



ALPINE CITY COUNCIL PUBLIC MEETING AMENDED AGENDA

NOTICE is hereby given that the **CITY COUNCIL** of Alpine City, Utah will hold a Public Meeting on **Tuesday, January 25, at 6:00 pm**, 20 North Main Street and can be viewed on the **Alpine City YouTube Channel**. A direct link to the channel can be found on the home page of the Alpine City website: alpinecity.org Public Comments will be accepted during the Public Comment portion of the meeting.

I. CALL MEETING TO ORDER

- | | |
|---------------------|----------------------------|
| A. Roll Call | Mayor Carla Merrill |
| B. Prayer: | Jessica Smuin |
| C. Pledge: | By Invitation |

II. CONSENT CALENDAR

- A. Approve City Council minutes of January 11, 2022**
- B. Approve Work Session City Council minutes of January 14, 2022**
- C. Bond Release #9, The Ridge at Alpine Phase 5: \$17,100.00**
- D. Bond Release #1, Layton Alpine Subdivision: \$ 438,544.61**

III. PUBLIC COMMENT

IV. REPORTS AND PRESENTATIONS

- A. Timpanogos Special Service District Report – Dale Ihrke & Richard Mickelson**
- B. Fire Station Feasibility Study**
- C. OPMA Training – Craig Hall**
- D. FY2022-23 Budget Calendar**

V. ACTION/DISCUSSION ITEMS

- A. Resolution R2022-08: Adopting Policies Pertaining to Participating in Alpine City Council Meeting Devotionals**
- B. Burgess Park Pavilion Improvements**
- C. Height and Grading Requirements**

VII. STAFF REPORTS

VIII. COUNCIL COMMUNICATION

- IX. EXECUTIVE SESSION:** Discuss litigation, property acquisition, or the professional character, conduct or competency of personnel.

Mayor Carla Merrill
January 21, 2022

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS. If you need a special accommodation to participate, please call the City Recorder's Office at (801) 756-6347 x 4.

CERTIFICATE OF POSTING. The undersigned duly appointed recorder does hereby certify that the above agenda notice was on the bulletin board located inside City Hall at 20 North Main and sent by e-mail to The Daily Herald located in Provo, UT, a local newspaper circulated in Alpine, UT. This agenda is also available on our web site at, and on the Utah Public Meeting Notices website at www.utah.gov/pmn/index.html



PUBLIC MEETING AND PUBLIC HEARING ETIQUETTE

Please remember all public meetings and public hearings are now recorded.

- All comments **must** be recognized by the Chairperson and addressed through the microphone.
- When speaking to the Planning Commission/City Council, please stand, speak slowly and clearly into the microphone, and state your name and address for the recorded record.
- Be respectful to others and refrain from disruptions during the meeting. Please refrain from conversation with others in the audience as the microphones are very sensitive and can pick up whispers in the back of the room.
- Keep comments constructive and not disruptive.
- Avoid verbal approval or dissatisfaction of the ongoing discussion (i.e., booing or applauding).
- Exhibits (photos, petitions, etc.) given to the City become the property of the City.
- Please silence all cellular phones, beepers, pagers, or other noise making devices.
- Be considerate of others who wish to speak by limiting your comments to a reasonable length and avoiding repetition of what has already been said. Individuals may be limited to two minutes and group representatives may be limited to five minutes.
- Refrain from congregating near the doors or in the lobby area outside the council room to talk as it can be very noisy and disruptive. If you must carry on conversation in this area, please be as quiet as possible. (The doors must remain open during a public meeting/hearing.)

Public Hearing vs. Public Meeting

If the meeting is a **public hearing**, the public may participate during that time and may present opinions and evidence for the issue for which the hearing is being held. In a public hearing there may be some restrictions on participation such as time limits.

Anyone can observe a **public meeting**, but there is no right to speak or be heard there - the public participates in presenting opinions and evidence at the pleasure of the body conducting the meeting.

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ALPINE CITY COUNCIL PUBLIC MEETING
on Tuesday, January 11, 2022

Mayor Carla Merrill called the meeting to order at 6:00pm and welcomed all in attendance.

- I. Roll Call:** The following were present and constituted a quorum: Jason Thelin, Greg Gordon, Kelli Law, Jessica Smuin, Lon Lott all at the anchor location

A. Prayer: Lon Lott
B. Pledge: Kelli Law

Staff: Shane Sorensen, Chief Brian Patten, Chief Brian Gwilliam, Hyrum Bosserman, Bonnie Cooper at anchor location and Austin Roy via zoom.

Others: Dawn Young, Will Jones (Trail Committee Chair), Jane Griener (Planning Commission Chair)

II. CONSENT CALENDAR

- A. Approve City Council minutes of November 30, 2021**
- B. Bond Release #15- The Ridge at Alpine Phase 3: \$224,097.69**
- C. Bond Release #1- Whitty Woodlands Plat H: \$20,320.50**
- D. Partial Payment No. 4 – CUP Filter Station – Corrio Construction: \$29,404.51**
- E. Payment: F-150 Pickup – Ken Garff Ford: \$35,709.94**
- F. Payment: 10-Wheeler Dump Truck Build – Semi Service: \$99,601.31**
- G. Payment: Lambert Park Walking Trail – Blazing Trailz – Dustin Martinez: \$52,808.00**

Motion: Lon Lott moved to approve the consent calendar as proposed, with the edits made to the minutes of November 30, 2021, by Lon Lott and Jason Thelin. Greg Gordon seconded the motion. There were 5 Ayes and 0 Nays, as recorded below. The motion passed unanimously.

| <u>Ayes</u> | <u>Nays</u> |
|---------------|-------------|
| Jason Thelin | |
| Greg Gordon | |
| Kelli Law | |
| Jessica Smuin | |
| Lon Lott | |

III. PUBLIC COMMENT

None made

IV. REPORTS AND PRESENTATIONS

A. Financial Report

City Administrator Shane Sorensen gave an updated financial report and is willing to meet with each council member to go over it in more detail. Each report was sent out to the council via email. Next month's meeting we will be doing some budget adjustments such as the cost of the truck and then we will do another report at the end of the fiscal year. Mayor Carla Merrill recommended newest City Council member Kelli Law go over the working budget with Shane Sorensen so that he can better understand the city's financial workings. Shane Sorensen said the red/green financial report helps the city look towards the end of the year budget to see where the city may have any issues. We will go over this in more detail at next month's meeting. He reported this past calendar year the city had a record number of 76 new homes built. In a normal year the city has around 30 homes. He believes the trend will continue to go up again this spring/summer with subdivision being finished. Sales taxes have continued to increase and are still looking good and could be due to inflation.

B. Fire Station Feasibility Study – Babcock Design - Chad Littlewood

Shane Sorensen went over the fire department remodel concept plan. Mayor Carla Merrill asked if we had Chad Littlewood was at the meeting. Shane Sorensen said in the fire station feasibility study we did not have the financial end of it yet. We will spend some time on this at the work session on Friday January 14, 2022. There are a few

things that still need to be addressed, but the plan is a good step in the right direction. City Councilmember Lon Lott asked if there could be measurements to go along with the plans on the new addition. Shane Sorensen said he would get the measurements for Friday's work session. City Council member Greg Gordon asked what the next phase would be for the remodel. Shane Sorensen said the next phase would be cost estimate. If this is the direction the council wants to go, we take that rough cost estimate and talk to Mark Anderson at Zions Bank. We could work out a bond payment schedule and move full speed ahead.

City Council member Jason Thelin asked how much say has the fire chief had in the planning. Shane Sorensen said Chief Brian Patten and his firefighters have been very involved. Jason Thelin asked if the firefighters could have a really nice workout area/workout room in the basement. The Civic Center room is really close to where the workout room is located right now, and noise may become an issue. Shane Sorensen said he would be concerned that a workout room in the basement might require an elevator and that would be costly. The cost of the elevator would be around \$8000.00. Jason Thelin said having a nice fire house would help with recruiting of firefighters.

Jason Thelin asked if the cell tower could be built into the fire house remodel instead of doing a cell tower that looks like a "water tower" at the park. Shane Sorensen said because of COVID-19 the cell company has backed off on moving forward. He said City Planner Austin Roy was contacted by another cell company (he believes was AT&T) approaching us and wanted to do another cell tower in Alpine. We told them what had been approved but that nothing had been built. We gave them the contact information of Verizon. Austin Roy said AT&T said they wanted to put a cell tower in the park behind City Hall. Verizon had already been approved for that location. The tower can hold two carriers so they could share the tower. Shane Sorensen said when staff has more information about this, they will bring it back to council.

Greg Gordon asked why the fire house needed six bedrooms. Chief Patten said right now they are just using four of the bedrooms but are planning for the future.

C. 2022 City Council Assignments

Mayor Carla Merrill announced the following assignments for City Council members for 2022:

Jason Thelin

- Lone Peak Public Safety District Board Member
- Eagle Scout
- Lambert Park Conservation Easement Committee

Greg Gordon

- Parks, Recreation, Trails and Open Space
- Traffic and safety
- Lambert Park Conservation Easement Committee Chair
- MAG and COG (alternate)

Kelli Law

- Alpine Days
- Trails, parks, and open spaces
- Alpine Business District Liaison

Jessica Smuin

- Lone Peak Public Safety District Board Member (alternate)
- Cemetery Committee
- Alpine Youth Council

Lon Lott

- Utah Lake Commission Board Member
- Emergency Response Plan
- Mayor Pro Tem

Jason Thelin asked about additional pay for attending additional meetings. Shane Sorensen said there was a Ordinance in 1997 that allowed a City Council members to get a \$50 payment to attend an additional meeting.

V. ACTION/DISCUSSION ITEMS

A. Resolution R2022-01 Appointment of Planning Commission Members

Shane Sorensen explained the Planning Commission consists of seven members, with staggered terms. Jeff Davis was recently appointed to the Planning Commission to fill the vacancy and remainder of the term left by Sylvia Christiansen. This term ended December 31, 2021. Jeff Davis is being reappointed to a four-year term that will expire December 31, 2025.

Motion: Jason Thelin moved that Resolution R2022-01 be approved appointed serve on the Planning Commission:

- Jeff Davis for a four-year term ending December 31, 2025.

Jessica Smuin seconded the motion. There were 5 Ayes and 0 Nays, as recorded below. The motion passed unanimously.

| <u>Ayes</u> | <u>Nays</u> |
|---------------|-------------|
| Jason Thelin | |
| Greg Gordon | |
| Kelli Law | |
| Jessica Smuin | |
| Lon Lott | |

B. Resolution R2022-02 Appointment of Timpanogos Special Service District Board Member

Shane Sorensen explain that Dale Ihrke (resident of Alpine City) was originally appointed by Mayor Don Watkins to represent the city on the Timpanogos Special Service District Board. He said Dale Ihrke was a professional in wastewater in California. With Dale Ihrke's term being expired, Mayor Carla Merrill is proposing that Mr. Ihrke continue to serve on the board. Mr. Ihrke has extensive experience in the wastewater treatment field. It is proposed that the appointment be made until further notice. We will have him come in and give the council reports regularly. We will have him come in February to give a report.

Motion: Greg Gordon moved to approve that Resolution R2022-02 appointing Dale Ihrke to serve on the Timpanogos Special Service District Board until further notice. Lon Lott seconded the motion. There were 5 Ayes and 0 Nays, as recorded below. The motion passed unanimously.

| <u>Ayes</u> | <u>Nays</u> |
|---------------|-------------|
| Jason Thelin | |
| Greg Gordon | |
| Kelli Law | |
| Jessica Smuin | |
| Lon Lott | |

C. Resolution R2022-03 Appointment of Lone Peak Public Safety District Board Members

Shane Sorensen explained The Lone Peak Public Safety District Board is made up of five board members, including the chairman. A few years ago, the board looked a little different with Cedar Hills being part of the board. Now just Highland and Alpine participate and each city appoints two regular board members. Each city also appointing an alternate board member. As per the approved interlocal agreement, the chairman is appointed from the alternate board members annually by a majority vote of the regular members of the Board and shall alternate annually between the cities. Since the chair was from Highland City for 2022, Alpine City's alternate will be the chair for 2022. By way of information, the chair only has a vote to break a tie or when voting to appoint or dismiss a district chief, or when filling in for an absent regular member.

Mayor Merrill is appointing the following to the Lone Peak Public Safety District Board:

- Mayor Carla Merrill, regular member
- Councilman Jason Thelin, regular member
- Councilwoman Jessica Smuin, alternate member

The term of office for the board members is the shorter of four years from the date of appointment or when the board member leaves the elected or appointed office held with the represented city. For the purposes of this resolution, the end of the elected term for each member is listed as the end of their term on the board.

Motion: Lon Lott moved to adopt Resolution R2022-03 appointment of the Lone Peak Public Safety District Board members:

- Mayor Carla Merrill, regular member
- Councilman Jason Thelin, regular member
- Councilwoman Jessica Smuin, alternate member

Greg Gordon seconded the motion. There were 5 Ayes and 0 Nays, as recorded below. The motion passed unanimously.

Ayes

Nays

Jason Thelin

Greg Gordon

Kelli Law

Jessica Smuin

Lon Lott

D. Resolution R2022-04 Appointment to Legislative Policy Committee

Shane Sorensen said the Utah League of Cities and Towns (ULCT) created the Legislative Policy Committee (LPC) to provide general legislative policy guidance to ULCT staff. Each member city of the ULCT can appoint three voting members to the LPC. The LPC meets weekly during the legislative session to evaluate bills and work with the League's Board of Directors and staff to determine official ULCT positions on legislation. Greg Gordon asked if other cities also appoint city administrators, city attorneys and mayors to their Legislative Committees. City Attorney Hyrum Bosserman answered it can vary but yes, many cities do it this way. Mayor Carla Merrill said her thoughts were that City Attorney Craig Hall attends all the Legislative meetings anyway. She said Shane Sorensen has good perspective, history, and background to be on the committee. Mayor Carla Merrill asked if Craig Hall is already attending the meetings on behalf of Cedar Hills would he be getting paid twice for the same meeting. Hyrum Bosserman said Craig Hall would bill both cities at a discounted rate. Craig Hall would receive two votes one for Cedar Hills and one for Alpine City. Kelli Law asked if there would ever be a time where Cedar Hills and Alpine City would be not in agreement on an issues. Mayor Carla Merrill said both cities aligned well together. Let's see how thing go and reevaluate this Committee later if we need to.

Mayor Merrill is appointing the following to the Legislative Policy Committee:

- Mayor Carla Merrill
- Craig Hall
- Shane Sorensen

Motion: Jessica Smuin moved that Resolution R2022-04 be approved appointing the following to serve on the Legislative Policy Committee of the Utah League of Cities and Towns:

- Mayor Carla Merrill
- Craig Hall
- Shane Sorensen

Lon Lott seconded the motion. There were 5 Ayes and 0 Nays, as recorded below. The motion passed unanimously.

Ayes

Nays

Jason Thelin

Greg Gordon

Kelli Law

Jessica Smuin

Lon Lott

E. Resolution R2022-05 Appointment to Trails Committee

Mayor Carla Merrill said in February 2021, the City Council passed Resolution R2021-03 appointing members to the trails committee. The appointed members and their terms were as follows:

| Name | Date Term Begins | Date Term Ends |
|------------|------------------|-------------------|
| Will Jones | February 9, 2021 | December 31, 2023 |

| | | |
|-----------------|------------------|-------------------|
| Breezy Anson | February 9, 2021 | December 31, 2023 |
| Trent Edwards | February 9, 2021 | December 31, 2022 |
| Heather Peper | February 9, 2021 | December 31, 2022 |
| Vickie Birchall | February 9, 2021 | December 31, 2021 |

There terms are for three years, with the initial appointment of members terms being staggered. The city would like to thank Vickie Birchall for her service on the Trails Committee. Her term ended December 31, 2021. Mayor Merrill is proposing to appoint Shelly Butterfield to serve on the trails committee, for a term that will expire December 31, 2024. Shelly Butterfield is an equestrian, runner, and mountain biker. She will make a good addition to the Trails Committee. Shane Sorensen explained that the terms of each member are staggered so that they do not all leave at the same time.

Motion: Kelli Law moved that Resolution R2022-05 be approved appointing Shelly Butterfield to serve on the Trails Committee with a term ending December 31, 2024. Greg Gordon seconded the motion. There were 5 Ayes and 0 Nays, as recorded below. The motion passed unanimously.

| | |
|---------------|-------------|
| <u>Ayes</u> | <u>Nays</u> |
| Jason Thelin | |
| Greg Gordon | |
| Kelli Law | |
| Jessica Smuin | |
| Lon Lott | |

F. Resolution R2022-06 Opioid Settlement 1

Shane Sorensen said the city received some information from the Utah League of Cities and Towns (ULCT) regarding the National Opioid Settlement. It is our understanding that participating in the settlement will not directly help Alpine City, however participation by the cities will help the State of Utah in the settlement. Timing of the information provided did not allow this item to be on an agenda prior to the end of last year. Cities had a deadline to agree to participate of January 2, 2022. City Attorney Craig Hall spoke with Roger Tew at the ULCT regarding the best course of action. The recommendation was to sign the settlement agreement and then pass the resolution at the first meeting in January. Greg Gordon commented the judge extended the date from the end of December to the end of January. Shane Sorensen said this will help cities with homeless shelters and drug rehab facilities. Greg Gordon commented that Alpine City has three treatment facilities, and they might benefit from this settlement as well.

