

ALPINE CITY COUNCIL MEETING & PUBLIC HEARING
Alpine City Hall, 20 North Main, Alpine, UT
July 14, 2015

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

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

Mayor Don Watkins

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

Staff: Rich Nelson, Charmayne Warnock, David Church, Shane Sorensen, Jason Bond, Sgt. Dave Boerner

Others: Dallin Fyffe, Bonn Turkington, Ron Mika, Mark Allen, Marianna Richardson, David Lynton, Karen McCoy, Bob Antrim, Janis Trinnaman, Maureen Burnett, Linda Warnick, Brent Lind, Paul Kroff, Daniel Hyer, Patricia Hyer, Fred Fuller, Ken Berg, Robert Shelley, Derek Langford, John Langford, Kathy Whiting, Rhett Andersen, Scott Woodward, Clyde Roper, Ron Wilson, Trevor Hanson, Jonathan Hanson, David Hanson, Phil Bennett, MaryLee Bennett, Craig Skidmore, Alice Cosper, Jane Griener, Mike Kennedy, Jonas Staker, Clay Lindford, Penny Linford, Mara Ambuehl, John Magnusson, Kristi Burrows, Steven Burrows, Greg Smith

Mayor Watkins introduced Mark Allen who was the founder of afcvision.com and the Facebook page "ProtectAmericanForkCanyon." He also welcomed Ramon Beck, Marianna Richardson, Kimberly Bryant, and Lon Lott who were candidates for City Council.

B. Prayer:	Lon Lott
C. Pledge of Allegiance:	Luke Anderson

II. PUBLIC COMMENT

Marianna Richardson said she noticed the meeting was being taped that evening. In the spirit of transparency, she suggested that the Council consider videotaping the City Council and Planning Commission meetings, and put them on Youtube. There were people who were unable to attend the meetings, but would like to know what was going on. Mayor Watkins said he thought that was a great idea and the Council would discuss it.

Bonn Turkington and Dallin Fyffe said they lived on 600 East just off 100 South. They wanted to discuss the speeding and traffic problems on their street, which they felt was unique because it had become a direct route for people coming from Orem and other places. It used to be a dead-end street and was not intended to carry that much traffic. It was at the southeast corner of Creekside Park and people traveling or walking to the park came along their street. There were no sidewalks and there were lots of young children and pets. They proposed several solutions. First, the City should install speed bumps. Second, they should reduce the speed limit to 20 mph. Third, the City should install a digital speed limit sign like the one on 100 South. Fourth, they should install a sidewalk. People drove upwards of 50 mph on the street and it would be safer for everyone if they had sidewalks. Mr. Turkington said a combination of those suggestions would be best.

Mayor Watkins said the Council would discuss the issue. He noted that there were a number of neighborhoods with similar issues. If the City did it for one neighborhood, all the residents would want the same thing. He suggested the neighbors consider get together and discuss funding a digital speed limit sign.

Shane Sorensen said the public works department had looked at that street but a sidewalk would be challenging because of the homes and landscaping that were built close to the road.

III. CONSENT CALENDAR

- A. Approve the minutes of June 23, 2015**
- B. Bond Release - Heritage Hills, Plat C- Downing Akin - \$113,221.58**

Lon Lott had a correction to the minutes that he wanted to discuss so approval of the minutes was postponed until later in the meeting.

MOTION: Will Jones moved to approve the bond release for Heritage Hills, Plat C in the amount of \$113,221.58. Roger Bennett seconded Ayes: 5 Nays: 0. Will Jones, Roger Bennett, Troy Stout, Lon Lott, Kimberly Bryant voted aye. Motion passed.

IV. REPORTS AND PRESENTATIONS: None

V. ACTION/DISCUSSION ITEMS

PUBLIC HEARING – BANNING MOTORIZED VEHICLES IN LAMBERT PARK

At the City Council meeting of June 23, 2015, the City Council discussed banning motorized vehicles in Lambert Park due to safety issues, potential fires, damage to the terrain, and nuisances, and made a motion to schedule a public hearing to receive citizen input on the subject.

Background: Originally Lambert Park was closed to use of motorized vehicles except for vehicles performing trail maintenance, emergency vehicles, and motorized wheelchairs on ADA accessible trails. In 1996, Ordinance No. 96-07 was adopted imposing a fine of up to \$500 for the unlawful use of motorized vehicles in the park and on trails. In March of 2004, the City Council adopted a Master Trail Plan which designated certain trails in Lambert Park as multiuse trails including recreational motorized vehicles. On July 13, 2004 the Council adopted Ordinance No. 2004-11 amending the Trail Ordinance to include a Trail Safety and Etiquette Policy which stated that bikers were to yield to hikers. Both would yield to horses. Motorized vehicles would yield to all.

A map of the Master Trail Plan was projected on the wall where everyone could see it showing the trails open to motorized vehicles in blue.

Mayor Watkins opened the meeting to public comment.

John Magnusson said he liked to take his sons up behind the water tank in Lambert Park and shoot 22s on forest service ground. They tried to keep it nice and picked up more brass than they hauled in. He said it was one of the few places in the forest service where you could drive in close and shoot. He liked having that flexibility.

