivalent residential units (ERUs)

Some variables that have been considered for changing the formula include the following:

- Population: This number is drawn from the census and data from each city. It is the 2020 census count, plus the number of new building permits issued since 2020, multiplied by the average household size reported in the 2020 census. This is the methodology employed for the current funding allocations.

- Equivalent Residential Units (ERUs): This number is drawn from data from each city and accounts for the impact of all structures in a city. The total square footage of all non-residential structures that have a certificate of occupancy is divided by 10,000 to get the ERUs for non-residential structures. That number is then added to the number of residential units that are occupied or permitted in the city. This is the methodology employed for the current funding allocations.
- Taxable Value: This number is provided by the Utah State Tax Commission for each city and is the value each structure is charged for their property taxes. This number includes the residential exemption for individual primary homes.
- Market Value: This number is also provided by the Utah State Tax Commission for each city and is the Utah County Assessor's estimated market value for each structure. It does not include a residential exemption for individual primary homes.
- Call Volume: This number is obtained from Central Utah 911's database. It accounts for all calls in a given year, including 911 calls, non-emergency calls to dispatch, as well as calls that are initiated by police officers (including traffic stops) or the fire department. A five-year average was calculated for the calls from 2019-2024.

Shane explained that Highland City has proposed a funding formula that is based solely on taxable value, with the argument that many districts that have taxing authority are assessed this way. This method would shift approximately \$280,000 from Highland to Alpine, based on the FY2026 budget. Another option discussed by Highland would involve splitting the staffing portion of the budget, which for FY2026 is about 81 percent of the total, based on staffing provided at each station. This method would increase Alpine's share of the allocation beyond that of the taxable property value option. Highland has informed Alpine that the taxable value option is on the table for consideration through the end of October and they have a strong desire to restructure the funding formula before the end of the year.

The LPPSD will hold their October board meeting (a work session), on October 30 to consider changes to the funding formula. A vote will likely be taken at the November 12 meeting. Provisions in the ILA require 4 votes from the board to change a funding formula, and Alpine has always maintained that changes to the ILA must also be approved by both City Councils. Because Highland's attorney is also the District Attorney, we currently have an RFP out to find an independent attorney so the decision can be fair to both cities.

Taxable value is on the table through the end of the month and may not be an option after that. If the cities cannot agree, there could be a separation of the fire departments, which could be difficult for both cities. If we combine with a different fire department, they will need to travel through another city to get to us. Highland representatives have agreed that we are better together.

Jason Thelin wanted to understand the October deadline, because it feels like a threat.

Brent Rummler said he thinks it is more of Highland's way to be fair to their taxpayers. They see the value of the current relationship and are offering this proposal, but are saying that if we do not agree, they may not offer the same proposal in the future. They could exercise their rights under the ILA and terminate the relationship with the required two-year period for the division of assets. The Highland City Council has already approved this funding proposal and set the deadline. We need to be stewards for our residents by looking at the value and speaking with the Fire Chiefs and other council members. Brent still has not seen a better alternative.

Kelli Law likes the funding formula we have right now and feels that we are being rushed into a decision.

Brent Rummler said the LPPSD has been talking about this issue since March.

Jason Thelin asked if Mayor Ostler could respond to the question about the deadline.

Mayor Carla Merrill invited Mayor Kurt Ostler to the microphone.

Highland Mayor Kurt Ostler – Mayor Ostler said he and his City Council see value in being partners with Alpine. Jason Thelin has asked a good question: Why is there a timeline for this decision? Mayor Ostler proposed the property value formula to his council because that is what was recommended by the board, and this formula is justifiable to their residents. When they looked at the staffing and station costs, however, some council members shifted away from that proposal. This negotiation process has been going on for six months, and Highland City has been patient. Their council agreed to keep the property tax value proposal on the table through October.