Motion: Jason Thelin moved that Resolution R2022-06 and Resolution R2022-07 be approve for the Opioid settlement. Lon Lott seconded the motion. There were 5 Ayes and 0 Nays, as recorded below. The motion passed unanimously.

| | |
|---------------|-------------|
| <u>Ayes</u> | <u>Nays</u> |
| Jason Thelin | |
| Greg Gordon | |
| Kelli Law | |
| Jessica Smuin | |
| Lon Lott | |

G. Resolution R2022-07 Opioid Settlement 2

Motion: See prior motion

H. Ordinance 2022-01 Electronic Signs – Hours of operation

Austin Roy said Greg Gordon is the petitioner of ordinance 2022-01. The city has received complaints about new electronic message display signs installed at Westfield Elementary and Alpine Elementary. On October 5, 2021, the Planning Commission tabled this item so that staff could verify that new school signs meet ordinance. Staff found that the signs were running brighter than is permitted. Following that finding, the sign company adjusted the signs

and trained the schools how to control the brightness. The signs are now on a timer that adjust the brightness of the signs as follows:

8PM-6AM 0% Brightness
 6AM-11AM 60% Brightness
 11AM-2PM 100% Brightness
 2PM-5PM 60% Brightness
 5PM-8PM 20% Brightness

On December 7, 2021, the Planning Commission revisited this item and made a recommendation to amend the ordinance to apply brightness restrictions to the winter months of the year (during the period of Standard Time).

8PM-6AM 0% Brightness
 6AM-8AM 20% Brightness
 8AM-5PM 100% Brightness
 5PM-8PM 20% Brightness

Austin Roy said during daylight saving the Planning Commission felt it was okay to have signs be fully illuminated.

8PM-6AM 0% Brightness
 6AM-8PM 100% Brightness

Greg Gordon said council changed this ordinance about a year ago to allow for non-amber or white lights. At the time of the ordinance the council was not aware the school signs would fall within a video board definition. The concern is that these signs are not meeting the current ordinance. Many neighbors have said that the signs have disturbed their sleep. In talking to all three principals, each of them agreed to more limited hours. An hour before and after school or even. Having students and parents view the signs then and not on weekend, summers, before 6AM or later at night.

Planning Commission Chair Jane Griener participated via zoom and was there to answer any council questions of what the Planning Commission was thinking when making this recommendation. Kelli Law said he would like to hear from Jane Griener and what the Planning Commission recommendation was. Austin Roy said when the signs were first installed, the schools failed to put them on timers and were all at 100% brightness. Mayor Carla Merrill said when the ordinances for the schools' signs and what would be on them it was more governed by the school district.

Carla Merrill asked Greg Gordon the proposed ordinance says 6AM-8PM is he suggesting changed the times to 7AM-7PM. Greg Gordon said that is one option, but he thinks the council should hear from Jane Griener. Jane Griener said the things that the Planning Commission discussed were that the signs were a great reminder for the community. The Planning Commission spoke with employees and parents of the kids at the schools. The schools are used in the summer such as library hours. We felt the brightness was the biggest concern. We think the signs are a benefit and a service to our community. We felt the brightness was the biggest concern that is how we came up with 20%-100% brightness and times. She would be in favor of 7AM start time instead of 6AM. The Planning Commission thought that having the signs only on 1 hour before or after an event would not be as big of a benefit.

Greg Gordon asked if these suggestions in the proposal were what the manufacturer recommended. Austin Roy said yes, right now that is what the signs are being operated at. Jason Thelin suggested the new ordinance say 100% Brightness or less. Jane Griener said she thought Jason Thelin's suggestion would be a good idea, not all the schools want to have their signs at 100%. We were going to remove 1.2 but decided against it for safety benefits so that it will not cast a shadow at 30 feet. Greg Gordon said this was ordinance was originally passed these signs were going to be used for community notices and emergency messages. This has not been utilized. City Council member Jessica Smuin asked if the way the ordinance is written now would that mean the signs would be working during the summer months. Mayor Carla Merrill said they do not have to but they can. The schools do have summer programs. Jessica Smuin said the council needs to ask themselves what kind of town do we want; do we want electronic lights going all summer long. Greg Gordon asked if council wants the signs on at all on Sunday. Jane Griener said the city has already made the decision to have electronic signs in our community. The motion could be changed to remove Sunday displays.

Motion: Greg Gordon moved to approve Ordinance 2022-01 with following modifications: brightness limitations be according to the table in the cover sheet at the five levels including the 60% adjustments and that the hours of operation be limited to one hour before and until one hour after school instruction hours or school event times. Remove the second half of .3 in the amendment on standard time so that it applies year-round. Lon Lott seconded the motion. There were 2 Ayes and 3 Nays as recorded below. The motion failed

Ayes
 Greg Gordon

Nays
 Jessica Smuin

Jason Thelin

Kelli Law
Lon Lott

Lon Lott asked for clarification on the motion saying for example if school started at 7AM the sign could be on at 6AM at 60% and if there were an event in the evening at 8PM the sign would be on at 20% from 7PM-9PM. Greg Gordon said the way the table reads the sign would go off at 8PM regardless. Kelli Law said most of the signs are on timer that someone programs that. This could become unwieldy for the school to even manage. Jane Griener said the fact that someone would have to be constantly programming the signs was discussed at the Planning Commission. Austin Roy said for each separate event some one has to manually go in and program that into the sign.

Amended Motion: Jessica Smuin moved to amend Greg Gordons motion with the following:
Following the brightness as indicated but the timing would be different:

7am – 11am 60%
11am-2pm 100%
2pm-5pm 60%
5pm-7pm 20%
7pm-7am 0%

Also adding that there would be no signage on the weekends and only two weeks after school is out for the summer and two weeks before school starts in the fall. Greg Gordon accepted the amended motion. Greg Gordon seconded the motion. There were 2 Ayes and 3 Nays as recorded below. The motion failed

Ayes
Greg Gordon
Jessica Smuin

Nays
Jason Thelin
Kelli Law
Lon Lott

Kelli Law asked if the schools would give us negative feedback by not having the signs on during the weekends. Jane Griener said she did not think so. She said she is concerned about the entire summer because the schools do have summer programs. Jessica Smuin said she would like to get information from the schools to see how busy the schools are in the summer months and if they need the signs. Greg Gordon suggested making an allowance to have the signs operational while the schools are being used in the summer. Jane Griener said maybe have the summer hours be 8AM-12PM, but limit it to four hours. Mayor Carla Merrill said she believed the school would want the signage out there for people to see not only when the school is being used on a Tuesday for instance but on Monday letting the public know the school library would be open on Tuesday so that residents can make plans. Jason Thelin said he agreed with Kelli Law that we need to make this easy for the schools to be able to program the signs. He said he wanted to compliment Greg Gordon on all his work with this ordinance and on listening to the public and meeting with the schools. He believes the problem the council is having is brightness in the morning and/or night. He thinks the Planning Commissions proposal solves the brightness issues. Mayor Carla Merrill suggested Jason Thelin motion to change the hours from 6AM-8PM to 7AM-7PM leaving everything else the same as what the Planning Commission suggested with the brightness and all other hours the same. The biggest problem is that the signs brightness is a nuisance to the neighborhood.

Substitute Motion: Kelli Law moved to approve Ordinance 2022-1 as proposed with the following changes: item 3 reads "Electronic message display shall not be illuminated or active between the hours of 8PM and 6AM with the following restrictions apply;
6AM-8AM 20% Brightness or less
8AM-5Pm 100% Brightness or less
5PM-8PM 20% Brightness or less
8PM-6AM 0% Brightness
Striking during standard time to allow signs to run year-round. Jason Thelin seconded the motion. There were 1 Ayes and 4 Nays as recorded below. The motion failed

Ayes
Kelli Law

Nays
Lon Lott
Jessica Smuin
Greg Gordon
Jason Thelin

Jason Thelin asked Greg Gordon if 20% at 6am is still too bright. Greg Gordon said he does not know if it is visibly that much difference right now. He said at some of the school the agreements have been with the residents were to have the hours of sign operation from 7AM-7PM.

Motion: Jason Thelin moved to approve Ordinance 2022-01 as outlined by the Planning Commission with the following modifications: item 3 should read "Electronic message display should not be illuminated or active between the hours of 8PM-7AM. The additional following instruction apply:
 7AM-8AM 20% Brightness or less
 8AM-5PM 100% Brightness or less
 5PM -8PM 20% Brightness or less
 Removing during standard time and with item four being the same. Kelli Law seconded the motion. There were 3 Ayes and 2 Nays as recorded below. The motion passed.

| <u>Ayes</u> | <u>Nays</u> |
|--------------|---------------|
| Jason Thelin | Greg Gordon |
| Kelli Law | Jessica Smuin |
| Lon Lott | |

Substitute Motion: Greg Gordon moved to modify ordinance 2022-01 to change the hours from substitute motion 7am-7pm year-round, "strike during standard time", use the brightness's listed in the cover sheet going from 0-20-100-20% and adding "or less" term after %. The signs shall not be used on weekends or in summer months except that the schools may operate the sign for any four-hour period otherwise allowed in the summer months. Jessica Smuin seconded the motion. There were 2 Ayes and 3 Nays. The motion failed.

| <u>Ayes</u> | <u>Nays</u> |
|---------------|--------------|
| Greg Gordon | Jason Thelin |
| Jessica Smuin | Lon Lott |
| | Kelli Law |

I. Ordinance 2022-02 Fences on Private Property

Austin Roy said Alpine City requires fences be located on a property line or within the boundaries of one's own property. However, some residents have had trouble understanding this requirement and have installed fences where they should not have. Staff is hoping that an amendment to the code will help make things clear to help avoid future fence issues. On December 7, 2021, the Planning Commission reviewed the drafted ordinance and recommended that it be approved as proposed by staff.

Lon Lott voiced concern with the language in the ordinance. The wording in the ordinance saying fences shall be located on property lines or within property boundaries could confuse a property owner. They could say it is on someone's property just happens to not be their property. Shane Sorensen said surveys need to be their property owners' responsibility. Jason Thelin suggested adding one word that says fences shall be located on owners' property line or within the owner's property. Lon Lott suggested the ordinance could read on fence owners' property or the property or owner putting installing the fence.

Shane Sorensen said the fence permit does say that the property owner is responsible for a survey. The fence permits are free to the public.

Motion: Jason Thelin moved that Ordinance 2022-02 be adopted as with following change: 3.21.060 #1 the last line reading "fences should be located on owner's property lines or within owner's property boundaries." Lon Lott seconded the motion. There were 5 Ayes and 0 Nays, as recorded below. The motion passed unanimously.

| <u>Ayes</u> | <u>Nays</u> |
|---------------|-------------|
| Jason Thelin | |
| Greg Gordon | |
| Kelli Law | |
| Jessica Smuin | |
| Lon Lott | |

VII. STAFF REPORTS

Chief Brian Patten

Fire training is in progress and the council is invited to come and participate.

Shane Sorensen

Legislative Session- January 19, 2022 - Youth Council is invited. Mayor Carla Merrill said the Youth Council will be going on Saturday the 22nd with Utah State Senator Mike Kennedy so they do not miss school.

Work Session - Friday January 14, 2022, for City Council 8am-11am

Relic Hall- furnace has been replaced and now it will have central air for this summer.

Snowplows- have been busy

Staffing shortage - We have been short staffed the last two weeks, but everyone is back healthy

Utah Division of Wildlife Resources – They have been called twice to Alpine. We have had several big horn sheep and just this week a moose. All were safely transported back out into the wild.

VIII. COUNCIL COMMUNICATION

Jason Thelin

Jason Thelin asked for an update on the fencing going up on the Blue Bison property that is blocking the trails between Draper and Alpine. Mayor Carla Merrill said the cities are working on it but have nothing for the public yet.

Jessica Smuin

Jessica Smuin said she has been working with City Treasurer/HR Carolyn Riley on the new city website. The website will help streamline the city to go paperless. A new website will be at least five months. The goal is to have it up and running by Alpine Days.

Several council members asked for a work session/training session to go over municode to understand how to navigate finding city development codes.

Lon Lott

Lon Lott said Utah Lake Committee will have a meeting with Utah State Representative Brady Brammer. The meeting will be on who will be managing Utah lake. Mayor Carla Merrill asked Lon Lott if he could attend a Mayors Meeting with Provo Mayor Kaufusi on Thursday regarding the same subject.

Mayor Carla Merrill

Mayor Carla Merrill asked how soon will the PI (Pressurized Irrigation) be ready for all the residents. Shane Sorensen said he will be ready to present it to the council by February.

IX. EXECUTIVE SESSION:

No held

Motion: Lon Lott moved to adjourn. Greg Gordon seconded the motion. There were 5 Ayes and 0 Nays, as recorded below. The motion passed unanimously.

Ayes

Jason Thelin
Greg Gordon
Kelli Law
Jessica Smuin
Lon Lott

Nays

Adjourned at 7:55 pm

City Council Work Session Meeting

On January 14, 2022

Carla Merrill called the Work Session Meeting to order at 8:10AM.

Roll Call: The following were present and constituted a quorum: Jason Thelin, Greg Gordon, Kelli Law, Jessica Smuin, Lon Lott

Staff: Shane Sorensen, Jed Muhlestein, Hyrum Bosserman, Craig Hall, Bonnie Cooper, Steve Doxey, and Austin Roy via phone

Organization Chart:

City Administrator Shane Sorensen said the city's organizational chart goes more horizontal than vertical. In Public Works there are three leads: Greg Kmetzsch who is over PI (Pressurized Irrigation) water and cemetery, Landon Wallace who is over streets, water and sewer, and Cal Christensen who is over parks and maintenance. Each lead is over different areas but help each other when needed. The city hires seasonal help for the summer months. There is a lot more that goes into the cemetery than you would think. Financial Director David Sanderson has been our finance director for several years. He has access to the city's system at any time. The city has passed every audit by the state. City Council member Kelli Law asked where the seasonal help comes from. Shane said have had two gentlemen from Mexico come for the past eight years and the rest are high school kids. The challenge with the high school kids is that they go back to school in August. The high school kids are paid approximately \$11 an hour. Labor requirements for the irrigation system and maintaining sprinkler systems during the summer takes up a lot of employee's time. Right now, the city is still using a seasonal person to cover for a code enforcement officer. City Council member Jessica Smuin asked about a part time social media person who could report to someone else to lessen the load of other employees. Mayor Carla Merrill asked if Kami Burgess, Previous Alpine Days Chair would be willing to be chair again this coming year. Shane Sorensen last year and this year the budget is \$15,000 to pay the chairperson. He said he will contact Kami Burgess and ask if she would be willing to do it again. Mayor Carla Merrill suggested paying Kami Burgess \$10,000.00 and \$15,000.00 she comes in under budget. Kelli Law asked how many hours Kami Burgess spent on Alpine Days last year and would that pay be enough. Mayor Carla Merrill suggested getting help from the chamber to get donations for Alpine Days.

ARPA funds:

Shane Sorensen said the city had gotten half of the ARPA and will get the other half this year which is \$1,242,445.00. Our city has paid someone from the state to help us know how to spend the funds. The city has until December 31, 2024, to spend the funds. We were hoping to be able to drill a well for irrigation. The funds can be used for replacing lost public sector revenue, supporting the COVID-19 public health and economic response, providing premium pay for eligible workers performing essential work and investing in water, sewer, and broadband infrastructure. Alpine has two separate systems one for irrigation and one for culinary water. Last year Alpine took the funds and paid our public safety wages with the funds. The funds that would have used for those wages we put towards other COVID-19 projects and adjusted in the budget. We might be able to do that again with the rest of the ARPA funds. Jessica Smuin asked how much will a new well cost. Shane Sorensen said it will cost more than what the funds will be. There is extra state ARPA funds for cities to use. City Engineer Jed Muhlestein said he had a meeting with Bill Lee regarding an aquifer recharge site at the Kilgore property. The purpose would be to bank water to use later. He would be meeting again next Tuesday 18th. It is a hope that Utah county will buy the site. With the growing population it would be a huge benefit for Alpine City. Mayor Carla Merrill said the city should consider the road with Highland City to Smooth Canyon. City Council member Lon Lott asked if there are any other projects that the city needs assistance with that the well could be attached to. Shane

Sorensen said the water tank would be allowed to use the ARPA funds, and the city could get assistance with that. The city has until 2026 to spend the funds but only until 2024 to allocate them. City Council member Jason Thelin asked where the well would go. Shane explained the location for the well will be the southside of Heritage Hills Drive between Elk Ridge Lane and Eastview Lane. The well would pump into the higher areas of Alpine. Jason Thelin asked if it could that water be used for the new annexations that want to come into Alpine. Shane said indirectly it could. Jason Thelin said we should discuss how this benefits the city as a whole. City Council member Greg Gordon asked about high-speed internet but agreed that water is the most important. Shane Sorensen said fiber (high-speed internet) should not be a cost to the city.

Lambert Park Improvements:

Shane Sorensen said the city needs to plan for financially improving the bowery and turnaround on Box Elder Way for Lambert Park. He said City Planner Austin Roy did some research on the bowery and the improvements have never been approved by a City Council by vote. Staff would like to get some ideas of what the council would want, and we could bring back a plan to move forward. Lon Lott asked if there were still plans for the amphitheater and firepit. It is not necessary to have specific camping spots because we also use that area for overflow parking. The city would need to offer reservations if the camp sites were that nice. Jessica Smuin said the community has said several times they want to keep Lambert Park as natural as possible. Mayor Carla Merrill said it is not a huge amphitheater but would be nice for a gathering area. Jason Thelin said there should be no RV pads, but bathrooms would be nice. Lon Lott said planting shade trees would be nice and feel more like a forest. Jason Thelin said this should be a community destination only because others can go to American Fork Canyon. Greg Gordon said there should be no road or a reservation system. Council discussed about adding more parking at the top of Lambert Park just like the lower parking. Shane Sorensen staff would bring this back at a future council meeting. Mayor Carla Merrill gave instruction to Shane Sorensen to take to the Planning Commission to go over and give their recommendations to the City Council.