Robert Shelley said he'd lived in Alpine for 20 years. He said that in the Pledge of Allegiance it talked about liberty and justice for all. Lambert Park had been used by 4-wheelers for years. People who recently moved to that area should have known that motorized vehicles were used up there. It was not a park where you went to picnic and relax. He said he loved it when his grandkids came and he could take them up there on a motorcycle ride. He would be very opposed to restricting motorized vehicles in Lambert Park. It shouldn't be exclusively for mountain biking. There was no conflict with mountain bikers because they had their own trails. Troy Stout said they weren't trying to make it exclusive. They were trying to curb the abuses.

Craig Skidmore said the trails marked in blue (multiuse and motorized use trails) were adopted as part of the Master Trail Plan. He said people didn't know what trails they could ride on and which ones they couldn't. The main thing he wanted to identify were the activities that damaged Lambert Park. First were ATVs, especially during muddy weather. Next were dirt bikes and the razor ATVs. Those far outweighed any damage done by other uses. Then a great distance behind that were mountain bikes and horses. He said he saw as many hikers and joggers up there as other uses. The biggest issue was speed and riding during muddy conditions. He said the park was in better shape than it used to be after Ron Devey went in and blocked some of the trails to the mountains in order to keep the use on the approved trails.

David Lynton said he wouldn't ban motorized vehicles in Lambert Park. If safety was the problem, they could make a rule that no one under 16 should be operating a vehicle.

Ron Mika said he lived on Sunbrook Circle which bordered the park and he had a front row view of the drama. People asked why they should let a few speeders ruin for everyone else, but he said 90% of the vehicles were speeding. so it wasn't just a few people who were ruining it for the many. There were reasons for the 15 mph speed limit. The roads were dirt and gravel and had blind corners. It was multiuse trail for pedestrians and pets and horses.

He said he didn't have a problem with people in trucks going up there to shoot. The problem was the high speed vehicles. Going 15 mph on a straight road was not fun. The sand dunes were a fun place to ride ATVS because they had jumps and bowls. Single track roads with blind corners were a recipe for disaster. The Council talked about enforcement but he didn't see how that would happen. He said he was in favor of banning motorized vehicles.

Steve Richardson said he owned a licensed, street legal ATV which he rode in Lambert Park and he would like to continue to do that. He asked the age of the speeders and who they were. He suggested they required a vehicle to be licensed and insured so if there was an accident they would have coverage. They could have an officer go up there occasionally and that would put a damper on it. He said there were high tech GPS devices that you could plug into a vehicle to monitor it. He said he would be willing to look into the possibility of such a device and require people to buy it. He said he would be willing to be monitored.

Craig Paul said ditto to the person who spoke before Steve Richardson. He had 4 wheelers but he didn't drive them anymore because he didn't like to haul them. When he looked at the blue trails in Lambert Park, they were not fun trails. The only way you could have fun, even as an adult, was to go fast. There were plenty of bikers crisscrossing those trails that could be torpedoed.

Rhett Anderson said ditto to the first gentleman who spoke. A liberty lost was hard to regain. When did they think Draper would open up their area again? When could he light fireworks? He said his kid rode with him in Lambert Park. It was a good training ground to go on the more challenging rides up American Fork Canyon. He said that was why he moved to Alpine from Lindon. He suggested they set up some road blocks and scare the kids. Let the word get out that they would be busted. Then relax awhile and do it again.

Julie Westman said she had lived in Alpine for six months. She suggested they let motorized vehicles use the trails on certain days and hours and other users on other days, and restrict use during the winter.

Ron Wilson said he'd lived off and on in Alpine for a long time. He'd moved from Huntington Beach in the late 70s and hadn't known what it meant to have free rein until he came to Alpine. His children were 8, 11, and 13 and all had their state licenses and wore helmets and protective gear when they rode. He would hate to see Lambert Park changed. The opportunity to ride there with your children was one he didn't want to lose. They had friends that came up from Arizona and went riding. They said it was amazing. They didn't know there were places like that left in the world. He said his son was in an accident lately but it was just that, an accident. The last thing he wanted to see was for him to lose his freedom to ride in the park.

Penny Linford said she lived on Bald Mountain right next to Lambert Park. There were kids constantly going up and down the road, many without supervision, without mufflers, doing donuts and stirring up the dust so bad the residents by the park couldn't go outside. Sometimes the noise was so bad you couldn't have a conversation. She said she understood the idea of liberty, but liberty needed to be extended to everyone. She would like to go for a walk without worrying about being hit. She loved the outdoors and appreciated the quiet so she could hear the birds and enjoy the fresh air. She'd like to go for a walk without having to jump off the road every time a motorcycle went by.

Jane Griener asked how the kids were getting to Lambert Park to ride? She'd observed that they were on the city streets on their ATVs as well and that was a safety problem.

Robert Hansen on Ridge Lane said he felt they needed more information about what was happening in Lambert Park. Maybe they needed to conduct a survey and see how much use was in the park including walking and horses and biking. Speeding was a safety problem but it also caused damage. They needed to know how much illegal traffic was going to that location. How many youth were riding in an unprotected manner, and how were they behaving? Could they measure the speed they were going? Were they getting people from outside Alpine who came to ride in Lambert Park? If they were then they had a different problem since Lambert Park was one of the few places people could go to ride their motorized vehicles.