Mayor Ostler then explained that the LPFD is currently trying to maintain staff at eight fire fighters, but this often results in only seven being on duty, three at Highland and four in Alpine. Highland is paying 65 percent of the costs but typically has fewer staff. Alpine is paying 35 percent of the costs but has four on staff. This is partly because Alpine is further away from mutual aid from American Fork and Lehi. Ideally, the fire district would have nine fire fighters on staff, which should provide at least eight on duty.

When the district began, the budget was determined based on property values. When Cedar Hills joined, the formula changed. Cedar Hills has since left the district. It would cost both cities more if they have separate fire departments. There needs to be a balance between fairness to the taxpayers, equitable budgets, and safe staffing for the firefighters.

Jason Thelin wondered if Alpine does not agree to increase our share, will Highland pull out of the LPFD?

Mayor Ostler said this option has been discussed, but they also see the synergy of both cities working together. Call volume is higher now, and it is safer if both stations can help out. The current district is better for training purposes and for providing time off. Highland wants to be fair to their residents and does not want to hurt Alpine.

Jason Thelin commented that it is not intended to be a Highland Fire Department and an Alpine Fire Department. It is the Lone Peak Fire Department, and they work together. It seems like Highland is positioning this as separate cities and that is why the property tax formula makes sense.

Mayor Ostler responded that this is how districts function. Property tax value is how they usually divide costs.

Jason Thelin said he would like to see call volume factored in.

Mayor Ostler responded there are fixed costs for the district, whether calls are coming in or not. Fire fighters must still be paid. These base costs constitute the 81 percent mentioned in the staff report.

Some pertinent details were noted:

- A ninth fire fighter position has been approved but will not be filled until the funding formula is resolved.
- Four fire fighters are required for a structure fire so that two can enter the building and two can work from outside. This is a safety requirement.
- Highland has about 23,000 residents and Alpine has around 11,000. The current funding formula is 65/35. Call volume matches up at around two-thirds for Highland and one-third for Alpine.

Kelli Law responded that the population is where incidents occur, not on a piece of property. In Alpine there are many homes with just two people living in them. There will be more calls to all the townhomes in Highland. In the last four years there have been several instances where Highland has come to Alpine asking for more money. Kelli likes the current agreement and would like a moratorium on Highland requesting more money.

Mayor Ostler said that Highland does not like the current agreement, and they have to make their own decisions. Alpine can make their decisions as well. If Highland goes on their own, they can get the canyon revenue, which is around \$150,000. They believe they can keep a wildland crew as well. Highland estimates it will take about \$3M to go on their own, but they still think there is value in staying with the district.

Jason Thelin asked about keeping the wildland crew.

Mayor Ostler said that any department can have a wildland crew.

Chrissy Hannemann said she feels like the partnership is in the best interest of both cities. From her experience working in public service, the most important thing is to hire the best people. It is not about high-quality tech or fancy gear, it is about having the best people. We are small service district. If we do not have adequate funding it is easy for staff to go elsewhere and get paid more. If we separate, we will be at a greater disadvantage. The contention is not good. If we are going to be partners, we need to do this together. The model in the business world is different from providing public services. There is no correlation between what the fire fighters are doing and any revenue sources.

Chrissy thinks the property tax formula is fair. She is on the side of the partnership being successful, and the past six months of negotiations are ruining morale. We will need to work on different funding models and budgets, but the important thing is that the partnership is successful.

Mayor Carla Merrill said her understanding is that whatever the LPFD board decides about the funding, this formula will then come back to the City Council for a vote. The cities are operating differently on this issue. Highland's legal counsel said they could hold closed meetings, and our attorney said that we could not. We are following the procedure as we understand it.

Shane Sorensen commented that these discussions about formulas were started months ago but call volume information was not available until later in the process. There can be a difference of opinion on the timing, but Shane does not think that Alpine 'drug our feet.' Our board members wanted the call volume information, and it took a while to get it. Then we started looking at the different formulas.

Chrissy retracted her statement about the length of the discussions hurting morale, but she does feel that the contention is a problem, whether things move fast or slow.