Cemetery Expansion:

Shane Sorensen said the cost estimate for phase 1 of the cemetery expansion is \$552,778.35. Phase 3 may never happen. Next summer it could be ready to sell plots to residents. Lon Lott suggested looking at the pricing on plots. Shane Sorensen said right now the city is only selling to residents at a cost of \$985.00. Jason Thelin asked if we want to start selling them to non-residents. Greg Gordon asked about trails that are in cemetery. Shane said we do not have any recognized trails in the cemetery.

Peterson Park:

Shane Sorensen gave a brief history of the Peterson Arboretum/Park. When the city acquired the property there were two ditches running through it to water trees. The neighbors in the area started to plant more trees and started mowing the area themselves. When it became too much for the residents the city put in a sprinkling system in 2003 and started maintaining the grounds. That same sprinkling system is there today. Mayor Carla Merrill said the milk shed is a safety hazard and is covered with graffiti. The shed could be turned into a restroom. Shane Sorensen suggested a cemetery to the north towards the Red Pine neighborhood. A sidewalk needs to be put in on the Canyon Crest side of the park for children to get safely to and from school. Shane Sorensen said the sidewalk could be put in before the MAG project. Jessica Smuin said the city could put in a sidewalk similar to Creekside Park. Greg Gordon said Paradise Lane is a private drive and there is a trail we could talk to the property owner to get access for pedestrians. Mayor Carla Merrill asked what the council sees for the future of this park. When going by the park it does not seem to be being used. Jessica Smuin said she sees this park as a quiet park. The park may not need many improvements besides the bridge, sidewalks, and parking lot. Shane Sorensen suggested a better spot for a parking lot would be on Red Pine. Jason Thelin said people used the park for sledding this past winter and better parking is needed. If the city is still thinking about putting pickleball courts this park might be a good location. We need to put the cemetery in as a talking point because the residents need to know

even if it's not going to take place for 40 years. If the city is going to improve the irrigation system, then we need to consider if we are going to put in a cemetery.

Fire Station:

Shane Sorensen said the budget for the fire station remodel is approximately \$4 million. Jessica Smuin said a new fire house could be a good recruiting tool. Shane Sorensen said putting the workout room in the basement may require an elevator which would be a compliance issue that he would check on. The city just replaced the HVAC last year so that would not need to be redone. The city has set aside \$500,000 for the remodel. Lon Lott explained the fire house was not built with any living areas and does not meet current fire code. When the fire house was first built, the city only had a volunteer fire department. Chief Brian Patten said he would use one of the unused bedrooms as an office. Jason Thelin said in the past Cedar Hills left the three cities public safety district and our city could face that issue again someday. Having our own fire station gives us a little bit of independence. We do not want to displace any of our fire fighters. Alpine is an aging community; the community center could be used as a senior center and as an overflow area during a City Council meeting. Shane Sorensen said Zions Bank could privately fund a bond at 2%, this would need to be done soon. We could have this money by March, having a couple of years to spend it. Jason Thelin asked if the city could get private donations for the gym equipment and fire house remodel.

Fiber Optics Installation:

Shane Sorensen said Cedar Hill has done an RFT took a year and partnered with UTOPIA. He said UTOPIA could have fiber installed within months. The city could do a survey where we get at least 60% of the residents willing to participate. The city can use ARPA funds to do a preliminary study. City Attorney Craig Hall said City Hills used an in-house committee to do the RFT. City Attorney Hyrum Bosserman said that UTOPIA ran a survey for the Cedar Hills and may be willing to do the same for Alpine. Greg Gordon asked if there would be financial risk and what the tax rate would be. Shane said the city could put together a committee consisting of staff, residents, and city council to meet with different companies. The city could hire someone to do a survey. Jason Thelin would like to get information on what companies' residents are using now and how much they are spending. Mayor Carla Merrill said one of the biggest benefits with fiber optics is faster speed. Lon Lott said most of the people are not going to be that tech savvy to switch things around. Most people are used to bundling everything together. The city/company would need to educate the residents. Mayor Carla Merrill said have the committee report back to the council. All future subdivisions should be required to put fiber optics in.

Burgess Park Pavilion:

Shane Sorensen said the original Burgess Park pavilion was built with a restroom in the back with a septic tank. The restroom needs to be torn out. Suggestions for the pavilion: storage building for equipment for football and baseball or putting a parking lot to the north of the pavilion and maintaining the pavilion. Having a parking lot next to a busy road and could be a safety issue. Greg Gordon suggested remove bathrooms and bolt down picnic tables. Lon Lott agreed parking would be a safety issue. He agreed with opening the pavilion up and putting in picnic tables. If the Lone Peak Football League needs to store equipment the other cities should help with that.

Pickleball Courts:

Shane Sorensen said the city held a public hearing to pick a location for new pickleball courts. The public hearing was during covid. The council considered multiple sites. The council decided on Healey Park. If the council still wants to proceed with the Healey Park location that we need to get it on the calendar for installation. There was one group of residents that wanted the city look at tennis courts at Burgess Park. There was another group of residents (most of those residents were neighbors to the park) that did not want the pickleball courts at Healey Park. Greg Gordon said a large groups tend to congregate to use the courts and the idea was to spread the courts out throughout the city. Shane Sorensen said the city has playground equipment and a pavilion ready to be

installed. The installation of the pavilion and playground equipment will need to wait until the pickleball courts are installed if the council chooses Healey Park. Lon Lott said council needs to be careful discussing the pickleball courts without having a public hearing. Jason Thelin said we should come up with two or three options and have another public hearing. Lon Lott said the public has contributed to viable locations. Mayor Carla Merrill said she sees three options: Healey Park, Burgess Park (flex courts) and Creekside Park. Greg Gordon suggested Creekside Park having four single courts running left to right. Shane Sorensen said the property at the 300 North well is no longer in a flood plain. Shane Sorensen said resident Lon Neild had mentioned the idea of an indoor court at that location, this would take more discussion and zoning etc.

Lambert Park Conservation Easement:

Shane Sorensen said the Lambert Park Conservation Committee would consist of Council members: Greg Gordon as chair and Jason Thelin, Staff: Alan McDonald, Jeff Davis, and Bonnie Cooper Residents: Sara Blackwell and Natalie Salmboski. Craig Hall and City Attorney Steve Doxey have written a draft of what we think the council wants as a management document. Mayor Carla Merrill said the council meeting has been bogged down with discussion on the conservation easement. Having this committee report back to the council will allow the council to continue to do city business. Mayor Carla Merrill would like the committee to both explore all options and then they decide on the Lambert Park easement, to start work on the management document. The goal is to have this completed by the end of the year. Jason Thelin said this committee may have to start from scratch to come up with a document. Mayor Carla Merrill said she would like the committee to come forward with options to preserve Lambert Park and come up with the management plan and create a draft for the council. Greg Gordon said he would set a meeting. Craig Hall said the meetings do not need to be published but we should notice them to be transparency. The city could publish summary minutes of the meetings. Craig Hall suggested the committee say yes or no to the conservation easement within 90 days or come up with different option.

Shane Sorensen said he would like to have work session meetings like this one every few months.

Craig Hall brought up a proposed resolution that will be coming to the City Council regarding prayers and thoughts that happen at the beginning of each City Council meeting. He asked if all the council received the email regarding the new legislative bill being drawn up because of Highland City Council not wanting to have any additional roads into their city that are not already in their City Plans. He believes the bill might affect Alpine. He asked if the council had heard anything from the trail committee that came and made public comments regarding the fence going in between Draper, Highland and Alpine blocking the trails. He reminded council members of the next ULCT (Utah League of Cities and Towns) training in April.

Motion: Greg Gordon moved to adjourn. Lon Lott seconded the motion. There were 5 Ayes and 0 Nays. The motion passed unanimously as recorded below.

Ayes

Nays

Lon Lott

Jason Thelin

Jessica Smuin

Kelli Law

Greg Gordon

Adjourned: 11:18 AM

1
2
3
4
5

DRAFT

ALPINE CITY
BOND RELEASE FORM
Release No. 9

BOND HOLDER

Thru Period Ending: December 31, 2021

The Ridge At Alpine Phase 5
Location: North Zachary Way

| Item # & Description | | Quantity | Units | Unit Price | | Total Cost | % Completed This Period** | % Completed To Date** | Total This Period |
|----------------------|---|----------|--------|------------|-----------|---------------|---------------------------|-----------------------|-------------------|
| 10 | Stabilized Construction Entrance | 2 | EACH @ | \$ | 3,000.00 | \$ 6,000.00 | 0.0% | 0.0% | \$ - |
| 20 | Silt Fence | 1872 | LF @ | \$ | 2.75 | \$ 5,148.00 | 0.0% | 0.0% | \$ - |
| 30 | Curb Inlet Protection | 14 | EACH @ | \$ | 300.00 | \$ 4,200.00 | 0.0% | 95.0% | \$ - |
| 40 | Toilet Rental | 5 | MO @ | \$ | 500.00 | \$ 2,500.00 | 0.0% | 95.0% | \$ - |
| 50 | Slope Stabilization (reseeding disturbed areas) | 180000 | SF @ | \$ | 0.19 | \$ 34,200.00 | 50.0% | 50.0% | \$ 17,100.00 |
| 60 | Concrete Washout | 1 | LS @ | \$ | 1,000.00 | \$ 1,000.00 | 0.0% | 95.0% | \$ - |
| 70 | Mobilization | 1 | LS @ | \$ | 10,000.00 | \$ 10,000.00 | 0.0% | 95.0% | \$ - |
| 80 | Clear and Grub | 8700 | SF @ | \$ | 0.50 | \$ 4,350.00 | 0.0% | 95.0% | \$ - |
| 90 | Connect to Existing Sewer | 2 | EACH @ | \$ | 750.00 | \$ 1,500.00 | 0.0% | 95.0% | \$ - |
| 100 | 8" PVC SDR 35 Sewer Main | 2340 | LF @ | \$ | 36.00 | \$ 84,240.00 | 0.0% | 95.0% | \$ - |
| 110 | 48" Sanitary Sewer Manhole | 13 | EACH @ | \$ | 3,250.00 | \$ 42,250.00 | 0.0% | 95.0% | \$ - |
| 120 | 4" PVC Sanitary Sewer Lateral | 29 | EACH @ | \$ | 1,200.00 | \$ 34,800.00 | 0.0% | 95.0% | \$ - |
| 130 | Connect to Existing Storm Drain | 3 | EACH @ | \$ | 750.00 | \$ 2,250.00 | 0.0% | 95.0% | \$ - |
| 140 | 15" RCP Storm Drain Pipe | 2000 | LF @ | \$ | 42.00 | \$ 84,000.00 | 0.0% | 95.0% | \$ - |
| 150 | 30" Storm Drain Pipe | 560 | LF @ | \$ | 84.00 | \$ 47,040.00 | 0.0% | 95.0% | \$ - |
| 160 | 60" Storm Drain Manhole | 15 | EACH @ | \$ | 3,350.00 | \$ 50,250.00 | 0.0% | 95.0% | \$ - |
| 170 | Curb Inlet Box/Storm Drain Cleanout Box | 11 | EACH @ | \$ | 2,950.00 | \$ 32,450.00 | 0.0% | 95.0% | \$ - |
| 180 | Combo Box | 1 | EACH @ | \$ | 6,500.00 | \$ 6,500.00 | 0.0% | 95.0% | \$ - |
| 190 | 4X4 Storm Drain Box | 1 | EACH @ | \$ | 6,500.00 | \$ 6,500.00 | 0.0% | 95.0% | \$ - |
| 200 | 30" End Section With Trash Rack, Rip Rap, and Swell Grading | 1 | LS @ | \$ | 12,500.00 | \$ 12,500.00 | 0.0% | 95.0% | \$ - |
| 210 | Connect to Existing Waterline | 2 | EACH @ | \$ | 3,550.00 | \$ 7,100.00 | 0.0% | 95.0% | \$ - |
| 220 | 8" PVC C900 DR18 Culinary Waterline | 1330 | LF @ | \$ | 32.00 | \$ 42,560.00 | 0.0% | 95.0% | \$ - |
| 230 | 12" PVC C900 DR18 Culinary Waterline | 1590 | LF @ | \$ | 45.50 | \$ 72,345.00 | 0.0% | 95.0% | \$ - |
| 240 | 8" CW Bend | 4 | EACH @ | \$ | 850.00 | \$ 3,400.00 | 0.0% | 95.0% | \$ - |
| 250 | 12" CW Bend | 4 | EACH @ | \$ | 1,100.00 | \$ 4,400.00 | 0.0% | 95.0% | \$ - |
| 260 | 12" CW Tee | 2 | EACH @ | \$ | 1,500.00 | \$ 3,000.00 | 0.0% | 95.0% | \$ - |
| 270 | 8" Gate Valve | 2 | EACH @ | \$ | 1,950.00 | \$ 3,900.00 | 0.0% | 95.0% | \$ - |
| 280 | 12" Gate Valve | 4 | EACH @ | \$ | 2,500.00 | \$ 10,000.00 | 0.0% | 95.0% | \$ - |
| 290 | Fire Hydrant | 6 | EACH @ | \$ | 5,500.00 | \$ 33,000.00 | 0.0% | 95.0% | \$ - |
| 300 | Temp Blowoff | 1 | EACH @ | \$ | 1,750.00 | \$ 1,750.00 | 0.0% | 95.0% | \$ - |
| 310 | 1" CTS Poly Culinary Services | 29 | EACH @ | \$ | 1,375.00 | \$ 39,875.00 | 0.0% | 95.0% | \$ - |
| 320 | Connect to Pressurized Irrigation Line | 2 | EACH @ | \$ | 3,550.00 | \$ 7,100.00 | 0.0% | 95.0% | \$ - |
| 330 | 6" PVC C900 DR18 Pressurized Irrigation Line | 2650 | LF @ | \$ | 28.00 | \$ 74,200.00 | 0.0% | 77.9% | \$ - |
| 340 | 6" PI Bend | 8 | EACH @ | \$ | 750.00 | \$ 6,000.00 | 0.0% | 95.0% | \$ - |
| 350 | 6" PI Tee | 1 | EACH @ | \$ | 1,250.00 | \$ 1,250.00 | 0.0% | 95.0% | \$ - |
| 360 | 6" Gate Valve | 3 | EACH @ | \$ | 1,850.00 | \$ 5,550.00 | 0.0% | 95.0% | \$ - |
| 370 | 1" CTS Poly PI Services | 29 | EACH @ | \$ | 1,300.00 | \$ 37,700.00 | 0.0% | 95.0% | \$ - |
| 380 | PI Air Vac | 1 | EACH @ | \$ | 3,950.00 | \$ 3,950.00 | 0.0% | 95.0% | \$ - |
| 390 | Rough Grade Native Sub-Grade | 162920 | SF @ | \$ | 0.20 | \$ 32,584.00 | 0.0% | 95.0% | \$ - |
| 400 | 24" Curb & Gutter Prep (6" Road Base) | 5280 | LF @ | \$ | 5.00 | \$ 26,400.00 | 0.0% | 95.0% | \$ - |
| 410 | 24" Curb and Gutter APWA Type A | 5280 | LF @ | \$ | 14.50 | \$ 76,560.00 | 0.0% | 95.0% | \$ - |
| 420 | 9" Road Base | 93825 | SF @ | \$ | 1.00 | \$ 93,825.00 | 0.0% | 95.0% | \$ - |
| 430 | 3" Hot Mix Asphalt | 93825 | SF @ | \$ | 1.65 | \$ 154,811.25 | 0.0% | 95.0% | \$ - |
| 440 | Sidewalk Prep (6" Road Base) | 26395 | SF @ | \$ | 0.95 | \$ 25,075.25 | 0.0% | 95.0% | \$ - |
| 450 | Concrete Sidewalk (4' Wide X 5" Thick) | 26395 | SF @ | \$ | 5.25 | \$ 138,573.75 | 0.0% | 95.0% | \$ - |
| 460 | ADA Ramp | 4 | EACH @ | \$ | 1,400.00 | \$ 5,600.00 | 0.0% | 95.0% | \$ - |
| 470 | Concrete Valve Collars | 14 | EACH @ | \$ | 500.00 | \$ 7,000.00 | 0.0% | 95.0% | \$ - |
| 480 | Concrete Manhole Collars | 29 | EACH @ | \$ | 600.00 | \$ 17,400.00 | 0.0% | 95.0% | \$ - |
| 490 | Dry Utilities- Per Lot Budget (Remaining 13 Lots) | 29 | EACH @ | \$ | 6,500.00 | \$ 188,500.00 | 0.0% | 95.0% | \$ - |
| 500 | Sanitary Sewer - Trench Backfill | 7650 | TON @ | \$ | 13.50 | \$ 103,275.00 | 0.0% | 95.0% | \$ - |
| 510 | Storm Drain - Trench Backfill | 2810 | TON @ | \$ | 13.50 | \$ 37,935.00 | 0.0% | 95.0% | \$ - |
| 520 | Culinary Water- Trench Backfill | 3140 | TON @ | \$ | 13.50 | \$ 42,390.00 | 0.0% | 95.0% | \$ - |
| 530 | Pressurized Irrigation-Trench Backfill | 1520 | TON @ | \$ | 13.50 | \$ 20,520.00 | 0.0% | 95.0% | \$ - |
| 540 | Mail Box and Pad - (4) 16 Unit Boxes; (1) 12 Unit box, Per Postmaster | 1 | EACH @ | \$ | 3,500.00 | \$ 3,500.00 | 0.0% | 95.0% | \$ - |
| 550 | Street Signs | 4 | EACH @ | \$ | 1,500.00 | \$ 6,000.00 | 0.0% | 95.0% | \$ - |
| 560 | Street Lights | 3 | EACH @ | \$ | 5,500.00 | \$ 16,500.00 | 0.0% | 0.0% | \$ - |
| CO-1 | 2' Over-Ex in P.U.E. | 1 | LS @ | \$ | 83,296.50 | \$ 83,296.50 | 0.0% | 100.0% | \$ - |
| 600 | Engineering | 1 | LS @ | \$ | 20,000.00 | \$ 20,000.00 | 0.0% | 0.0% | \$ - |
| 610 | Survey | 1 | LS @ | \$ | 20,000.00 | \$ 20,000.00 | 0.0% | 0.0% | \$ - |
| 620 | Impact Fees | 29 | LOTS @ | \$ | 4,671.32 | \$ 135,468.28 | 0.0% | 0.0% | \$ - |
| 630 | Inspection Fees | 29 | LOTS @ | \$ | 418.00 | \$ 12,122.00 | 0.0% | 0.0% | \$ - |
| 640 | Dry Utility Design | 1 | LS @ | \$ | 40,000.00 | \$ 40,000.00 | 0.0% | 0.0% | \$ - |

| | | | | |
|------------------------|----|--------------|-------------------------|--------------|
| BASE BID TOTAL | \$ | 2,136,094.03 | Previously Released: \$ | 1,745,789.80 |
| 10% Warranty Amount | \$ | 213,609.40 | | |
| TOTAL BOND AMOUNT | \$ | 2,349,703.43 | This Release: \$ | 17,100.00 |
| Total Released to Date | \$ | 1,762,889.80 | | |
| TOTAL BOND REMAINING | \$ | 586,813.63 | | |

At the discretion of the city, up to 95% of the Base Bid Total may be released as partial payments and 100% of the Base Bid Total will be released at final inspection. The 10% Warranty Amount will be held for the one year warranty period.