Mayor Watkins thanked the people for their comments and closed the public hearing.

B. Ban on Motorized Vehicles in Lambert Park: Mayor Watkins said the Council had been discussing this issue for many years. He had publicized the issue and reached out for comments from the public. The Council had also been gathering information on the issue.

Troy Stout said he could see the arguments on both sides and they both made sense. Lambert Park was really a gem. Not many cities had the same kind of wild open space. The residents who lived around the park were affected, and while it was true they knew it was there when they moved there, they still needed to be considered. It was the city's responsibility to manage the park in a way that made it palatable for everyone. Enforcement was going to be key whether they ruled motorized vehicles out or allowed them. He asked what resources the city could commit to enforcement. If they continued to allow them, they would need to manage mufflers, age limits, equipment they wore and used, hours, street access to the park. Those were just a few things.

Lon Lott agreed that enforcement was the key whether they maintained the same rules or changed them. Speed limit signs in the park had been torn down. There was an emergency access road issue that needed to be discussed. Laws were abused which were designed to protect everyone. Dust and noise needed to be kept down. As a landscaper he knew about dust and it was a nuisance that needed to be watered down. Regarding access, he asked how they were getting there from Bald Mountain? They would have to go through private property to get there. A possible development was already under discussion that could at some point be accessed from Bald Mountain Drive if the intervening ground was developed. The Council had talked about having a parking lot in Lambert Park so people could park to begin hiking or biking. If motorized vehicles were banned, where would they park to begin biking or hiking? Access was one of the critical issues, and where would they make that available? They had also talked about fencing to delineating what was park and what was private land. That boundary needed to be respected.

Kimberly Bryant said there was a barrier at the Bald Mountain access.

Will Jones said there had been a barrier. The issue was that the ground was privately owned. There was also a problem with dumping and dust. The night he was up there he saw six motorcycles. They stopped them and only two of them were legal. The motorcyclists were driving down Bald Mountain, past the Jersey barrier and off to the west.

Penny Lindford said going along the dirt road used to be a fun way to get to the church but with the population growth in Alpine, they needed to get rid of it.

Troy Stout asked about the 10-year lease the City had signed with Patterson, and what had happened to it.

David Church said they had talked about leasing the Patterson property as a BMX park, but that hadn't happened and Patterson was looking at another possibility. He said the land between the end of Bald Mountain Drive and Patterson's ground belonged to someone else.

Kimberly Bryant said they had talked about this issue several times. She'd grown up riding motorcycles and horses and hiking in Lambert Park, but she could no longer hike because of health issues. Nor could many older people. She hated to see the use of motorized vehicles taken away. She'd would like to be creative and discuss a way to share the park. Maybe different days or different times as had been mentioned. Enforcement was hard because they didn't have the money to fund extra officers. Would they want to take the officer from downtown and put him in Lambert Park? They needed a serious fine or impounding the vehicle so kids would talk and get the word out that they were enforcing rules.

Roger Bennett said that he was afraid that if they continued they way there were going, they were going to have a dust bowl in Lambert Park. When he was on the Council years ago he would have voted against restrictions on motorized vehicles but as Alpine had grown, he changed his position. Did they want a dust bowl or did they want a park?

Will Jones said he loved the park. He was riding his bike up there the other day when some come up from Moyle Drive on a 4-wheeler on the second access road. This was the issue: Whether they said they were or weren't going to allow motorized vehicles, they had to enforce the law. He felt they should go in and enforce what they had on the books. He didn't think the Mikas should have to put up the nonsense of people on motorized vehicles in the park at

night. Some of them had headlights and kept going late at night. He said that earlier that day another motorcycle came past him and went right up through the sagebrush. He wasn't even on a trail. He said they needed to decide if they wanted a complete ban or work with the community to enforce the rules, otherwise they would be right back here again. They'd had this same discussion a year ago and the year before that. He said that personally he would like to make the rules known and if they couldn't enforce them, they would ban the motorized vehicles.

Mayor Watkins said they should do an enforcement blitz before they went to an automatic ban. He asked the City Attorney if they could ask citizens to help with enforcement.

David Church said citizens could take down information and take a picture of violators but for their own safety it wouldn't be a good idea for them to forcefully try to stop someone. They didn't want it to turn into a physical altercation.

Troy Stout asked what kind of budget they had to put on officer in Lambert Park on random days for three hours, three times a week. Rich Nelson they could take it out of the unappropriated fund balance.

Sergeant Dave Boerner said they would need to consider the availability of officers to work a three-hour, overtime shift which really turned into the a five or six hour shift when you considered travel and preparation.

Troy Stout said that if they did continue to allow vehicles, maybe they should limit the trails where motorized vehicles could go. It would make it more enforceable.

Lon Lott said it was important to understand that the park was an investment and like any investment, it had expenses. If they wanted it to be accessible to everyone, there would need to be mentors and parents teaching obedience to the laws.

Roger Bennett said that if the motorized vehicle people wanted to keep the park open, they needed to get together and decide they were going to live by the rules or the park would be closed. If they wanted to keep it open to motorized vehicles, they needed to do what they had to do to maintain those freedoms. If you abused your freedoms, they would be lost.