Kelli Law said that an agreement is currently in place and nobody in Alpine is asking to change it. We are not trying to force something; we are trying to understand and react to the proposal. We want the best partnership, for sure. We also have to think about how this will affect Alpine and what is coming in the future.

If we agree to this proposal now, what happens in six or twelve months? What other services will we be asked to fund? Kelli said he loves the Chief, he loves the Fire Department, and he loves Highland. He wants us to stay together. There is a lot of empty land in Alpine that is worth a lot of money, so he does not think property tax value is a fair measure. The current formula is the most fair method.

Jason Thelin commented that the board did not come up with this proposal in a vacuum. It was created by both cities together. Jason has been on the Public Safety Board for a long time, and an adjustment has been mentioned for a while. Jason does not think that Alpine is hurting the relationship.

Chrissy Hannemann said that getting an outside legal opinion should be helpful.

Kelli Law said that as passionate as Mayor Ostler is about his citizens, we should be that way in advocating for our citizens too.

Brent Rummel said he agrees that there can be more discussion and negotiation if Highland is willing. Clearly the status quo is better for Alpine. Without taking Highland's side, Brent also understands their arguments for their taxpayers. For a structure fire, OSHA standards require four fire fighters on

site in order to make entry. Brent has retired fire fighters in his family, and he thinks that 98 percent of calls are car accidents and medical issues. We owe it to our citizens to at least meet minimum OSHA standards.

Highland's argument is that 70 percent of the time they only have three firefighters. As we have mentioned, they are closer to mutual aid than us, but if they are paying more, they should be entitled to four fire fighters. Brent thinks if we asked Alpine residents if they would be willing to pay more to have the correct OSHA staffing for a structure fire, they would agree.

Brent does not see a better alternative than having an Interlocal Agreement. If we end up splitting the district, it would be much more expensive for Alpine, not just in personnel but also for equipment (such as a second ambulance). We need to look at what is best for Alpine residents, based on the options.

A short, somewhat chaotic discussion ensued where there was no agreement among the council members on whether funding formulas can be connected to staffing issues.

Jessica Smuin wondered if the Interlocal Agreement is being changed or if it is already set. Do we need to have funding discussions every year, or can we lock this in for five years? She said that Mayor Ostler commented that Highland may have new council members after the election. We need to do what we can to be good stewards for our residents and not go into something where there is pressure to negotiate. Jessica felt that it has taken a lot of bandwidth from staff and council members to focus on this, which means they cannot focus on other things.

Instead of the word "fair," Jessica thinks we should use the business approach of finding what is equitable. The two-thirds/one-third split has been mentioned, and Alpine has an aging population so we might generate more calls. Maybe we can use the data to find a more balanced formula. When we agree on a formula, she would like us to lock that in.

Shane Sorensen clarified that anything can be included in an ILA. The new document would be drafted and be circulated to both cities for their review. Typically, the process goes back and forth, as it did recently with the ILA with Highland for the Canyon Crest Road project. Once the ILA was finalized it went to both councils for approval. If both sides agreed to a stipulation (such as a five-year time frame), something like that could be included.

Jessica Smuin said there is value in redundancy, value in a working relationship with Highland, value in being a good representative of the residents, and it is important that residents get top emergency response times—they have that expectation. We want to make sure we maintain that high level of delivery.

Side note: the Police Department funding is based on population.

Council members' views on the proposal are summarized as follows:

Brent Rummel is in favor of the property value formula.

Jessica Smuin is in favor but would like to see the true property value number (41.66), with a lock-in to avoid yearly negotiations and uncertainty.

Kelli Law is not in favor of the property tax value proposal.

Chrissy Hannemann feels we need stability and cannot conduct these negotiations all the time. Stability is especially important for the Fire Department staff, who rely on this funding.

Jason Thelin commented on Highland City's closed meetings which allowed them to discuss everything in private. Alpine is not doing that. He would prefer that both cities held public discussions. Jason agrees with Kelli Law and is not in favor of the property tax value formula.