Paul Kroff
Developer

Date

Carla Merrill
Mayor

Date



Jed Muhlestein, P.E.
City Engineer

1/19/2022
Date

City Council
(by Bonnie Cooper - City Recorder)

Date

ALPINE CITY
BOND RELEASE FORM
Release No. 1

BOND HOLDER

Thru Period Ending: December 31, 2021


Layton Alpine Subdivision

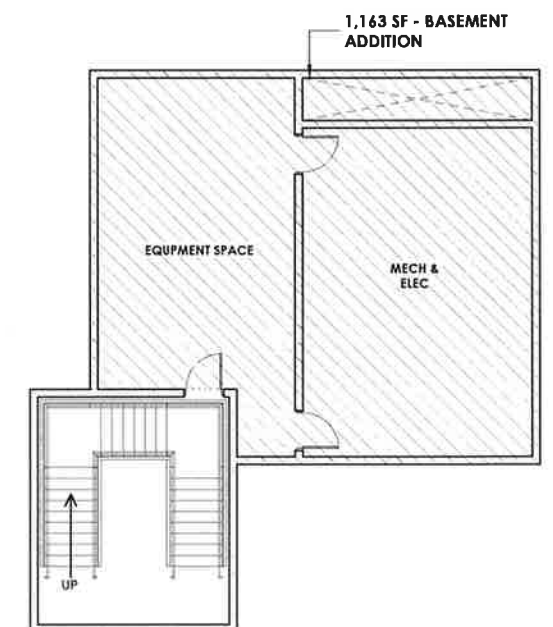
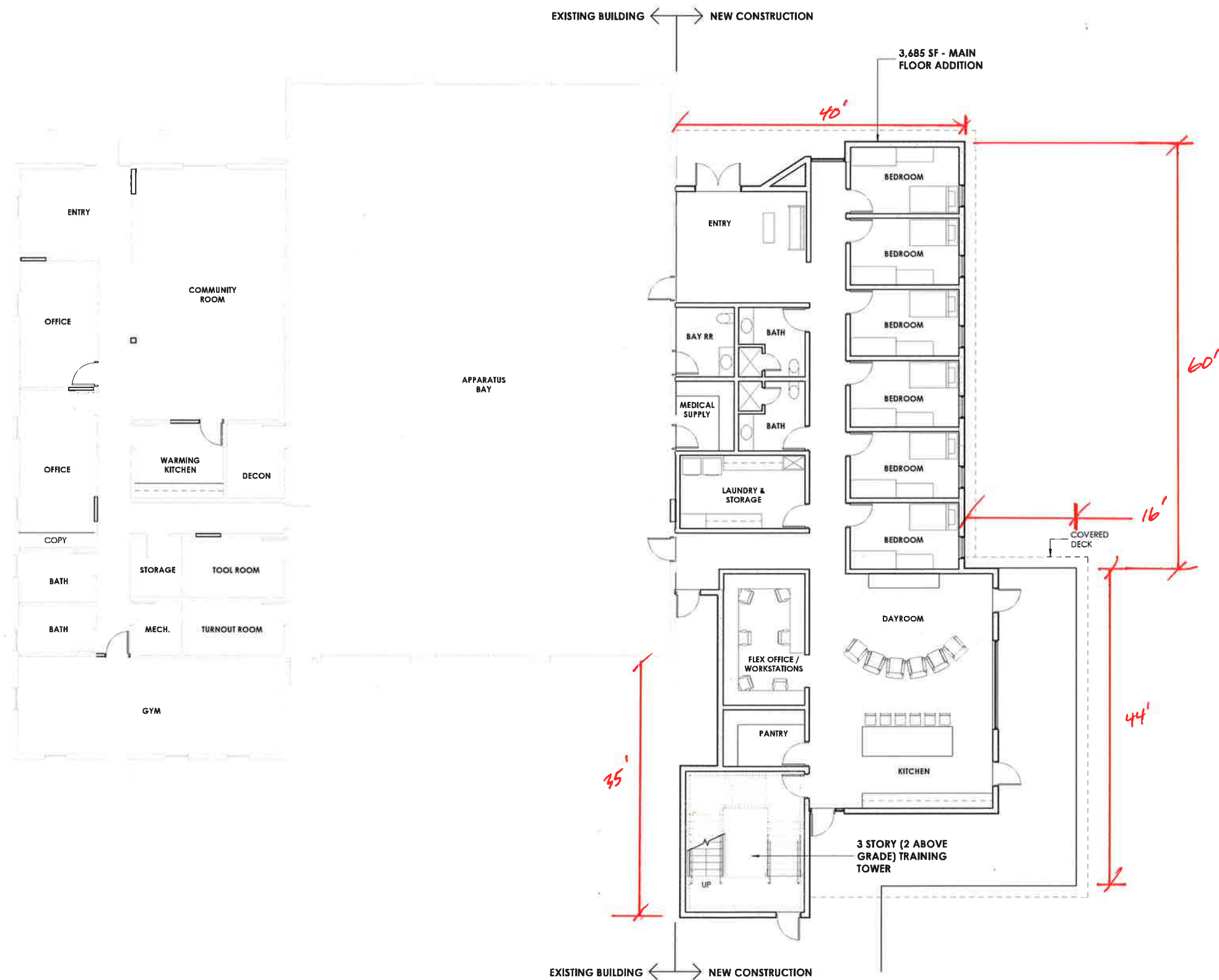
Location: 200 North/Whitby Woodlands Drive

| Item # & Description | | Quantity | Units | Unit Price | | Total Cost | % Completed This Period** | % Completed To Date** | Total This Period | | | |
|----------------------|--|----------|-------|------------|----|------------|---------------------------|-----------------------|-------------------|-------|----|-----------|
| SWPPP | Stabilized Construction Entrance | 2 | EACH | @ | \$ | 3,000.00 | \$ | 6,000.00 | 95.0% | 95.0% | \$ | 5,700.00 |
| SWPPP | Toilet Rental | 1 | LS | @ | \$ | 1,500.00 | \$ | 1,500.00 | 95.0% | 95.0% | \$ | 1,425.00 |
| SWPPP | Curb Inlet Protection | 6 | EACH | @ | \$ | 300.00 | \$ | 1,800.00 | 0.0% | 0.0% | \$ | - |
| SWPPP | Seeding of Disturbed Areas | 30000 | SF | @ | \$ | 0.19 | \$ | 5,700.00 | 0.0% | 0.0% | \$ | - |
| SWPPP | Slope Stabilization on 400 W (1 extra layer of seed and matting) | 21000 | SF | @ | \$ | 1.19 | \$ | 24,990.00 | 0.0% | 0.0% | \$ | - |
| DIRT | Clear and Grub (Whitby) | 84000 | SF | @ | \$ | 0.25 | \$ | 21,000.00 | 95.0% | 95.0% | \$ | 19,950.00 |
| DIRT | Cut | 975 | CY | @ | \$ | 5.00 | \$ | 4,875.00 | 95.0% | 95.0% | \$ | 4,631.25 |
| DIRT | Fill | 5503 | CY | @ | \$ | 5.00 | \$ | 27,535.00 | 95.0% | 95.0% | \$ | 26,158.25 |
| DIRT | Import Fill | 4864 | CY | @ | \$ | 18.00 | \$ | 87,552.00 | 95.0% | 95.0% | \$ | 83,174.40 |
| DIRT | Clear and Grub (400 W) | 23400 | CY | @ | \$ | 0.25 | \$ | 5,850.00 | 0.0% | 0.0% | \$ | - |
| DIRT | Cut (400 W) | 2105 | CY | @ | \$ | 7.00 | \$ | 14,735.00 | 0.0% | 0.0% | \$ | - |
| DIRT | Traffic Control | 1 | LS | @ | \$ | 2,000.00 | \$ | 2,000.00 | 0.0% | 0.0% | \$ | - |
| SEWER | 8" PVC SDR 35 Sewer Main | 580 | LF | @ | \$ | 32.59 | \$ | 18,902.20 | 95.0% | 95.0% | \$ | 17,957.09 |
| SEWER | 4" PVC Sanitary Sewer Lateral | 5 | EACH | @ | \$ | 1,200.00 | \$ | 6,000.00 | 95.0% | 95.0% | \$ | 5,700.00 |
| SEWER | 48" Sanitary Sewer Manhole | 5 | EACH | @ | \$ | 3,500.00 | \$ | 17,500.00 | 95.0% | 95.0% | \$ | 16,625.00 |
| SEWER | Sewer Bedding | 700 | TON | @ | \$ | 19.50 | \$ | 13,650.00 | 95.0% | 95.0% | \$ | 12,967.50 |
| SEWER | Air Testing | 5 | EACH | @ | \$ | 375.00 | \$ | 1,875.00 | 95.0% | 95.0% | \$ | 1,781.25 |
| SEWER | Clean & Video | 580 | LF | @ | \$ | 3.75 | \$ | 2,175.00 | 95.0% | 95.0% | \$ | 2,066.25 |
| SEWER | Connect to Existing Sewer | 1 | EACH | @ | \$ | 800.00 | \$ | 800.00 | 95.0% | 95.0% | \$ | 760.00 |
| CUL-WTR | Connect to Existing Waterline | 2 | EACH | @ | \$ | 500.00 | \$ | 1,000.00 | 95.0% | 95.0% | \$ | 950.00 |
| CUL-WTR | 8" PVC C900 DR18 Culinary Waterline | 740 | LF | @ | \$ | 35.18 | \$ | 26,033.20 | 95.0% | 95.0% | \$ | 24,731.54 |
| CUL-WTR | 6" PVC C900 DR18 Culinary Waterline | 40 | LF | @ | \$ | 30.67 | \$ | 1,226.80 | 95.0% | 95.0% | \$ | 1,165.46 |
| CUL-WTR | 1" CTS Poly Culinary Services | 5 | EACH | @ | \$ | 1,788.16 | \$ | 8,940.80 | 95.0% | 95.0% | \$ | 8,493.76 |
| CUL-WTR | 8" CW MJ Bend | 6 | EACH | @ | \$ | 410.82 | \$ | 2,464.92 | 95.0% | 95.0% | \$ | 2,341.67 |
| CUL-WTR | 5" Bury Fire Hydrant | 2 | EACH | @ | \$ | 3,968.80 | \$ | 7,937.60 | 95.0% | 95.0% | \$ | 7,540.72 |
| CUL-WTR | 8"x6" Tee | 2 | EACH | @ | \$ | 652.50 | \$ | 1,305.00 | 95.0% | 95.0% | \$ | 1,239.75 |
| CUL-WTR | 6" Flg/MJ Gate Valve | 2 | EACH | @ | \$ | 1,058.62 | \$ | 2,117.24 | 95.0% | 95.0% | \$ | 2,011.38 |
| CUL-WTR | 8" MJ Gate Valve | 1 | EACH | @ | \$ | 1,618.50 | \$ | 1,618.50 | 95.0% | 95.0% | \$ | 1,537.58 |
| CUL-WTR | Valve Box | 4 | EACH | @ | \$ | 100.00 | \$ | 400.00 | 95.0% | 95.0% | \$ | 380.00 |
| CUL-WTR | 8" Megalug | 22 | EACH | @ | \$ | 93.95 | \$ | 2,066.90 | 95.0% | 95.0% | \$ | 1,963.56 |
| CUL-WTR | 6" Megalug | 4 | EACH | @ | \$ | 71.61 | \$ | 286.44 | 95.0% | 95.0% | \$ | 272.12 |
| CUL-WTR | Thrust Block | 12 | EACH | @ | \$ | 240.00 | \$ | 2,880.00 | 95.0% | 95.0% | \$ | 2,736.00 |
| CUL-WTR | Locate Wire & Tape | 1000 | LF | @ | \$ | 0.75 | \$ | 750.00 | 95.0% | 95.0% | \$ | 712.50 |
| CUL-WTR | Waterline Bedding | 640 | TON | @ | \$ | 19.50 | \$ | 12,480.00 | 95.0% | 95.0% | \$ | 11,856.00 |
| CUL-WTR | 8" MJ Sleeve | 1 | EACH | @ | \$ | 338.65 | \$ | 338.65 | 95.0% | 95.0% | \$ | 321.72 |
| CUL-WTR | Testing & Flushing | 1 | LS | @ | \$ | 2,000.00 | \$ | 2,000.00 | 50.0% | 50.0% | \$ | 1,000.00 |
| CUL-WTR | Misc | 1 | LS | @ | \$ | 500.00 | \$ | 500.00 | 95.0% | 95.0% | \$ | 475.00 |
| CUL-WTR | Temp Blowoff | 1 | EACH | @ | \$ | 1,750.00 | \$ | 1,750.00 | 0.0% | 0.0% | \$ | - |
| SEC-WTR | Hot tap 12x6 | 1 | EACH | @ | \$ | 5,000.00 | \$ | 5,000.00 | 0.0% | 0.0% | \$ | - |
| SEC-WTR | 6" PVC C900 DR18 Pressurized Irrigation Line | 120 | LF | @ | \$ | 45.67 | \$ | 5,480.40 | 0.0% | 0.0% | \$ | - |
| SEC-WTR | 6" PVC C900 DR18 Pressurized Irrigation Line | 820 | LF | @ | \$ | 30.67 | \$ | 25,149.40 | 95.0% | 95.0% | \$ | 23,891.93 |
| SEC-WTR | 8"x6" MJ Reducer | 1 | EACH | @ | \$ | 306.20 | \$ | 306.20 | 95.0% | 95.0% | \$ | 290.89 |
| SEC-WTR | 6" MJ Gate Valve | 2 | EACH | @ | \$ | 1,161.10 | \$ | 2,322.20 | 95.0% | 95.0% | \$ | 2,206.09 |
| SEC-WTR | 4" Drain | 1 | EACH | @ | \$ | 2,858.00 | \$ | 2,858.00 | 95.0% | 95.0% | \$ | 2,715.10 |
| SEC-WTR | 6" MJ Bends | 8 | EACH | @ | \$ | 326.10 | \$ | 2,608.80 | 95.0% | 95.0% | \$ | 2,478.36 |
| SEC-WTR | 8" Mega Lug | 1 | EACH | @ | \$ | 93.95 | \$ | 93.95 | 95.0% | 95.0% | \$ | 89.25 |
| SEC-WTR | 6" Mega Lug | 18 | LF | @ | \$ | 71.61 | \$ | 1,288.98 | 95.0% | 95.0% | \$ | 1,224.53 |
| SEC-WTR | Thrust Block | 12 | LF | @ | \$ | 240.00 | \$ | 2,880.00 | 95.0% | 95.0% | \$ | 2,736.00 |
| SEC-WTR | PI Bedding | 800 | TON | @ | \$ | 19.50 | \$ | 15,600.00 | 95.0% | 95.0% | \$ | 14,820.00 |
| SEC-WTR | Locate Wire & Tape | 1400 | LF | @ | \$ | 0.75 | \$ | 1,050.00 | 95.0% | 95.0% | \$ | 997.50 |
| SEC-WTR | Testing & Flushing | 1 | LS | @ | \$ | 1,000.00 | \$ | 1,000.00 | 0.0% | 0.0% | \$ | - |
| SEC-WTR | Connect to Existing | 1 | EACH | @ | \$ | 500.00 | \$ | 500.00 | 95.0% | 95.0% | \$ | 475.00 |
| SEC-WTR | 1" PI Service | 5 | EACH | @ | \$ | 1,361.11 | \$ | 6,805.55 | 95.0% | 95.0% | \$ | 6,465.27 |
| SEC-WTR | Traffic Control | 1 | LS | @ | \$ | 2,500.00 | \$ | 2,500.00 | 0.0% | 0.0% | \$ | - |
| SEC-WTR | Road Cut Permit | 1 | EACH | @ | \$ | 1,000.00 | \$ | 1,000.00 | 0.0% | 0.0% | \$ | - |
| SEC-WTR | Valve Boxes | 2 | EACH | @ | \$ | 100.00 | \$ | 200.00 | 95.0% | 95.0% | \$ | 190.00 |
| STORM | 15" ADS Pipe | 740 | LF | @ | \$ | 40.70 | \$ | 30,118.00 | 86.5% | 86.5% | \$ | 26,048.00 |
| STORM | 60" Storm Drain Manhole | 2 | EACH | @ | \$ | 3,572.00 | \$ | 7,144.00 | 95.0% | 95.0% | \$ | 6,786.80 |
| STORM | 48" Storm Drain Manhole | 3 | EACH | @ | \$ | 3,185.00 | \$ | 9,555.00 | 95.0% | 95.0% | \$ | 9,077.25 |
| STORM | Pre-treatment 60" | 1 | EACH | @ | \$ | 5,652.00 | \$ | 5,652.00 | 95.0% | 95.0% | \$ | 5,369.40 |
| STORM | Snout | 1 | EACH | @ | \$ | 700.00 | \$ | 700.00 | 95.0% | 95.0% | \$ | 665.00 |
| STORM | 60" Pour In-place Manhole | 1 | EACH | @ | \$ | 4,680.00 | \$ | 4,680.00 | 0.0% | 0.0% | \$ | - |
| STORM | Overflow Box | 1 | EACH | @ | \$ | 7,940.00 | \$ | 7,940.00 | 0.0% | 0.0% | \$ | - |
| STORM | 60" Sump | 1 | EACH | @ | \$ | 7,280.00 | \$ | 7,280.00 | 95.0% | 95.0% | \$ | 6,916.00 |
| STORM | 2x3x5 Curb Inlet Box | 6 | EACH | @ | \$ | 2,500.00 | \$ | 15,000.00 | 95.0% | 95.0% | \$ | 14,250.00 |
| STORM | Pipe Collars | 30 | EACH | @ | \$ | 125.00 | \$ | 3,750.00 | 95.0% | 95.0% | \$ | 3,562.50 |
| STORM | Bedding | 700 | TON | @ | \$ | 19.50 | \$ | 13,650.00 | 95.0% | 95.0% | \$ | 12,967.50 |
| STORM | Air Testing | 7 | EACH | @ | \$ | 375.00 | \$ | 2,625.00 | 95.0% | 95.0% | \$ | 2,493.75 |
| STORM | Clean & Video | 740 | LS | @ | \$ | 3.75 | \$ | 2,775.00 | 95.0% | 95.0% | \$ | 2,636.25 |
| STORM | Detention Basin | 1 | LS | @ | \$ | 21,650.00 | \$ | 21,650.00 | 95.0% | 95.0% | \$ | 20,567.50 |
| STORM | Connect to Existing | 1 | EACH | @ | \$ | 750.00 | \$ | 750.00 | 0.0% | 0.0% | \$ | - |
| CONCRETE | 24" Curb and Gutter APWA Type A (incl road base) | 1560 | LF | @ | \$ | 18.50 | \$ | 28,860.00 | 0.0% | 0.0% | \$ | - |
| CONCRETE | Concrete Sidewalk (4' Wide X 5" Thick) | 6300 | SF | @ | \$ | 5.75 | \$ | 36,225.00 | 0.0% | 0.0% | \$ | - |
| CONCRETE | Curb Inlet Tie-ins | 6 | EACH | @ | \$ | 550.00 | \$ | 3,300.00 | 0.0% | 0.0% | \$ | - |
| CONCRETE | Mobilization | 2 | EACH | @ | \$ | 750.00 | \$ | 1,500.00 | 0.0% | 0.0% | \$ | - |
| CONCRETE | Concrete Sidewalk (5' Wide X 5" Thick) - 400 W | 1800 | SF | @ | \$ | 5.75 | \$ | 10,350.00 | 0.0% | 0.0% | \$ | - |
| CONCRETE | Concrete Sidewalk (4' Wide X 5" Thick) - 400 W | 1440 | SF | @ | \$ | 5.75 | \$ | 8,280.00 | 0.0% | 0.0% | \$ | - |
| CONCRETE | Mobilization (400 W) | 1 | LS | @ | \$ | 750.00 | \$ | 750.00 | 0.0% | 0.0% | \$ | - |
| CONCRETE | Parking Pad (5" thick) | 500 | SF | @ | \$ | 6.00 | \$ | 3,000.00 | 0.0% | 0.0% | \$ | - |
| CONCRETE | Cut Existing Concrete | 30 | LF | @ | \$ | 10.00 | \$ | 300.00 | 0.0% | 0.0% | \$ | - |
| ASPHALT | 3" Hot Mix Asphalt | 29600 | SF | @ | \$ | 1.40 | \$ | 41,440.00 | 0.0% | 0.0% | \$ | - |
| ASPHALT | 8" Road Base | 29600 | SF | @ | \$ | 1.00 | \$ | 29,600.00 | 0.0% | 0.0% | \$ | - |
| ASPHALT | 12" Sub-base | 33100 | SF | @ | \$ | 1.00 | \$ | 33,100.00 | 0.0% | 0.0% | \$ | - |
| ASPHALT | Concrete Manhole Collars | 12 | EACH | @ | \$ | 675.00 | \$ | 8,100.00 | 0.0% | 0.0% | \$ | - |
| ASPHALT | Concrete Valve Collars | 8 | EACH | @ | \$ | 475.00 | \$ | 3,800.00 | 0.0% | 0.0% | \$ | - |
| ASPHALT | Sawcut Asphalt | 160 | LF | @ | \$ | 2.50 | \$ | 400.00 | 0.0% | 0.0% | \$ | - |
| ASPHALT | Asphalt Removal | 7200 | SF | @ | \$ | 0.25 | \$ | 1,800.00 | 0.0% | 0.0% | \$ | - |
| MISC | Street Signs | 2 | EACH | @ | \$ | 1,500.00 | \$ | 3,000.00 | 0.0% | 0.0% | \$ | - |
| MISC | Mail Box and Pad, Per Postmaster | 1 | EACH | @ | \$ | 3,500.00 | \$ | 3,500.00 | 0.0% | 0.0% | \$ | - |