This issue was returned to later in the meeting and the following motion was made and passed.

MOTION: Troy Stout moved to continue to allowing motorized vehicles in Lambert Park for a trial period of six months ending in January under the following terms:

1. Speed limits and access will be strictly enforced by dedicating a police officer to Lambert Park. Staff will return with a recommendation at the next meeting with possible time for enforcement and will include penalties which will be enhanced and defined.
2. Road closures for routes deemed unnecessary such as the south end of the poppy loop.
3. Seasonal closures (rain and snow) subject to the judgment of city staff.
4. Signage to specify motorized vs non-motorized trails.
5. Continual assessment of compliance will drive the decision in January regarding future use and take into to account the following:
 - a. citation counts
 - b. public input
 - c. condition of the park
6. City will evaluate the cost and feasibility of park cameras on trails, access and signage to enforce signage vandalism.

Will Jones seconded. Ayes: 4 Nays: 1. Troy Stout, Will Jones, Lon Lott, Kimberly Bryant voted aye. Roger Bennett voted nay. Motion passed.

The following item was moved up on the agenda to accommodate the large number of people who were present for this particular issue.

C. Preserve and Protect American Fork Canyon: Mayor Watkins said that after he came into office he was invited to a meeting at Thanksgiving Point with about 20 other people. There was a discussion where the Forest Service representative said that there was more and more traffic traveling up American Fork Canyon and they needed to make sure they got input from the citizens. The discussion then switched to a Snowbird discussion about trails and other things. He said he spoke up and said he thought it was an open discussion and it sounded like there was already a discussion going on. He was told that there would be an open meeting and they would come to our community and discuss it with the citizens, but he'd never heard anymore from them since that meeting. Later he met with Mark Allen with Preserve American Fork Canyon who enlightened him on what was going on. He opened the meeting the for public comment.

Karen McCoy said she was a citizen of American Fork but used to ride horses around Alpine when she was growing up. On April 16th she went to a meeting in Cedar Hills. The parking lot was full of cars with ski racks and she realized it was about Snowbird taking their canyon. She knew they had purchased land in the canyon a couple of years ago and had talked about putting ski lifts in American Fork Canyon. Back then Snowbird told people they could still have access and ride ATVs, and they were only going to put up a few ski lifts. Now there were "No Trespassing" signs and gates in the canyon. She said she went home and researched Mountain Accord and found out other counties had gotten together to solve some of their issues transportation and watershed issues, and they also wanted 416 acres in American Fork Canyon. However, there was no representation on Mountain Accord from Utah County. She talked to a reporter who wrote an article. Mark Allen who saw the article and started a Facebook page.

Mark Allen said that eight weeks ago his life was more peaceful. He paid tribute to Mayor Watkins and other mayors for their hard work in this matter. He said he read the article Ms. McCoy mentioned and saw that due process was not taking place so he started a Facebook group. They had 8,500 households as followers in eight weeks. They were trying to protect pristine watersheds that should not be developed. He said he was not opposed to development but there were some areas that should not be developed, and referred to a statement from Governor Mike Leavitt when he asked why Utah was building homes on the best farming ground and bringing in produce from outside the state.

Mr. Allen asked why they should allow this development on their watershed areas. It was one of the few places left that was quiet and pristine. Several weeks ago he had contacted the mayor of American Fork and Brad Frost who passed a resolution which was strong. American Fork Canyon and the Alpine Loop were sacred places for the people who lived in Utah Valley. He said that since he had formed Protect American Fork Canyon and people had become aware of what was going on, the Mountain Accord group in Salt Lake County had agreed to take the 416 acres in American Fork Canyon off the proposal. He said he had never heard of Mountain Accord until recently, but it had been around for a while, operating under the radar. He said it was not a legal entity but it was very powerful. Snowbird had been buying up water shares in Utah County. He said Bob Bohner had talked about building houses on Miller Hill but they didn't want gated communities in Mineral Basin. Snowbird was willing to give up 1100 acres for 416 acres American Fork Canyon in order to have contiguous ground all the way down to the road. He said contiguous property opened the door to a gated community, and he was opposed to that. He invited everyone to be active participants in the process. Already he had 8500 people involved in Protect American Fork Canyon. Of those people, he had four people who said they thought it would be a great idea if Snowbird put in a five-mile gondola and housing. He asked Alpine City to make their resolution strong. For more information people could Google Protect American Fork Canyon. Mark Allen also passed out his card.

Mayor Watkins invited the audience to respond.

Rhett Anderson said he'd been a snowmobiler for several years. American Fork Canyon was one of the last places you could ride a snowmobile, although Mineral Basin and Mary Ellen's Gulch were gone. No Trespassing signs were up because it was now private land. He said he'd listened to a radio program where the spokeswoman for Mountain Accord had said American Fork Canyon was not under consideration at that time. That meant it was merely on the back burner. He supported what Mark Allen had said.