Mayor Carla Merrill asked Kelli Law what he would like to see.

Kelli Law is not sure what he would agree to, but it is not the current proposal. It is appropriate to get to the correct staffing levels. Having Highland representatives in attendance has influenced the

discussions tonight. He appreciates Mayor Ostler and what he is trying to do for Highland, but he thinks we could have a better proposal.

Mayor Merrill asked Jason Thelin for his thoughts.

Jason said he agrees with many of the points made tonight. We definitely want top quality service. There are different formulas that will result in different ratios. The formula Highland chose is this one, which increases Alpine's cost by \$280,000. This was decided by their council behind closed doors. Maybe we could add call volume to the formula, because there are many ways to approach this. The decision we have in front of us is the property tax value. He is not a fan of this process.

Brent Rummel said at the last board meeting he attended as an alternate, he argued that population, ERUs, and call volume are directly related to the actual services being provided. Brent thinks there are better ways to find a formula, but he is worried about what happens if we split and how much it will cost Alpine.

Another short, somewhat chaotic discussion ensued about the pressure to make a rushed decision, fixed costs, equitable sharing, staffing numbers, and service levels.

Shane Sorensen clarified that the Lone Peak budget was approved with a ninth staff member, but it is a combination of full-time and part-time employment. The agreement was not to hire until the funding formula is finalized. Alpine is currently paying for the ninth position, but it has not yet been filled.

Mayor Carla Merrill asked the Fire Chief if he thinks our level of service is lacking.

Fire Chief Brian Patten said our level of service is absolutely lacking. We are not staffing at OSHA nor NFPA (National Fire Protection Association) standards, and we do not want just three fire fighters at a station. Normally, when you drop to that level you shut the station down. If the city tells him he only gets three, he will work with that. But what he really needs is six fire fighters. Alpine has 50,000 square foot homes in the middle of the Wildland Urban Interface. This is like Paradise, California scenario. How do we stop a fire with only two or three people?

The Fire Department is trying to protect our citizens—the people who elected the City Council to protect them. The number of emergency calls is not the issue; it is events that kill residents and fire fighters. We are discussing breaking up the district, higher costs, and lower service levels. This is a huge risk, and we are violating OSHA standards right now. Chief Patten values saving taxpayer money but not at the sacrifice of public safety. Cutting back to three staff in Alpine is not appropriate. We really need ten fire fighters on staff for the district.

Chief Patten and Mayor Merrill discussed staffing numbers at various stations.

Brent Rummel said that he is all for saving taxpayer money, but not at the sacrifice of public safety. He does not think cutting back to three fire fighters at the Alpine station is appropriate.

Mayor Carla Merrill clarified that she simply mentioned stations that have three on staff. Her understanding was that Alpine was not missing calls and that we give more mutual aid than we receive.

Chief Brian Patten said that is correct, and Alpine has four fire fighters on duty 99 percent of the time.

Shane Sorensen said that there will not be a vote at the October 30 board meeting, but this ILA will be a discussion item. The vote of the board will likely happen at their November 12 meeting. It would require a simple majority to pass.

Motion: Chrissy Hannemann moved to adjourn the meeting. Jason Thelin seconded the motion. There were 2 yes votes and 3 no votes, as recorded below. The motion failed.

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

Brent Rummller said that he would like to hear Mayor Ostler's response.

Mayor Kurt Ostler was again invited to the microphone.

Mayor Ostler explained that Highland City knows that Alpine only has one more council meeting scheduled on November 11, so they are trying to get everything done before both councils change. We may need to have a brief meeting in December to vote on what the board recommends for the amended ILA at their meeting on November 12.

Motion: Jason Thelin moved to adjourn the meeting. 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>
Kelli Law		
Chrissy Hannemann		
Jason Thelin		
Brent Rummller		
Jessica Smuin		

The meeting was adjourned at 10:47 pm.