| | | | | |
|------------------------|----|------------|-------------------------|------------|
| 10% Warranty Amount | \$ | 767,752.73 | Previously Released: \$ | - |
| TOTAL BOND AMOUNT | \$ | 76,775.27 | | |
| Total Released to Date | \$ | 844,528.00 | This Release: \$ | 438,544.61 |
| TOTAL BOND REMAINING | \$ | 438,544.61 | | |
| | \$ | 405,983.39 | | |

At the discretion of the city, up to 95% of the Base Bid Total may be released as partial payments and 100% of the Base Bid Total will be released at final inspection. The 10% Warranty Amount will be held for the one year warranty period.

| | |
|---|---|
| <div>_____</div> <div>Will Jones Developer</div> | <div>_____</div> <div>Date</div> |
| <div>_____</div> <div>Carla Merrill Mayor</div> | <div>_____</div> <div>Date</div> |
| <div>  </div> <div>_____</div> <div>Jed Muhlestein, P.E. City Engineer</div> | <div>1/21/2022</div> <div>_____</div> <div>Date</div> |
| <div>_____</div> <div>City Council (by Bonnie Cooper - City Recorder)</div> | <div>_____</div> <div>Date</div> |



Fire Station Funding Scenarios

Following are three sales tax revenue bond funding scenarios provided by Mark Anderson from Zions Public Finance. These scenarios are based on private funded bonds at current interest rates. Rates are currently rising. The current rough estimate is ~\$4M. We have about \$500k in the FY2022 budget for the fire station remodel. Time required to close on the bond is about 60 days.

| | 20 Year | 15 Year | 10 Year |
|---------------------|----------------|----------------|----------------|
| TIC | 2.16% | 1.83% | 1.43% |
| Proceeds | \$ 3,500,000 | \$ 3,500,000 | \$ 3,500,000 |
| Par Amount | \$ 3,530,000 | \$ 3,530,000 | \$ 3,530,000 |
| Total P&I | \$ 4,383,725 | \$ 4,067,806 | \$ 3,823,188 |
| Avg. Annual Payment | \$ 219,186 | \$ 271,187 | \$ 382,319 |





**FY2021-2022 Budget Adjustments and
FY2022-2023 Budget Development Schedule**
(including key dates for Lone Peak Public Safety District - LPPSD)

| | |
|-----------------------------------|---|
| Tuesday, February 8, 2022 | Alpine City: Work session to discuss budget ideas/priorities with City Council. |
| Tuesday, March 1, 2022 | Alpine City: Budget working draft distributed to City Council. |
| Tuesday, April 12, 2022 | Alpine City: Work session to discuss budget at City Council meeting |
| Wednesday, April 13, 2022 | LPPSD: Work session, public hearing and adoption of FY2022-23 LPPSD tentative budget. |
| April 13-26, 2022 | Individual meetings with City Council members to discuss budget. |
| Tuesday, April 26, 2022 | City Council approve LPPSD budget, if necessary (See Note 1) |
| Friday, April 29, 2022 | Alpine City: Finalize FY2022-23 Tentative Budget document. |
| Sunday, May 1, 2022 | Alpine City: Provide notice of public hearing for the May 10 tentative budget adoption (minimum 7 days in advance). |
| Tuesday, May 10, 2022 | Alpine City: Public hearing on FY2023 tentative budget and adoption of tentative budget |
| Wednesday, May 11, 2022 | LPPSD: Public hearing and adoption of FY2021-22 final budget amendments and FY2022-23 final budget |
| Wednesday, June 8, 2022 | Certified Tax Rate due from County |
| Sunday, June 19, 2022 | Alpine City: Provide notice of public hearings for the June 28 FY2021-22 final budget amendments and adoption of FY2022-23 final budget |
| Tuesday, June 28, 2022 | Alpine City: Public hearing on FY2021-22 final budget amendments and adoption of FY2022-23 final budget |
| " | Alpine City: Adopt a resolution setting the annual certified tax rate OR if needed set a public hearing for "Truth in Taxation" in August |
| Within 30 days of Budget Adoption | Adopted budget submitted to State Auditor |

Note 1: As per the approved LPPSD Interlocal Agreement approved in 2020, the following is required: The annual budget increase or decrease for the District shall not exceed the average property tax revenue increase or decrease of both Cities budgets of the previous fiscal year, excluding any new revenue increases, with the majority vote of each City Council. Said vote of each City Council shall occur prior to the adoption of the final budget.

ALPINE CITY COUNCIL AGENDA

SUBJECT: Resolution R2022-08: A Resolution Adopting Policies Pertaining to Participating in Alpine City Council Meeting Devotionals

FOR CONSIDERATION ON: 25 January 2022

PETITIONER: City Staff

ACTION REQUESTED BY PETITIONER: Consider approval of a resolution to establishing policies and procedures for devotional participation.

BACKGROUND INFORMATION:

On occasion, the City receives requests to participate in giving a prayer or devotional at the beginning of public meetings. City staff is recommending that a policy be adopted regarding how a person can request to participate. The recommended policy has been prepared as Resolution R2022-08.

STAFF RECOMMENDATION:

Approve Resolution R2022-08, establishing policies and procedures for devotional participation.

SAMPLE MOTION TO APPROVE:

I move that Resolution R2022-08 be approved establishing policies and procedures for devotional participation.

SAMPLE MOTION TO TABLE/DENY:

I move that Resolution R2022-08 be tabled or denied based on the following:

- ***Insert Finding***

EXHIBIT A

DEVOTIONAL PARTICIPATION POLICY AND PROCEDURE

Alpine City (the "City") invites Churches, Civic Groups, and Individuals to present "Thought, Reading or Invocation" at its Opening Ceremony for City Council Meetings as per Resolution R2022-08 passed 25th day of January, 2022.

1. It is the policy of the City Council to allow for a wide variety of community organizations, churches, and individuals to offer thoughts, readings, and invocations at City Council and other public meetings to achieve the above stated purposes.
2. The presentation shall be done on a volunteer basis and without cost to the City.
3. The presentations are intended to be nondenominational and non-proselytizing in character; however, the City will not dictate the form or content of any such presentation.
4. To carry out the policy the following procedures shall be followed:
 - The City Recorder shall allow to be scheduled: presentation of thoughts, readings, and invocations for the opening ceremony of the meetings of the City Council Meetings.
 - If the scheduled presenter does not show up at the meeting, the City will allow for a presentation of thoughts, readings, and invocations for the opening ceremony by invitation of the person charged with conducting the meeting.
 - The City Recorder shall notice the public every six months, via resources available to the City, inviting area churches and civic groups to contact the City to be scheduled to present the thought, reading, or invocation.
 - Individuals that do not receive an invitation are also welcomed to present by giving the City Recorder a written request to do so.
 - The City Recorder shall inform those who are to give the presentation a copy of this resolution and instruct the presenter that it is the City Council's desire to keep the presentation to less than 2 minutes. The City Recorder shall inquire of the presenter how he/she would like the presentation to be listed on the agenda, for example whether it will be a prayer, reading, or thought.

Please contact Bonnie Cooper, City Recorder if you would like to schedule a presentation for the opening ceremony at a City Council Meeting. Alpine City Council meets the second and fourth Tuesday of each month. Presentation time shall be less than 2 minutes.

RESOLUTION NO. R2022-08

**A RESOLUTION ADOPTING POLICIES PERTAINING TO PARTICIPATING IN ALPINE CITY
COUNCIL MEETING DEVOTIONALS**

WHEREAS, Alpine City (the “City”) holds bi-weekly formal city council meetings to conduct the formal business of the City; and

WHEREAS, to begin the meeting certain time has been set aside for the given of a brief thought, devotional message, prayer, or brief recitation of an inspiration nature; and

WHEREAS, a preliminary policy has been drafted and presented to the City Council for their review and comments; and

WHEREAS, said policy is attached as Exhibit “A”.

NOW THEREFORE, be it resolved by the City Council of Alpine City, Utah as follows:

That Exhibit “A” Policy Regarding Devotional Presentations be adopted as presented, effective immediately.

ADOPTED, RESOLVED, AND ORDERED, by the City Council of Alpine City, Utah, this 25th day of January, 2022.

ALPINE CITY

Carla Merrill
Mayor

[SEAL]

VOTING:

| | | |
|---------------|-----------|-----------|
| Jessica Smuin | Yea _____ | Nay _____ |
| Lon Lott | Yea _____ | Nay _____ |
| Jason Thelin | Yea _____ | Nay _____ |
| Kelli Law | Yea _____ | Nay _____ |
| Greg Gordon | Yea _____ | Nay _____ |

ATTEST:

Bonnie Cooper
City Recorder

DEPOSITED in the office of the City Recorder this 25th day of January, 2022.

RECORDED this 25th day of January, 2022.

ALPINE CITY COUNCIL AGENDA

SUBJECT: Burgess Park Pavilion Improvements

FOR CONSIDERATION ON: 25 January 2022

PETITIONER: City Staff

ACTION REQUESTED BY PETITIONER: Approve the proposed improvements to the Burgess Park Pavilion.

BACKGROUND INFORMATION:

The pavilion at the south end of Burgess Park is in need of some improvements. The pavilion currently has a restroom built into the west portion of the pavilion. The restroom has not been in use for 15+ years and is not a candidate for repair. The old wood picnic tables were removed several years ago after they were vandalized. The pavilion has not had picnic tables since that time.

City staff is proposing to remove the restroom from the west end of the pavilion to create an open pavilion. The improvements would also include installing soffit in the ceiling of the pavilion to prevent birds from being in the trusses, potentially painting or staining the structure, repairing the roof if needed and installing new aluminum picnic tables. If the concept of the proposed improvement project is approved by the City Council, City staff will prepare a cost estimate for project. Funds have been allocated in the FY2022 budget for this project.

STAFF RECOMMENDATION:

Approve the concept of the improvements to the South Burgess Park Pavilion.

SAMPLE MOTION TO APPROVE:

I move that City Staff prepare a cost estimate for the proposed improvements to the South Burgess Park Pavilion and bring it back to City Council for approval.

SAMPLE MOTION TO TABLE/DENY:

I move that the proposal to complete the proposed improvements to the South Burgess Park Pavilion as follows:

- ***Insert Finding***









ALPINE CITY COUNCIL AGENDA

SUBJECT: Height and Grading Requirements

FOR CONSIDERATION ON: 25 January 2022

PETITIONER: Mayor Stout

ACTION REQUESTED BY PETITIONER: Review the City's height and grading requirements and make changes as needed.

BACKGROUND INFORMATION:

In 2021 the Mayor asked the City to look at the current height and grading regulations and investigate other options. In September the City Council and Planning Commission participated in a fieldtrip to view examples of height and grading around the City. Following the fieldtrip, the Planning Commission held several discussions on the item and reviewed standards in other hillside communities in Utah. Based on their findings, the Planning Commission is recommending that the City continue with existing height and grading regulations. Below is a timeline.