Scott Woodward said he was interested in Lambert Park and the effort made to inform the citizens about what was going on up. It was quite different from what happened in meetings on American Fork Canyon, which were conducted without seeking public input. He said American Fork Canyon was one of the last jewels in the whole mountain range. He was saddened by the gates and the signs that said No Trespassing. He was very much afraid that

the 416 acres in the canyon would be kept on the backburner until it was forgotten about. He wanted Alpine to make a strong statement stating they wanted the process to be open and they wanted to be involved, and they wanted the citizens to be involved.

Brent Lind said there had been quiet speculation by people skilled in politics with deep pockets. The whole thing was about the 416 acres in American Fork Canyon. There was a lot of money to be made if Snowbird got hold of it. The Forest Service was the citizen's employees, and if they couldn't manage the canyon, they needed better employees. The solution to the management problem was not to make American Fork Canyon private.

Jonas Staker said he was a former ski racer and coach, and had skied at Snowbird for years. But he was totally not in favor of turning the canyon over to Snowbird. He hung up his skies and started snowmobiling, and it was an awesome canyon. He would hate to see that go away. He'd gotten stopped last winter when he was up there and told he couldn't be there. He suggested they get together with Snowbird and clarify what land belonged to them and what could be done and what couldn't.

Mark Allen said they also needed to keep an eye on a group called Save Our Canyons. They had been crafting language to make the mountains a national monument from Little Cottonwood Canyon down to Provo Canyon. The rumor was they were trying to fast-track it.

Robert Shelley said American Fork Canyon was a unique place because you could do so many things up there. He'd traveled every inch of every trail in different manners. There were 2.2 million people that went up there and it was a benefit to live in Alpine. If it became commercialized, the local people would be pushed aside. They would widen the road and it would be full of out-of-staters and foreigners. If they took this away, there would be no places like this left. Fewer than 1% of Utah County residents thought it was a good idea to commercialize the canyon.

Evert Williams said there was a connection between what they did in Lambert park and how they trained people to respect the environment. It was critical that they trained the youth and the citizens. Ask people why they're driving an ATV through the tall grass. When this Council and the residents were gone, the legacy they left would be how they trained people to respect the resources they had. There were groups who volunteered weekly in American Fork Canyon because the Forest Service didn't have the manpower to do all that needed to be done up there.

Greg Smith said he enjoyed skiing at Snowbird, including in Mineral Basin, but he didn't want to see them expand any further into American Fork Canyon. In enjoyed other activities in AF Canyon including mountain biking and hiking. He didn't want to look across from Timpanogos and see a huge development. If anything, there shouldn't be landswaps for development. They should be going the other way. They should be getting more wilderness. Lots of people from Salt Lake County came down here to recreate because they couldn't have that experience in Salt Lake. The worst disaster would be if they developed up there and we had to build a road. When going up the canyon he passed hundreds of people on bikes. What would they do if they had to service houses built up there? Who would provide the services? Would they end up subsidizing it. The canyon would lose the pristine condition they enjoyed. It was wrong to take something that belonged to everyone and give it to a few people.

John Magnusson said he thought they all agreed they wanted to protect the canyon. They should be asking, "What can I do?" They needed to get the word out and have people standing in the halls trying to get a seat. Tell your neighbors and friends. The more they showed up, the more the others would give up.

Jane Griener said open space was one of the great equalizers of economic differences in our world. It didn't matter what someone's economic status was. Many couldn't enjoy Snowbird because they couldn't afford it. Everyone should have an equal opportunity to enjoy the wilderness.

Scott Westman said that when it came to these kinds of decisions there was the mode of capitalism versus environmentalism. But in looking at this, the choice to keep these lands pristine lands was an economic decision because it gave them a wealth that surpassed jobs and development. When they were at a population of ten or twenty million people, those pristine areas would be worth far more. They saw that in National Parks. It would be a destination place. If they cared about long-term economic health, they should be investing in pristine lands. He said he came from Atlanta, Georgia and came back to Alpine specifically to have access to undeveloped areas. When it

came to large areas, they only had one shot at preservation. If they gave it up, it was pretty much impossible to get it back.

Trevor Hanson said they moved to Alpine from Denver specifically because he liked to hike daily. He was a big supporter of what they had in the canyon. He skied also but he didn't support what Snowbird was doing. He asked if this would be put to a vote or if it was controlled by the Forest Service? Where would the final decision be made?

Mark Allen said he had the same question. Mountain Accord was a group with big money involved, although it was not a legal entity. Meetings were held behind closed doors. He said he wanted to know who had the ultimate decision making ability and learned the Forest Service supervisor could sign on this deal himself. John Stansfield was the local superintendent of American Fork Canyon.

Trevor Hanson asked why the Forest Service would care what people in Utah County wanted. They were not voted into position. Mayor Watkins said it was his thought that the Forest Service would do what the County Commissioners said they wanted to see. If the city councils all got together and made a statement it would carry weight.

Karen McCoy said she had wanted to know who made up the Mountain Accord and where it came from. There had been little documentation for the group. She read a statement from Mountain Accord which cited their long-term plans for the Wasatch Mountains. It was supposed to be public process. These were public lands. The public needed to be heard and represented.

Dan Hyer said the only reason they didn't have people lined up to speak was because they didn't know about it. He asked if it would be appropriate to use the city's phone system let people know. Mayor Watkins said the City Council would have to approve it. He said Mr. Hyer could be part of JoinIn which would publicize meetings. But it would be biased because it was his opinion.