On August 3, 2021, the Planning Commission held a discussion on height of buildings in Alpine. The Planning Commission asked that staff research how building height is regulated in other cities.

On August 17, 2021, the Planning Commission continued the discussion on height and information on how other City's measure height. The Planning Commission also discussed "natural grade" and how it is difficult to define. A proposed amendment to the ordinance, measuring height of a building from natural grade, was tabled to a later date.

On August 24, 2021, the City Council held a discussion on height, grading, and setback requirements. The City Council decided it would be helpful to have a work session with the Planning Commission to work through ideas.

On September 28, 2021, a joint field trip was held with the City Council and Planning, they visited several sites around the City to see and discuss examples of height and grading.

On October 5, 2021, staff asked for feedback from the Planning Commission regarding their impressions of the field trip. Some of the thoughts from Planning Commission included: leaving the ordinance as is, limiting the size of accessory buildings, and writing separate ordinances for lots that slope down, lots that slope up, and lots that slope to the side.

On December 7, 2021, the Planning Commission reviewed and discussed this item. After some discussion, the Planning Commission made the motion to table the item until further information regarding Bountiful City's hillside ordinances could be obtained. See attached files for Bountiful City Ordinances.

On January 18, 2022, the Planning Commission reviewed Bountiful City's ordinances regarding height and grading. After some discussion, the Planning Commission made a recommendation "that the City continue with the existing height and grading ordinance as currently written and find that no changes are recommended at this time".

STAFF RECOMMENDATION:

Review the Planning Commission's findings and approve the recommendation to "continue with the existing height and grading ordinances as currently written".

SAMPLE MOTION OF NO ACTION:

I move that the City continue with the existing height and grading ordinances as currently written and find that no changes are needed at this time.

SAMPLE MOTION TO AMEND:

I move to amend the following sections of code as follows:

- ***Insert Finding***

SAMPLE MOTION TO TABLE:

I move that the item be tabled until:

- ***Insert Finding***

ALPINE CITY PLANNING COMMISSION MEETING
Alpine City Hall, 20 North Main, Alpine, UT
January 18, 2021

I. GENERAL BUSINESS

A. Welcome and Roll Call: The meeting was called to order at 7:00 p.m. by Chair Jane Griener. The following were present and constituted a quorum:

Chair: Jane Griener

Commission Members: Alan MacDonald, John MacKay, Ethan Allen, Troy Slade, Jeff Davis

Excused:

Staff: Jed Muhlestein, Austin Roy, Marla Fox

B. Prayer/Opening Comments: John MacKay

C. Pledge of Allegiance: Alan MacDonald

II. PUBLIC COMMENT

No Public Comment

III. ACTION ITEMS

A. Height and Grading Requirements Continued

Austin Roy explained that in 2021 the Mayor asked the City look at the current height and grading regulations and investigate other options. Following the September fieldtrip, the Planning Commission should make a formal recommendation to City Council. Below is a timeline for the discussion on this item.

On August 3, 2021, the Planning Commission held a discussion on height of buildings in Alpine. The Planning Commission asked that staff research how building height is regulated in other cities.

On August 17, 2021, the Planning Commission continued the discussion on height and information on how other City's measure height. The Planning Commission also discussed "natural grade" and how it is difficult to define. A proposed amendment to the ordinance, measuring height of a building from natural grade, was tabled to a later date.

On August 24, 2021, the City Council held a discussion on height, grading, and setback requirements. The City Council decided it would be helpful to have a work session with the Planning Commission to work through ideas.

On September 28, 2021, a joint field trip was held with the City Council and Planning, they visited several sites around the city to see and discuss examples of height and grading.

On October 5, 2021, staff asked for feedback from the Planning Commission regarding their impressions of the field trip. Some of the thoughts from Planning Commission included: leaving the ordinance as is, limiting the size of accessory buildings, and writing separate ordinances for lots that slope down, lots that slope up, and lots that slope to the side.

On December 7, 2021, the Planning Commission reviewed and discussed this item. After some discussion, the Planning Commission made the motion to table the item until further information regarding Bountiful City's hillside ordinances could be obtained.

Austin Roy researched Bountiful City's ordinances, and this is what he found:

Minimum Buildable Area – Any lot or parcel designated or zoned for residential development shall have a rectangular buildable area with a length to width ratio between 2:1 and 1:2, that is located entirely on ground of less than thirty percent (30%) slope, that does not encroach into required setbacks or easements, and that meets the following criteria:

| | | |
|---|-----------------|-------------|
| 1 | R-4 | 2,000 sq ft |
| 2 | R-3 | 3,000 sq ft |
| 3 | RF | 6,000 sq ft |
| 4 | All other zones | 5,000 sq ft |

5
6 Driveway slopes shall have a minimum slope of two percent (2%), and a maximum slope of fifteen percent (15%), as
7 measured along the centerline of the driveway.

8
9 The maximum grade of the driveway shall be seven percent (7%).

10
11 Exposed unstable surfaces of an excavation or fill shall not be steeper than one (1) vertical or two (2) horizontal.

12
13 The top or bottom edges of slopes caused by an excavation or fill up to ten (10) vertical feet shall be at least three (3)
14 horizontal feet from the property line and/or street right-of-way lines. Cut and/or fills greater than ten (10) feet shall
15 be setback an appropriate distance as determined by the City Engineer.

16
17 The maximum vertical height of any cut or fill shall be ten (10) feet, except for existing, naturally occurring, and/or
18 man-made site anomalies.

19
20 No Cut, fill, or other area of disturbance may have a finished grade exceeding two (2) horizontal feet for every one
21 (1) vertical (a 2:1 slope). Retaining walls shall be required in any area of disturbance where the grade exceeds a 2:1
22 slope.

23
24 No retaining wall shall exceed ten (10) feet in height.

25
26 Retaining Walls 4-5-109

27
28 No retaining wall which is four feet tall or taller shall be constructed without a permit issued by the city.

29
30 Jed Muhlestein said he would like to see . . .

31 Jed Muhlestein said our ordinance states you can have a retaining wall nine (9) feet tall and you can tier and have
32 another retaining wall.

33 Jane Griener asked if a developer can come in and raise the road up. Austin Roy said we have ordinances about
34 grade. Ethan Allen said the Planning Commission would be able to review that when the plans came in.

35 Jane Griener said the three situations are a lot that slopes from the front to the back, a lot that slopes from the back to
36 the front, and a lot that slopes from side to side. She wanted to know if Bountiful's ordinances would apply to these
37 three situations.

38 Austin Roy said if they lot is on the down slope, they could have a walkout basement, if the lot is on an uphill slope,
39 they could fill ten (10) feet.

40 Jane Griener said she doesn't think we should require anyone to build their home below the sidewalk. Jed
41 Muhlestein said homeowners have a choice and we don't make them build below the sidewalk. He said they can if
42 they want.

43 John MacKay asked if lots have to have designated buildable areas. Jed Muhlestein said . . .

44 Jane Griener asked if we could make our ordinance better. Would adding a fill restriction do us any good?

45 John MacKay asked if we were okay with measuring from the average grade. Jed Muhlestein said this is what most
46 cities do and it covers the broadest area without having to write a whole bunch of individual ordinances.

The Planning Commission talked about slope and asked if we should follow the 2:1 slope. Jed Muhlestein said a 3:1 slope would be better. It will not help the height situation but would help with vegetation and drainage.

Ethan Allen asked if we have had issues with people building up their lots other than the two examples given. Jed Muhlestein said no, we haven't had any complaints.

Jane Griener said we could say you have to go out six feet before you could build up your slope. Jed Muhlestein said that has not been a problem and would be more work for builders and staff to try and regulate it. He said we have a good ordinance and doesn't think it needs to be changed.

Jane Griener said she has changed her mind on this issue and doesn't think we need to change the ordinance. She said the control of the driveway slope, the water retention, and the retaining wall ordinance will be all good.

MOTION: Commission Member John MacKay moved to recommend that the city continue with the existing height and grading ordinances as currently written and find that no changes are recommended at this time.

Jeff Davis seconded the motion. There were 6 Ayes and 0 Nays (recorded below). The motion passed.

Ayes:

Ethan Allen
John MacKay
Jane Griener
Troy Slade
Jeff Davis
Alan MacDonald

Nays:

IV. COMMUNICATIONS

Austin Roy said the City Attorney is trying to set up a meeting with the State Ombudsman for a training. He said it will most likely be in March. He will discuss Robert's Rules of Order and the Public Meetings Act.

The next meeting will be on February 1, 2022.

The Planning Commission asked for a re-cap of the City Council meeting.

Austin Roy said the Legislation Session is starting now so we might see some stuff come out of that.

V. APPROVAL OF PLANNING COMMISSION MINUTES: November 16, 2021, and January 4, 2022

MOTION: Commission Member John MacKay moved to approve the minutes for November 16, 2021, and January 4, 2022.

Ethan Allen seconded the motion. There were 6 Ayes and 0 Nays (recorded below). The motion passed unanimously.

Ayes:

Jane Griener
Ethan Allen
Troy Slade
John MacKay
Jeff Davis
Alan MacDonald

Nays:

MOTION: Commission Member Ethan Allen moved to adjourn the meeting.

1 John MacKay seconded the motion. There were 6 Ayes and 0 Nays (recorded below). The motion passed
2 unanimously.
3

4 **Ayes:**

5 Jane Griener

6 Ethan Allen

7 Troy Slade

8 John MacKay

9 Jeff Davis

10 Alan MacDonald

Nays:

11
12 The meeting was adjourned at 8:14 p.m.

ALPINE CITY PLANNING COMMISSION MEETING
Alpine City Hall, 20 North Main, Alpine, UT
December 7, 2021

I. GENERAL BUSINESS

A. Welcome and Roll Call: The meeting was called to order at 7:00 p.m. by Chairwoman Jane Griener. The following were present and constituted a quorum:

Chairwoman: Jane Griener

Commission Members: John MacKay, Ethan Allen, Troy Slade, Jeff Davis

Excused: Alan MacDonald

Staff: Jed Muhlestein, Marla Fox

B. Prayer/Opening Comments: Ethan Allen

C. Pledge of Allegiance: Troy Slade

II. PUBLIC COMMENT

No Public Comment

III. ACTION ITEMS

A. Height and Grading Requirements

Jed Muhlestein said in 2021 the Mayor asked the City look at the current height and grading regulations and investigate other options. Following the September fieldtrip, the Planning Commission should make a formal recommendation to City Council. Below is a timeline for the discussion on this item.

On August 3, 2021, the Planning Commission held a discussion on height of buildings in Alpine. The Planning Commission asked that staff research how building height is regulated in other cities.

On August 17, 2021, the Planning Commission continued the discussion on height and information on how other City's measure height. The Planning Commission also discussed "natural grade" and how it is difficult to define. A proposed amendment to the ordinance, measuring height of a building from natural grade, was tabled to a later date.

On August 24, 2021, the City Council held a discussion on height, grading, and setback requirements. The City Council decided it would be helpful to have a work session with the Planning Commission to work through ideas.

On September 28, 2021, a joint field trip was held with the City Council and Planning, they visited several sites around the city to see and discuss examples of height and grading.

On October 5, 2021, staff asked for feedback from the Planning Commission regarding their impressions of the field trip. Some of the thoughts from Planning Commission included: leaving the ordinance as is, limiting the size of accessory buildings, and writing separate ordinances for lots that slope down, lots that slope up, and lots that slope to the side.

Jed Muhlestein said we've looked at different ways to measure height on buildings, such as different grades and looked at what other cities are doing to measure their building heights.

Jed Muhlestein said Alpine City's height is thirty-four feet from average finished grade to the mid-point of the roof. The height for an accessory building is twenty feet and it is measured to the roof line.

Bountiful is thirty-five feet from average finished grade to the roof line. Their accessory buildings are twenty feet. They do specify how much fill dirt that can be brought in and their driveway can be fifteen percent.

Cedar Hills is thirty-five feet from the front of the home to the ridgeline; they do not count what is in the back. Their accessory buildings are twenty feet. Both the home and the accessory building are measured from the finished grade.

Draper City is thirty-five feet and measured from the average finished grade; their accessory building is twenty-five feet; they are measured from the average finished grade from a point of six feet out to the mid-point of the roof pitch. Grading is allowed, with a max slope of twelve percent and they have retaining wall codes that are similar to Alpine City.

Elk Ridge is thirty-five feet, measured from average finished grade.

Park City is twenty-eight feet with accessory buildings at eighteen feet. No structure can be built higher than twenty-eight feet and is measured from existing grade.

Utah County is forty feet measured from average finished grade to the mid-point of the roof.

Jed Muhlestein said he has a problem with measuring from existing grade prior to construction. Roads are sometimes built high and sometimes built low. If we measure existing grade, a home could be in a big hole.

Jane Griener said she is concerned about people building their lot up really high to get a walk out basement or to have a view.

Jeff Davis said there is nothing in the ordinance that prevents this happening as long as it does not exceed the twelve percent grade.

Jane Griener wanted to know if we could say if your lot is on the down slope side, you could bring it up to street level.

Ethan Allen asked if we could limit the fill added. Jed Muhlestein said that would be difficult and people would ask for exceptions all the time.

Troy Slade said ninety percent of the people are going to be building on the hillside. Jane Griener said we still have some property left on flat lots.

Jeff Davis said he doesn't think this has been an issue.

Jed Muhlestein said when we've had a complaint about the height of a home, it has met the ordinance. The complaint is because someone's view has been blocked.

Jane Griener said we should be flexible but doesn't think we should allow someone to build up a flat lot fifteen feet high. We should minimize to a reasonable height. Ethan Allen said he agreed.

MOTION: Commission Member Ethan Allen moved to recommend tabling the Height and Grading Requirements until further review and information from Bountiful City about the possibility of limiting the grade and fill for lots.

John MacKay seconded the motion. There were 5 Ayes and 0 Nays (recorded below). The motion passed.

Ayes:

Ethan Allen
John MacKay
Jane Griener
Troy Slade
Jeff Davis

Nays:

MOTION: Commission Member Alan MacDonald moved to recommend that Olde Moyle Mound PRD Plat C be approved with the following condition:

1. Water policy be met.

John MacKay seconded the motion. There were 7 Ayes and 0 Nays (recorded below). The motion passed.

Ayes:

Jane Griener
Alan MacDonald
John MacKay
Ethan Allen
Ed Bush
Troy Slade
Jeff Davis

Nays:

IV. COMMUNICATIONS

Alan MacDonald said the apple slushie stand at the Burgess Fruit farm is a problem on the bend in the road. He said cars are parked everywhere, kids are opening doors, crossing the street with cars driving 45 miles an hour. He said if this is going to continue next year, he suggests the city require some sort of requirements for this.

Jane Griener said the Burgess family has sold the property and the new owner is planning to install new parking off street around the back. She said at a bare minimum, we say no parking on the west side of the road so people don't have to cross the street. She said she has brought this up to the mayor because she has had complaints about it and she's worried there is going to be a bad accident.

Austin Roy said this is a conditional use and we have the power to make restrictions. He said he will talk to the City Attorney about it.

Alan MacDonald said the owner doesn't want something bad to happen, but we as the city need to do something about it as well to protect the people going there.

Ed Bush asked about the Peterson home on Eastview Lane. He said there have been complaints about a very large indoor tennis court and wanted to know if it met the code.

Austin Roy said the plans have been reviewed and it does meet the code. He said the lot is unique because the home is built way to the back, up higher on the hill, so it seems really tall. He said if anyone complains, let them know it does meet code.

Troy Slade asked about a fence being built on High Bench Road that is tall in the front yard. Austin Roy said as long as they have a ten-foot setback they can have a tall fence in the front. He said he personally went out and measured this fence and it meets code.

Austin Roy said the Planning Commission went on a field trip to look at height issues. He asked if anyone had changed their mind about height issues since then.

Jane Griener said she would like to look at lots that slope down vs. lots that slope up, and lots that slope to the side. She said she didn't know how you could write an ordinance to cover all the lots the same.

Ethan Allen said he would like to talk about super-size accessory buildings. Austin Roy said he talked to an Attorney who said you could craft an ordinance to limit the size of accessory buildings.

Alan MacDonald wanted to know what the outcome of the field trip was. Ethan Allen said he thought the ordinance was mostly working right.

Jane Griener said we could look at writing an ordinance that covers the three different types of lots coupled with a size restriction.

Ed Bush said there was discussion about using finished grade vs. natural grade. He said this is a hard thing to do when development changes the grade of the lot.

Ethan Allen said if we had a size restriction, we would have some oversight on it.

Austin Roy said the next Planning Commission meeting would be on November 16, 2021

V. APPROVAL OF PLANNING COMMISSION MINUTES: Minutes will be approved at a later date.

MOTION: Ethan Allen moved to adjourn the meeting.

Alan MacDonald seconded the motion. There were 7 Ayes and 0 Nays (recorded below). The motion passed unanimously.

Ayes:

Jane Griener
Alan MacDonald
Ed Bush
Ethan Allen
Troy Slade
John MacKay
Jeff Davis

Nays:

None

The meeting was adjourned at 7:02 p.m.

ALPINE CITY COUNCIL PUBLIC MEETING

Tuesday, September 28, 2021

I. **Field Trip 5:30PM – 6:45PM Joint Field Trip with City Council and Planning Commission: Grading and Setbacks**

Attendees: Planning Commission/City Council: Troy Slade, Ed Bush, Jane Griener, Ethan Allen, Jessica Smuin, Greg Gordon, Jason Thelin, Lon Lott, Carla Merrill, Mayor Troy Stout

Staff: Shane Sorensen, Austin Roy, Jed Muhlestein, Craig Hall, Bonnie Cooper

Others: Jeff Davis

Field Trip

The field trip began on Wood Drive in Alpine. Shane Sorensen, City Administrator, said Wood Drive was a good example where one side of the road is level with the road and the other side of the road slopes upward. He said when it comes to measuring, the city may want to consider top back to curb. He said we live in a hillside community. He said the city could write an entire ordinance by going off Wood Drive.

Ed Bush, Planning Commission member, asked when a property developer puts in a road, do they go off the original contours. Shane Sorensen said 2013 is latest contour map the city has. Jed Muhlestein, City Engineer, said if the city makes too many restrictions most of Alpine would be unbuildable. He said if the city requires the homeowner to build upon the natural grade you will see large retaining walls and that would not meet the city's ordinance. Jason Thelin, City Council member, mentioned that it would be difficult to modify the ordinance based on all the different variations of slope but could possibly include the adding of truckloads of additional dirt on a property. Austin Roy, City Planner, said Bountiful City limits the dirt a homeowner can bring in; they cannot exceed 10 feet of fill dirt. Greg Gordon, City Council Member was concerned homeowners would bring in more dirt even if their lots were at natural grade. Lon Lott, City Council member, said sometimes more dirt is required because of water/sewer connection element that the homeowner might be dealing with. Jason Thelin said this subject was a complex problem.

The next stop on the field trip was Carla Merrill, City Council member's home at 1121 N Heritage Hills Drive. Shane Sorensen said that Carla Merrill's home was a great example of what the city wants to see. Shane Sorensen said the home is built on a sloped street. He said the developer did a good job incorporating the retaining wall and making the lot and home look good on this hillside lot. Jane Griener, Planning Commission Chair, asked how the city would measure the mid-point on this home. She said this lot is very complicated with the driveway being at the natural grade and the entire lot area sloped down from there. Jessica Smuin, City Council member, suggested the city follow what Park City ordinance which says a home's height from natural grade is not to exceed 28 feet.

The third and final stop was Zachary Drive. Shane Sorensen said Zachary Drive on the south side of the street has an approximate 12-foot drop from street level. He said this would mean the property owner would have to bring in fill dirt in to meet even grade with the street. He said the lots throughout Alpine can have many different slopes that a homeowner must work with. Jessica Smuin asked if the developer should just not charge a premium for the lots. He said if the homeowner does not build up the lot, they may risk flooding. Jeff Davis, new Planning Commission member, asked if bigger setbacks could be put in place when it came to some of the hillside lots. Shane Sorensen said setbacks are more of a function thing than anything else. He said the homeowner needs to be able to hook into the city's water and sewer. He said a homeowner in the area built a home where you can see two stories from the front and three stories from the back because of the slope of their property.

Mayor Troy Stout called the meeting to order at 6:54p.m. He welcomed all in attendance.

II. **Roll Call:** The following were present and constituted a quorum: Jessica Smuin, Carla Merrill, Jason Thelin, Greg Gordon, Lon Lott

| | |
|---|--|
| <p>A. Prayer:</p> <p>B. Pledge:</p> | <p>Jessica Smuin</p> <p>Chief Brian Gwilliam</p> |
|---|--|

Staff: Shane Sorensen, Austin Roy, Chief Brian Gwilliam, Deputy Chief Jake Beck, Craig Hall, Steve Doxey, Bonnie Cooper

Others: Will Jones, Jeff Davis, Ed Bush, Patrick Todd, Aaron Heywood, Ethan Allen

Austin Roy said with the development of the Alpine West Meadows Subdivision staff have noticed that every lot with a storm water pond easement has had issues with placing a home on the lot and driveway access design difficulties. The lots with storm water pond easements have less lot area to work with and as a result design issue are common. Staff would recommend that storm water pond easements located on a lot do not count towards the lot area, in the same way that flood plain areas currently do not count towards the minimum area of a lot.

The Planning Commission unanimously recommended approval of the proposed amendments at the June 15, 2021, meeting.

MOTION: *Commission Member Ed Bush moved to recommend that Ordinance 2021-15 Storm Water Easement be adopted as proposed with the exception of changing the language of storm drain and flood plain for all zones. Troy Slade seconded the motion. There were 7 Ayes and 0 Nays (recorded below). The motion passed.*

Ayes:

Jane Griener
Alan MacDonald
John MacKay
Ethan Allen
Ed Bush
Troy Slade
Sylvia Christiansen

Nays:

None

MOTION: Greg Gordon moved that Ordinance 2021-15 be adopted as proposed. Lon Lott seconded the motion. There were 5 Ayes and 0 Nays, as recorded below. The motion passed unanimously.

Ayes

Jessica Smuin
Greg Gordon
Lon Lott
Jason Thelin
Carla Merrill

Nays

I. Discussion on Height/Grading/Setback Requirements for Homes and Accessory Buildings

Mayor Troy Stout said he asked for this discussion item regarding accessory buildings be put on tonight's agenda. He said the council has talked about height/grading/setbacks for homes and accessory buildings before. He said as the city is building out, he thinks the council needs to look at buildings that meet code but do not fit in with the city. He said it is hard to look in a crystal ball to see what the future will bring for Alpine City. He said how the city measures the height of a building, depending on the slope of the roof line, and natural grade verses improved grade. He said he thinks the city needs to get stringent on the grade and how it is measured. He said he brought an item to the city when someone built a large garage monolithic building and ruins the view of the entire neighborhood. He would like to rewrite the ordinance and change the language.

Shane Sorensen asked the council to consider what if a property owner purchases a lot and then the lot next to them and combines the properties. He said it is very hard to decide where the natural grade is when a developer comes in and obliterates it getting the property ready for homes. He said the city is dealing with an accessory building right now that fits within city's new ordinance. He said the subdivision had to come in and build up the neighborhood's backyards by about two feet because of an irrigation canal and flooding. The new property owner has built a playhouse on that berm in his backyard and has his neighbor complaining.

Mayor Troy Stout gave an example of a structure that negatively affected an entire neighborhood. He said he knows that none of residents in the city are guaranteed a view. He asked what if someone came in and put in fill dirt and had their home higher than the rest of the homes in a neighborhood. Lon Lott said this would not happen on a small lot it would happen only on a larger lot. He said larger lot areas such as the Healey Blvd. area has at least a 5-foot grade the homes there have all changed from the natural grade.

Mayor Troy Stout said he thinks the council needs to protect neighborhood and new subdivisions. He said the city has ways of measuring, and he does not think they favor the existing landowners. He asked Steve Doxey for his legal opinion. He said the ordinance says accessory structures must have 30-foot setbacks and maximum height of 28-feet, for any homes natural grade the structure should follow that footprint. And if is going to impact the neighborhoods.

Steve Doxey said he would need directions from council, Shane Sorensen, and Austin Roy to how they would want the language to read in the amended ordinance. He said he represents a flat community, and they bring in fill dirt and that community always goes by curb and their City Engineer would be the one to grant those exceptions. He suggested the city could measure from the top back of curb.

Jessica Smuin asked if the council is talking about two things, accessory buildings, and residential homes. She suggested that all accessory buildings be brought to the council for approval. Steve Doxey said people will always build to what you allow them to build to. He suggested having a joint work session with the Planning Commission and City Council. Jessica Smuin asked if the council could put in a moratorium on building large accessory building and retaining walls for next 180 days. Shane Sorensen said the city has many homes that will require retaining walls and will halt a lot of construction. Lon Lott asked if council is concerned with larger lots; He said he does not know what starting a moratorium will help. Steve Doxey said the council is not talking about changing just one ordinance, this would be many ordinances that would need to be changed. Mayor Troy Stout said what if the city put a moratorium on square footage or anyone needing retention walls. Steve Doxey said the city really cannot do that because Alpine is a hillside community, there is going to always be lots bringing in fill or taking dirt out. Mayor Troy Stout asked if someone has already put in an application can the city stop those applicants. Steve Doxey said no, but he would be happy to come up with some concepts to go over with the staff. He said the city has a great staff that the council can trust. He asked realistically how many of these type of approval does the City Council want to see, because the City Engineer could review the applications and exceptions and approve them or deny them. Shane Sorensen said with a productive work session he thinks the city can come up with some solutions. He said there are a lot of examples in the City Council packet from the meeting tonight. He said if council could email Austin Roy with their suggestions on height/grading/setback requires staff would review them.

Motion: Jessica Smuin motioned to extend the meeting to 9:20, or until Shane has shared all his information. Greg Gordon seconded the motion

VII. STAFF REPORTS

Chief Brian Gwilliam

Mayor Troy Stout requested Chief Brian Gwilliam present how the police officers have training to deal with people with mental health issues. Chief Brian Gwilliam said he would be able to do that the second meeting in September.

Chief Brian Patten

Chief Brian Patten said all the Lone Peak fire fighters are home from helping with wildfires. He said he has had requests from California to send fire fighters out to help them. He said he would like to introduce his new Deputy Chief at the next City Council meeting. He said the new deputy is coming from the Lehi City fire department.

Austin Roy

Austin Roy said he was contacted by Alpine Elementary School requested either a City Council member or the mayor come and speak to the 3rd grade at Creekside Park on Friday August 27, 2021. Mayor Troy Stout and Carla Merrill both said they would attend and speak to the group.

Shane Sorensen

Shane Sorensen said the city has received part of the ARPA (America Recovery Plan Act) funds. He said what we can spend it on culinary water for sure. He said he would be asking if the funds can be used to drill a well in order to have a well in the city's higher zone. He said having another well means the CUP water could shut off and different wells could be used different times which would benefit the city. He said he would be attending a ZOOM meeting for grants that are available for cities to use for drought resilient planning, well rehab, and drilling a new well. He said the city can apply for these grants as many times as the city wants to.

Shane Sorensen asked for direction from the Mayor and City Council if they wanted the city to move forward with the pickleball courts in Healey Park. He said all the council had received an email with a neighborhood survey regarding the pickleball courts. He said the neighborhood has requested to have the pickleball courts be on a future City Council agenda. Mayor Troy Stout said if we do go forward, I don't think we should do lights and I think we should bid it we should build it. Mayor Troy Stout if the city is going to do a survey, then the entire Alpine community needs to be involved not just one neighborhood. Carla Merrill said in the survey taken by the neighborhood the same percentage of people that did not want the pickleball courts also did not want the soccer field to be utilized. Mayor Troy Stout asked if the bid would be based on design or location. He asked if the council decided that another park would be a better solution could the city use the same bid. Shane Sorensen said he would not like to put it out for bid if the city had to cancel the bid later. Mayor Troy Stout said the city will be building more pickleball courts regardless of which park the council decides on. Carla Merrill suggested to continue with the Healey Park location but not put up the lighting. Greg Gordon said they have heard from many residents in the neighborhood. The City Council gave

Troy Slade seconded the motion. The motion died.

MOTION: John MacKay moved to amend the motion to recommend approval of a 20-foot rear setback and a 22-foot front setback.

Alan MacDonald seconded the motion. There were 5 Ayes and 1 Nays (recorded below). The motion passed.

Ayes:

Jane Griener
Alan MacDonald
John MacKay
Ethan Allen
Ed Bush

Nays:

Troy Slade

C. Public Hearing – Ordinance 2021 -18 Building Height Requirements

Austin Roy said the city has increasingly received complaints about the height of buildings around town. On August 3, 2021, the Planning Commission held a discussion on building heights in Alpine. Following up on that meeting staff have put together research on how other hillside communities regulate height. In addition to research staff have drafted an ordinance that would change the way height is measured, going from a measurement of the average finish grade of a lot to the natural grade of a lot.

Austin Roy said we have received some complaints about a few structures around town being too tall. Currently we don't have an ordinance against building up a property from natural grade.

Ethan Allen asked if there is no house, can someone build an accessory building on the property. Austin Roy said the ordinance states: *A detached subordinate building use of which is appropriate subordinate and customarily incidental to that of the main building or, to the main use of the land and which is located on the same lot or parcel land with the main building or use.*

Alan MacDonald said he didn't think you could read it any other way than to say an accessory building is tied to or accompanies or is accessory to another building.

The Planning Commission had a discussion and said the verbiage *or use* was making the ordinance confusing. Austin Roy said we need to look at what the permitted uses on the property. Is it a single-family dwelling, or horse property which is a permitted use in the city? Alan MacDonald said if someone owned a lot and only wanted horses and a barn, would that be allowed. Austin Roy said we already have examples of that situation in the city with Bridle Up Hope. They are a large horse facility on a property with no other main use or building on the lot.

Jane Griener asked about large buildings turning into commercial uses such as weddings, or large barns being used for other than private use. Jed Muhlestein said if it became a problem, it would turn into a Code Officer issue.

Austin Roy said there is another definition of the code that is called Customary Residential Accessory Structure which states it's defined as: *A structure that is a structure that is constructed on the same*

zoning lot as the dwelling and is intended to be incidental and exclusive to the use of the residence of the said dwelling including but not limited to: garages, carports, swimming pools, tennis courts, greenhouses, storage buildings, and satellite dishes.

Austin Roy said the list of permitted uses is pretty small. A single residential home, agricultural, horse or animals, and a park. He said other than that, any other type of structure would be a customary residential accessory structure and would have to be an accessory to a main building.

Alan MacDonald said we should look at the definition of an accessory building as we are looking at the height of the building. He said Alpine is no longer a farming town and he would rather see someone build a pickle ball court next to him than a barn with cows.

Jane Griener said this is a great discussion item but is not what is on the agenda tonight. She said we should bring it back as an agenda item to discuss further.

Jane Griener said as far as the height issue is concerned, she has built two homes in Alpine and both homes were on a slope and had to have fill dirt brought in to make the lot buildable. She said building on natural grade is a problem especially with all the hillside development. She said you couldn't build on natural grade. She said you would end up with a really weird house or a driveway that was low causing flooding problems.

Ethan Allen said you could build with exceptions. Austin Roy said Willow Canyon has a 25-foot height restriction and the city has allowed exceptions because it has been very difficult to build there. He said there has only been one home in that subdivision who didn't ask for an exception. Jane Griener said this is too extreme.

Austin Roy said he has done some research on what other hillside communities have done. He said most of the cities he looked at measured at the average finished grade which is the same way Alpine does that. This means a lot can bring in fill dirt to raise portions of the lot. In Jane Greiner's case, this was to bring the lot to street level. He said in some cases, lots need to be built up above street level as well.

Austin Roy said there were two communities that don't measure from average grade and they are Park City and Elk Ridge. He said Cedar Hills, Draper and Bountiful, all hillside communities, measure from average grade. He said they differ slightly from ours but are similar. Pictures of the current developing Ridge at Alpine were shown. Austin Roy said with the roads being built and rocks and dirt piled up everywhere, it's hard to determine where natural grade is.

Jane Griener said if we change the ordinance to natural grade, it will cause more exceptions. She said we should have a provision to make it street height. Austin Roy said if the home is brought up to street level, are you okay with accessory buildings on the same lot brought up to street level as well.

Ed Bush said his concern is people building on the hillside, bringing in fill dirt to level the ground and then the lot requires large retaining walls to support it. He said it destroys the hillside. Jane Griener said that's why the retaining wall ordinance was made. Austin Roy said this presents a conundrum because if a lot has a large slope in the back yard and owners aren't allowed to raise it up, it becomes unusable and then people can't use their own property. Alan MacDonald said these owners knew what they were buying. If they wanted to use the back yard, they should have bought a flat lot. Jane Griener said that's

not the way ordinances are written, and people know they can raise the lot, so they do it. Austin Roy said if the ordinance is changed to natural grade, they you won't be able to do that and you get what you get. Jane Griener said she still thinks you would have to grant exceptions for people to raise their homes to street level. Austin Roy said Bountiful has a rule that you can bring fill in but only to ten feet.

Jane Griener opened the Public Hearing. There were no comments and Jane Griener closed the Public Hearing.

MOTION: Commission Member Ed Bush moved to table Ordinance 2021-18 Building Height Requirements for further review.

Alan MacDonald seconded the motion. There were 6 Ayes and 0 Nays (recorded below). The motion passed.

Ayes:

Jane Griener
Alan MacDonald
John MacKay
Ethan Allen
Ed Bush
Troy Slade

Nays:

None

IV. COMMUNICATIONS

V. APPROVAL OF PLANNING COMMISSION MINUTES: August 3, 2021

MOTION: Alan MacDonald moved to approve the minutes for August 3, 2021, as written.

Ethan Allen seconded the motion. There were 6 Ayes and 0 Nays (recorded below). The motion passed unanimously.

Ayes:

Jane Griener
Alan MacDonald
Ed Bush
John MacKay
Ethan Allen
Troy Slade

Nays:

None

MOTION: John MacKay moved to adjourn the meeting.

Alan MacDonald seconded the motion. There were 6 Ayes and 0 Nays (recorded below). The motion passed unanimously.

Ayes:

Jane Griener
Alan MacDonald
Ed Bush

Nays:

None



HEIGHT REQUIREMENTS

Alpine City

- Maximum Height of Main Building = 34 Feet
- Maximum Height of Accessory Building = 20 Feet (30 with increased setback)
- Measured from the “average elevation of the finished grade” to the “roof line of the structure” for main buildings and from the “average elevation of the finish grade” to the ridgeline for accessory buildings.
- Grading allowed. Cut and fill limited by retaining wall ordinance. Engineering and permit for any retaining wall over 4 feet high.
- Maximum driveway slope of 12% (measured at finished grade of centerline alignment).