Janet Williams said she had lived in Alpine for 13 years. She was also a representative for Back County Horsemen. Their purpose was to maintain trails and build support for the wilderness areas. Every week they were out trimming places because the Forest Service couldn't afford to maintain all of it. They were very interested in preserving American Fork Canyon. She said she appreciated Jane Griener's comment. It was essential that AF Canyon remain public land. Think about the corridor and how it would be affected by traffic if it became commercial.

Mayor Watkins said he was thrilled about the responses from the public on both the Lambert Park issue and the American Fork Canyon issue. They'd heard views on both sides of the issue. Although most of the view points on AF Canyon were in agreement. He said he'd heard from one other person in town that he was excited to have a gondola up the canyon. He said he'd seen numbers that 85% of the people who used the Snowbird resort were from out-of-state. Did they really want to turn the canyon over to out-of-state users? Overwhelmingly, people wanted the canyon to be multi-use.

Kimberly Bryant said she'd been in the canyon a few months ago and had the best memories up there. The cities of Alpine, Highland and Cedar Hills were most affected by that canyon and should have the strongest resolution.

Troy Stout said that on Sunday he took a motorcycle ride up the canyon and sat by the river, and talked about how fortunate they were to have this. While they were there a family jumped out of a van and started setting up their camp. The family said it was their Sunday ritual and they came there every week. There were many people who did that. That last thing they needed was to compete with the commercial use of the canyon. They needed to make a bold statement.

Will Jones said he loved the canyon and had been up there twice in the last week. The only thing that interrupted the beauty was a motorcycle. He said that when they looked at it they needed to consider the facts on the other side. It would be wrong to make a decision without inviting Snowbird to make a presentation. He said the thing that scared him was that sometimes they got running down a road and didn't see what was on either side of them. He was 100% in support of the public process, which meant both parties got an opportunity to speak. He said they should bring in who ever had authority to speak in behalf of other points of view.

Lon Lott said there was a representative from Snowbird at the MAG (Mountainland Association of Governments) meeting and good questions had been asked. They need to have answers to the questions to direct them to the truth. Transparency was important. If something was happening on their land, they should know about it. Millions of people used the canyon, and even without it being commercial, that use was going to increase. They needed to plan for the future. Would they need a shuttle for people who were just going to the cave? All aspects needed to be considered. He noted that the Resolution had just been received that evening and he hadn't been able to study the American Fork Resolution.

David Church said the Resolution was simple and straightforward. The recitals were similar to the American Fork Resolution. It said that the Alpine City Council supported the Utah County and the American Fork Resolutions. It urged a transparent process and stated that cities and residents of Utah County should all be involved in the process, not just the landowners in the canyon.

Since the American Fork Resolution hadn't been available for review, it was discussed and decided that language pertaining to their resolution be deleted.

MOTION: Will Jones moved to approve Resolution No. R2015-10, regarding American Fork Canyon and change the sentence to state that the Alpine City Council supported the Utah County Resolution regarding American Fork Canyon and strike the part that referred to the American Fork Resolution. Lon Lott seconded. Ayes: 5 Nays: 0. Will Jones, Lon Lott, Kimberly Bryant, Roger Bennett, Troy Stout voted aye. Motion passed

The Council briefly returned to the agenda item A. dealing with banning motorized vehicles in Lambert Park. They made a motion which is included earlier in the minutes at the end of the discussion on Lambert Park.

D. Resolution No. R2015-08 Sales Tax: Rich Nelson said the State Legislature passed a bill that would enable cities and counties to increase sales tax by 0.25% with the additional revenue dedicated to transportation needs. Individual counties would have to vote for it. The Utah League of Cities and Towns were urging counties to put it on the ballot. Mr. Nelson said that if it passed, Alpine City would get about \$62,000 more to use for roads and transportation. Passing the proposed resolution would indicate that Alpine City supported putting the sale tax issue on the ballot.

MOTION: Will Jones moved to approve Resolution No. R2015-08 supporting HB362 to authorize the 0.25% local option general sales tax dedicated to transportation and encourage Utah County to put it on the November ballot. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Will Jones Kimberly Bryant, Roger Bennett, Lon Lott, Troy Stout voted aye. Motion passed.

E. Resolution No. 2015-09, Amending Alpine City Council Rules of Procedure for Public Meetings. Rich Nelson said Councilman Will Jones and Roger Bennett requested a reconsideration of rule #9 in the Rules of Procedure. Rule # 9 dealt with reconsideration of an agenda item that had already been voted on. It currently stated: *A motion to reconsider must be made at the meeting where the item was first voted upon or at the very next meeting of the City Council if the item is properly on the agenda.* It further stated that: *A motion to reconsider can only be made by a member who voted in the majority on the original motion.*

It was proposed that the wording be changed to reflect the state law which was: *A motion to reconsider cannot be made at a special meeting of the council unless the number of members of the council present at the special meeting equals or exceeds the number present at the meeting when the action was approved.*

Lon Lott ask how it would apply if the Council voted to ban vehicles. Would that mean they couldn't reconsider it unless it was done at the same meeting or the next meeting. He asked how that would affect the Council considering something that had been previously passed.

David Church offered some background on how the issue came about. The Utah Legislature passed an amendment five or six years earlier that required city councils and planning commission to adopt rules of procedure. At the request of Councilman Kent Hastings, he drew up the rules and procedures that basically followed Robert's Rules of Order with some changes. He said the purpose of Rule #9 was to prevent someone in the minority from continually bringing up an issue that had already been voted on. It also prevented an issue from being reconsidered unless it was

brought forward by someone who voted in the majority. It did not anticipate an ordinance that was adopted back in the 90s when Councilman Tom Anderson was accused of voting on a state conflict of interest. The Council voted that a councilman could not vote on an issue in which he had a conflict of interest.

Mr. Church recommended that if they continued with the same ordinance, they should define what it meant to reconsider the same motion. Would it be an identical motion or the same issue? He said the proposed amendment to Rule #9 was not more restrictive than the state code. The challenge was for the Council to give themselves enough flexibility without having to keep coming back to an issue.

Troy Stout suggested they evaluate the proposed change before they decided.

Will Jones said he didn't want to limit the Council's ability to reconsider an issue when there was new information available.

David Church said to consider the current dispute in light of the current Rule #9. A previous Council had passed a motion regarding the usage of motorized vehicles in Lambert Park. If Rule #9 was strictly adhered to, the current Council wouldn't be able to bring the issue back for a vote because none of them were on the Council when it was first adopted.

Don Watkins said he would like to see the best practices of what other cities did.

MOTION: Will Jones moved to table the Rules of Procedure for two weeks for further review and consideration. Troy Stout seconded. Ayes: 5 Nays: 0. Motion passed.

F. Wadsworth Meadow Variance Request - Patterson Construction: Jason Bond said the proposed 11-lot subdivision was previously submitted to the City as East Bench Estates and was located just south of Lambert Park. It had a little more land than the previous submittal. The main issue was the second access for the development. It was in sensitive lands. The ordinance required two accesses for developments which were located in the urban wildland interface area. Patterson was requesting an exception to the requirement for a second access. The ordinance allowed for an exception if it was recommended by the Fire Marshal and the Planning Commission. The letter from the Fire Marshal recommended against the exception. The Planning Commission also recommended against it. The vote from the Planning Commission was unanimous with one member absent.

Ken Berg represented Patterson Construction. He said the Code was clear about the requirement for a second access but it also allowed for an exception under certain conditions. He said the proposed Wadsworth Meadows would have one access through Bennett Farms subdivision, but there was no second access currently available. Wadsworth Meadows was bordered on the north by Lambert Park which did not allow access. On the east lay the forest service's wilderness area which would not allow access. The only other possible access point was through the private property on the south where it could eventually connect with Bald Mountain Drive. The property to the south was not owned by Patterson Construction and was outside Alpine City limits. Mr. Berg said that if the land to the south was developed, there could be a road connecting to Bald Mountain Drive because a future road was shown on Alpine City's Master Road Plan.

Troy Stout said the Fire Marshal had recommended against allowing an exception for the second access road due to degradation of the area from forest fire. The Planning Commission recommended against it as well.

Lon Lott said that they had talked about providing a right-of-way to the Beck property when Three Falls was under consideration. He asked how that related to this situation if the Fitzgeralds came in with a plan that didn't provide access to the next property?

David Church said that under the current ordinance, a developer would be required to stub a road to the adjoining property. The Master Road Plan showed a road to through the Fitzgerald land. When Fitzgerald developed, it may not be a straight road, but there needed to be a connection.

Troy Stout said that at some point that road would be available. Until that time he was not willing to go against the recommendation of the Planning Commission and the Fire Marshal.

Roger Bennett asked if it would be fair to hold Fitzgerald up if he had come in with a development plan before the Pattersons?

Mayor Watkins asked if the Council had given other exceptions. Roger Bennett said Heritage Hills was given an exception.

Will Jones said they were approved simultaneously and the roads were designed at the same time. It was anticipated that they would come in at the same time, but then the economy fell apart and only one phase was done. They were similar but not the same.

Roger Bennett said there were parts on Bald Mountain that were given exceptions.

Carla Merrill said she understood that this proposed development was in the wildland interface area and that was why it was critical the second access was crucial. Was Heritage Hills in the wildland interface area? Mayor Watkins said it was.

MOTION: Troy Stout moved to deny the request for an exception to the requirement for a secondary access road in Wadsworth Meadows subdivision based on the recommendations from the Fire Marshal and the Planning Commission. Kimberly Bryant seconded. Ayes: 2 Nays: 3 Troy Stout and Kimberly Bryant voted aye. Roger Bennett, Will Jones, Lon Lott voted nay. Motion failed.

Troy Stout asked about precedent in this situation. He'd heard Mr. Church say that precedent meant nothing.

David Church said that precedent was an excuse to allow bodies to do whatever they wanted to do. There was a precedent for everything. There were situations where they had allowed exceptions and situations where they didn't. He said the Council needed to evaluate an application on its own merits. They couldn't say that because they did something somewhere else, it was okay to do it here. Every application had to stand on its own.

Don Watkins said since he'd been in politics in Alpine he'd begged that they not give exceptions because he felt it would save them from lawsuits.

Troy Stout said the Fire Marshal said granting the exception was not a good idea. The Planning Commission said it was not a good idea. The road could eventually go in and open it up. But he didn't think they should be putting the cart before the horse.

Roger Bennett said Bald Mountain Drive was the same situation and it was in the urban wildland interface area. There was more discussion on the urban wildland interface area.

Lon Lott clarified that Troy Stout's motion denied the exception, and indicated he'd voted nay thinking he was voting against the exception. He asked if this was a situation where a motion could be reconsidered. David Church said yes.

Troy Stout restated the motion.

MOTION: Troy Stout moved to deny the request for an exception to the requirement for a secondary access road in Wadsworth Meadows subdivision based on the recommendations from the Fire Marshal and the Planning Commission. Kimberly Bryant seconded. Ayes: 3 Nays: 2 Troy Stout, Kimberly Bryant, Lon Lott voted aye. Roger Bennett, Will Jones voted nay. Motion passed.

G. River Meadows Senior Living Phase 4 - Revised Site Plan - Patterson Construction: The developers of River Meadows Senior Living Center requested approval of a revised site plan in which they modified some of the building pad locations. The proposed revision complied with setback requirements and matched the existing units. The Planning Commission had recommended approval.

MOTION: Will Jones moved to approve the revised site plan for River Meadows Senior Living Phase 4. Lon Lott seconded. Ayes: 5 Nays: 0. Will Jones, Roger Bennett, Troy Stout, Lon Lott, Kimberly Bryant voted aye. Motion passed.

H. River Meadows PRDS Plat Amendment - Patterson Construction: The River Meadows PRD consisted of 24 senior housing units. During the foundation staking of the last four units to be built, it was noted that two of the units fell within the flood plain. The developer adjusted the lots lines out of the flood plain and was seeking approval for a plan amendment.

MOTION: Will Jones moved to approve the River Meadows PRD plat amendment. Kimberly Bryant seconded. Ayes: 5 Nays: 0 Will Jones, Roger Bennett, Troy Stout, Lon Lott, Kimberly Bryant voted aye. Motion passed.

I. Ordinance No. 2015-10 Condominium Conversion Ordinance. Jason Bond explained that Larry Hilton was building an office building in the Olde Towne Centre planned commercial development and was considering make it a condominium. Alpine City's current ordinance required a two-hour fire wall between units. However, the current IBC (international building code), which Alpine City had adopted, only required a one-hour fire wall. Mr. Hilton requested that Alpine's ordinance be amended to be consistent with the IBC and require a one-hour firewall. The building inspector from Sunrise Engineer had agreed via email with the proposed amendment.

Will Jones said he would also like to see a recommendation from the city engineer and fire department regarding this amendment.

MOTION: Will Jones moved to deny Ordinance No. 2015-10 until such time as the City Engineer and the Fire Department made written recommendations. Kimberly Bryant seconded Ayes: 5 Nays: 0 Will Jones, Roger Bennett, Troy Stout, Lon Lott, Kimberly Bryant voted aye. Motion passed.

Corrections to the minutes of June 23, 2015 were discussed and a motion was made.

MOTION: Will Jones moved to approve the minutes of June 23, 2015 as corrected. Lon Lott seconded. Ayes: 5 Nays: 0. Will Jones, Roger Bennett, Troy Stout, Lon Lott, Kimberly Bryant voted aye. Motion passed.

VI. COUNCIL COMMUNICATION

Troy Stout asked if anything had happened with the Covey Riding Center. Will Jones said they had gotten their funding and were moving forward.

Will Jones reported on the following:

- He appreciated the work Shane Sorensen had done in Lambert Park. They had mowed the weeds by the Bowery.
- He would like to send a thank you note to EMC who came and rebuilt the bridge in Lambert Park. It was a computer company who paid their employees to come and do the work. They said they enjoyed doing it and would like to do something like that every year.
- He asked when they would hear from the Forest Service regarding American Fork Canyon. Don Watkins said he had invited John Stansfield to come and was told they had turned it over to MAG.

VII. STAFF REPORTS

Shane Sorensen reported on the following:

- The pickle ball courts had been poured last week.
- He reported that Questar was finished working on Canyon Crest Road and was moving along in Burgess Park.
- The sewer work was done on 100 West.

Rich Nelson said he was going to bring a resolution to the Council to review regarding resting the fields on Sunday. He also wanted to look at increasing the reservation fee for Creekside Park to \$100 for nonresidents.

Don Watkins said they had dealt with some controversial issues in town but something had happened recently that altered the perspective on what things really mattered in life. A man on a scooter was seriously mangled in a collision with a truck. He was not breathing and had no pulse. Councilman Lott was working nearby and had tended to the man in a religious capacity. Mayor Watkins said the man was now alive and walking and had visited Councilman Lott at his job site to say thank you.

VIII. EXECUTIVE SESSION: None held.

MOTION: Will Jones moved to adjourn. Troy Stout seconded. Ayes: 5 Nays: 0 Will Jones, Roger Bennett, Troy Stout, Lon Lott, Kimberly Bryant voted aye. Motion passed.

The meeting was adjourned at 10:30 pm.