Bountiful City

- Maximum Height of Main Building = 35 Feet
- Maximum Height of Accessory Building = 20 Feet (sidewall not to Exceed 15 feet)
- Measured from the average finished grade to the roofline, as measured from each major corner of the building and then averaged.
- Property owners may bring in fill to level out their property but cannot exceed 10 Feet.
- driveways shall not exceed fifteen 15 percent at any point as measured along the centerline of the driveway.

Cedar Hills

- Maximum Height of Main Building = 35 Feet
- Maximum Height of Accessory Building = 20 Feet
- Both the dwelling and the accessory building height shall be measured from the highest finished grade of the ground surface adjacent to the foundation of the structure from the front elevation to the ridgeline.
- NOT measured from the average finished grade.

Draper City

- Maximum Height of Main Building = 35 Feet
- Maximum Height of Accessory Building = 25 Feet (Exterior Walls not to Exceed 15 feet)
- Measured from the average finished grade at a point 6’ out from foundation to the mid-point in the roof pitch or truss. Accessory structures are counted from average finished grade to the peak in the roof.
- Grading allowed. Cut and fill limited by retaining wall ordinance with exemptions for hillside sensitive zones.
- Retaining wall code sets a max height for walls within the front yard area: 4 feet outside hillside sensitive zone and 9 feet inside hillside sensitive zone. Retaining walls required to be at least 7’ from property line if within 30’ of a street, regardless of the overlay zone.
- Maximum driveway slope of 12% inside hillside zone and 10% outside hillside zone. Properties that are outside the hillside sensitive zone are limited to 2 feet of rise within the front setback, with the max rise resetting at each retaining wall.

Elk Ridge City

- Maximum Height of Main Building = 35 Feet
- Maximum Height of Accessory Building = 30 Feet
- Building Height: The maximum main building height in a residential zone shall be thirty five feet (35'). Building height shall be the vertical height, as measured from the average elevation of the natural grade of the four (4) major corners where the structure is to be located, to the roofline. For a home that steps down a slope, the four (4) major corners of each step of the main structure can be used.).
- For accessory buildings, the maximum height is 30' or the height of the home, whichever is lower (10-12-5-F: Accessory Building Maximum Height: An accessory building is not to exceed thirty feet (30') in height from the lowest part of the structure, which is the bottom of the lowest sill plate or top of main floor (nearest ground level), whichever is lower, to the highest point on the roof. In addition, the accessory building maximum height shall not exceed the maximum height of the principal building.).
- Grading limited, for drainage, etc. Soils report required for all buildings.

Park City

- Maximum Height of Main Building = 28 Feet
- Maximum Height of Accessory Building = 18 Feet
- No Structure may be erected to a height greater than the Zone Height of twenty-eight feet (28') from Existing Grade.
- Measured from "Existing Grade", defined as the grade of the property prior to any proposed development or construction activity.
- Grading limited. Appears to be permitted on limited basis for drainage purposes.
- Height is measured and shown on plans similar to Willow Canyon Subdivision requirements.

Utah County

- Maximum Height of Main Building = 40 Feet
- Maximum Height of Accessory Building = 20 Feet
- Measured from finished grade (midpoint of grade to midpoint of roof). To measure the grade, the building inspector measures the average grade not just along the wall but going 6 feet out. Grading requires a grading permit issued through Public Works.
- Grading allowed.

B. Transfer of Required Yard Space Prohibited. No space needed to meet the width, yard, area, parking, frontage or other requirements of this Title for a lot, parcel, or building may be transferred, sold, bequeathed or leased apart from such lot, parcel, or building unless other space so complying is provided and approved by the City. No land shall be sold or transferred which will result in a lot or parcel being created for building purposes that does not comply with the provisions of this Ordinance.

C. Minimum Buildable Area - Any lot or parcel designated or zoned for residential development shall have a rectangular buildable area with a length to width ratio between 2:1 and 1:2, that is located entirely on ground of less than thirty percent (30%) slope, that does not encroach into required setbacks or easements, and that meets the following criteria:

| | |
|-----------------|-------------|
| R-4 | 2,000 sq ft |
| R-3 | 3,000 sq ft |
| RF | 6,000 sq ft |
| All other zones | 5,000 sq ft |

14-14-103 YARD SPACE FOR ONE BUILDING ONLY

No required yard or other open space around an existing building or which is hereafter provided around any building for the purpose of complying with the provisions of this Title shall be considered as providing a yard or open space for any other building; nor shall any yard or other required open space on an adjoining lot be considered as providing yard or open space on a lot or parcel where on a building is to be erected or established.

14-14-104 FRONT YARD MODIFICATION - DEVELOPED AREAS

In instances where at least seventy-five (75) percent of the lots within a subdivision and/or at least fifty percent (50%) of the lots along the side of a street have front yard setbacks which are less than that required for the zone in which they are located, the minimum front yard setback requirement for vacant lots shall be equal to the average of the existing front yards. However, in no case shall the front yard setback be less than twenty (20) feet.

14-14-105 COMBINED LOTS - RESTRICTIONS

A combined lot may be created from two (2) or more contiguous lots or parcels that are undeveloped. The side, front, and rear yard requirements of this Ordinance shall apply only to the external boundaries of the combined lot. However, once a combined lot has been created, it shall not be divided except through a new subdivision plat meeting current City ordinance. Prior to receiving a building permit and/or commencing any development activity, the property owner shall record at the Office of the Davis County Recorder a deed restriction memorializing the creation of the combined lot, and shall amend any easements in conflict with the utilization of the combined lot. Failure to produce or record the required deed restriction shall not void any provision of this ordinance, and no part of this ordinance shall abrogate any use restriction provided by deed or other written recorded instrument affecting or otherwise restricting the use of the real property in question.

14-14-106 SPECIAL PROVISIONS FOR EXISTING SINGLE AND TWO-FAMILY RESIDENTIAL DWELLINGS

that emergency and utility service vehicles and personnel have unimpeded access to the improvements. (Figure 4-3)

10. All of the required improvements shall be installed at the lot or property owner's expense.
- B. As an alternative to the access requirements described above, the Fire Marshall may approve the installation of a pressurized interior fire protection sprinkling system that complies with the minimum standards of the IRC and/or IBC, and that receives the Fire Marshall's approval.
- C. All new residential structures shall comply with the requirements of the IBC for foundation elevation on graded sites (1805.3.4 and 1805.3.5). For most approved lots, the "approved drainage facility" is the street R.O.W. On these sites, the finished grading shall direct runoff from the front yard setback to the street R.O.W. by means of the driveway or front yard grading, or as approved by the City Engineer. Driveway slopes shall have a minimum slope of two percent (2%), and a maximum slope of fifteen percent (15%), as measured along the centerline of the driveway.
- D. Downhill or reverse grade driveways must be reviewed and approved by the City Engineer. Approvals will be considered based on proximity of the lot to storm drain facilities or natural draining features such as creeks, swales or other features that convey runoff water directly to the storm drain system. Approval shall be conditional upon inclusion of the following requirements:
 1. The driveway shall provide a minimum length of ten (10) feet of positive slope (two percent (2%) minimum) to the street R.O.W.
 2. The maximum grade of the driveway shall be seven percent (7%).
 3. The approved site plan shall include any additions or modifications to the existing storm drain system necessary to prevent erosion or impact to adjacent properties, or impact to the storm drain system.
 4. Other requirements as determined by the City Engineer based on conditions specific to the property.

14-4-116 PARCELS OF LAND NOT IN SUBDIVISIONS WITHIN THE R-F SUBZONE

No dwelling shall be constructed on a parcel of land not included as part of an approved subdivision without City Council approval of the parcel of land as a legal building lot. In order to be approved as legal building lot, the Council must determine that the parcel meets the lot, yard, and other requirements of this Title. As part of the review process, the City Council and Planning Commission may request any information typically required for subdivision review. Also, the City Council may require that the applicant record a one lot subdivision plat for the purpose of establishing utility easements and fulfilling other provisions of this Title

14-4-117 REQUIREMENTS FOR BUILDING IN THE R-F SUBZONE

No construction, excavation, or removal of vegetation may occur on any lot or parcel in the R-F subzone until a permit has been issued, and no permit may be issued until the proposed plans

have been approved by the appropriate land use authority. The following rules apply to all building and construction in the Residential Foothill Zone.

A. Drainage and Erosion.

1. Lots shall be arranged so as to insure required setbacks from drainage channels as defined by the Army Corps of Engineers on official Flood Insurance Rate Maps.
2. Facilities for the collection of storm water runoff shall be required to be constructed on development sites and according to the following requirements:
 - a. Such facilities shall be the first improvement constructed on the hillside.
 - b. Such facilities shall be designed to retain safely and adequately the maximum expected storm water runoff for a twenty-five-year storm, as determined by Technical Paper No. 28, prepared by the U. S. Department of Commerce - Weather Bureau, for a sufficient length of time so as to prevent flooding and erosion during storm water runoff flow periods.
 - c. Such facilities shall be so designed to divert surface water away from cut surfaces or sloping surfaces of a fill.
3. Construction on a development site that may disturb vegetative cover shall be minimized between December 1 of any year and April 15 of the following year.

B. Vegetation and Re-vegetation.

1. Any area on a development site cleared of natural vegetation in the course of construction of offsite improvements shall be replanted with vegetation which, when established, shall have characteristics of erosion control equal to or exceeding the original vegetation.
2. New plantings shall be protected with organic cover.
3. The use of persons or firms having expertise in the practice of re-vegetation (i.e., licensed landscape architects or nurserymen) shall be employed to supervise the planning and installation of re-vegetation cover.
4. Vegetation shall be removed only when absolutely necessary, e.g., for the construction of buildings, roads and filled areas.
5. Vegetation shall be planted in all disturbed areas within three (3) weeks of the completion of off-site improvements or as directed by the City Engineer. Such vegetation shall be of a perennial and low combustibility nature and which, when established, shall be sufficient to stabilize the soil.

- C. Spark arresters shall be installed in every fireplace constructed indoors or outdoors. Screen openings in such arresters shall not be in excess of one-quarter (1/4) inch in diameter.

D. Grading, Cuts and Fills

1. Exposed unstable surfaces of an excavation or fill shall not be steeper than one (1) vertical to two (2) horizontal.
2. Permanent fill shall be located so that settlement, sliding, or erosion shall not damage or cover any street, curb, gutter, sidewalk, or building.
3. All fill and degrees of compaction shall comply with the standards established by the Bountiful City Engineer in accordance with applicable codes and standards adopted by the City.
4. The top or bottom edges of slopes caused by an excavation or fill up to ten (10) vertical feet shall be at least three (3) horizontal feet from the property line and/or street right-of-way lines. Cut and/or fills greater than ten (10) feet shall be setback an appropriate distance as determined by the City Engineer.
5. The maximum vertical height of any cut or fill shall be ten (10) feet, except for existing, naturally occurring, and/or man-made site anomalies. An anomaly shall mean any abnormal deviation from the natural contours of a property encompassing less than ten (10) percent of the entire parcel area or one thousand (1,000) square feet, whichever is less.
6. Any structure except a retaining wall or soil stabilization improvement shall have a setback from the crest of the cut or base of the fill of a minimum distance equal to the depth of the fill or the height of the cut, unless a structurally sound retaining wall is built for the cut or fill slope. Retaining walls may be a part of a dwelling unit.
7. The distance from any structure to the toe of a slope shall be at least the height of the slope divided by two ($H/2$), up to fifteen (15) feet.
8. No cut, fill, or other area of disturbance may have a finished grade exceeding two (2) horizontal feet for every one (1) vertical (a 2:1 slope). Retaining walls shall be required in any area of disturbance where the grade exceeds a 2:1 slope. Any retaining wall that is (4) feet in height or taller shall be designed by a licensed engineer and approved by the Bountiful City Engineer in accordance with applicable codes adopted by the City.
9. No retaining wall shall exceed ten (10) feet in height.

E. Streets, roadways, and private access ways shall follow as nearly as possible the natural terrain. The following additional standards shall apply:

1. At least two (2) ingress and egress routes shall be provided for each subdivision.
2. Points of access shall be provided to all developed and undeveloped areas for emergency and firefighting equipment. Any driveway located upon a lot extending from a public street shall have at any point a maximum grade of fifteen

(15) percent as measured along the centerline of the driveway, and a minimum width of twenty feet, and shall be of a sufficient width and design to admit and accommodate firefighting equipment. Any driveway to an accessory building or secondary garage may be reduced to a minimum width of ten (10) feet if the Planning Director or Building Official determines that it is not necessary for providing emergency access.

3. No cul-de-sac shall exceed six hundred (600) feet in length, and each cul-de-sac shall have a turnaround with a radius of fifty-four (54) feet. A stub street that is longer than the width or length of any adjacent single lot or that is longer than two hundred (200) feet, whichever is less, shall have a temporary turnaround at the end thereof.
4. Centerline curvatures shall not be less than one hundred (100) feet radius on any curved street pattern. Depending on the slope of the street and other site specific conditions, the City Engineer may require a larger curvature in accordance with AASHTO and other applicable standards adopted by the City.
5. Variations of street design standards developed to solve special hillside visual and functional problems may be presented to the Planning Commission for consideration. Examples of such variations may be the use of split roadways to avoid deep cuts, modifications of surface drainage treatments, or sidewalk design.
6. Any road or right-of-way for vehicular access dedicated for public use shall be subject to the following limitations:
 - a. The maximum grade of such road or right-of-ways shall be twelve (12) percent except as hereafter provided.
 - b. The City Council, after receiving a recommendation from the Planning Commission, may grant approval for the construction of a straight section of road or right-of-way having a grade exceeding twelve (12) percent, but the grade of such streets shall not, in any event, exceed fifteen (15) percent.

F. Architectural Design and Site Orientation

1. Any building proposed for construction in the Residential Foothill subzone shall use building materials and colors that blend harmoniously with the natural settings of the site. Materials such as natural woods, brick (earth colors), and stone are considered to be most appropriate.
2. The Planning Commission shall review the design and specified exterior materials and colors for all structures other than single-family dwellings. Building permits for such structures shall not be granted until building materials and colors have been approved by the Planning Commission.
3. Landscaping shall be designed and installed to maintain the natural character of foliage in the area consistent with the proposed development.

4. Any primary structure and its accompanying site improvements and accessory structures shall be located on the building pad defined and approved for the lot, but may be located outside of the minimum building pad area only if the ground is considered usable as set forth in this Title.
- G. In addition to the provisions requiring posting of an acceptable bond as set forth in the Ordinances of Bountiful, Utah, as amended, a corporate surety bond or cash bond or a letter of credit supported by a guarantee of a state or federally chartered bank or other financial institution shall be required by the City Council to guarantee the completion of public improvements such as streets, sidewalks, curb, gutter, utilities, re-vegetation projects, the stabilization of gradings, cuts, and fills and constructions of storm water runoff facilities as required in this Title. The bond shall be in an amount equal to the cost of construction of such projects and shall continue in effect for one (1) year after the completion date of such projects, improvements, or facilities.
- H. Exceptions to the requirements and provisions set forth in this Title may be approved by the City Council, provided that the developer or owner of such development can demonstrate that the requested exception:
1. Is not detrimental or injurious to the property or improvements adjacent thereto,
 2. Is not detrimental to the general well being of the neighborhood,
 3. Is minor in its overall scope and not a major departure from the purposes and objectives of this Chapter,
 4. Does not require undue public expense for maintenance, and
 5. Does not impose an undue burden upon the public or the City.

I. Lot Access and Site Layout

Each proposal to construct a primary structure more than one hundred fifty (150) feet from a public street shall be reviewed and approved by the Administrative Committee and Fire Marshall prior to receiving a building permit. Furthermore, any proposal to construct a primary structure more than one hundred fifty (150) feet from a public street shall also include a residential fire suppression system (sprinklers), and all other criteria as set forth below. No primary residential structure may be located more than five hundred (500) feet from a public street, without exception. All measurements shall be taken from the edge of the public R.O.W. along the centerline of the driveway or private access road to the nearest point of the primary structure. All of the following must be met before the Administrative Committee may grant approval:

1. An access road or driveway shall be provided which meets the standards outlined in Section 14-4-115. In addition all dwelling structures shall have installed at the time of construction, and keep continuously maintained, a pressurized interior fire protection sprinkling system that complies with the minimum standards of the IRC and/or IBC, and meeting the Fire Marshall's approval.

4. Screening trees as indicated in the Tree Selection List of this Chapter shall be planted at thirty (30) foot intervals inside property lines of each multi-family, commercial, institutional, or industrial use located within twenty (20) feet of a single-family residential development or zone.

14-16-110 FENCE, WALL, AND LIGHTING STANDARDS FOR A SINGLE-FAMILY OR TWO-FAMILY DWELLING

The following shall apply to any single-family or two-family dwelling on an individual lot:

- A. On an interior lot, a fence located within a minimum rear and/or side yard setback shall be:
 1. A maximum of six (6) feet in height if the fence is solid and/or otherwise site obscuring.
 2. A maximum of eight (8) feet in height if the fence is "open style" (at least 75% open and as further defined by this Title).
 3. A maximum of eight (8) feet in height if the lower section of the fence is solid for a maximum of six (6) feet in height and then "open style" (at least 75% open and as further defined by this Title) for the remaining vertical distance.
- B. In the minimum front yard setback area, an "open style" fence shall be a maximum of four (4) feet in height, and any wall or other type of fence shall be a maximum of three (3) feet in height, except as further restricted in a clear-view area.
- C. On a corner lot and on any lot that does not qualify as an interior lot, a street side yard and/or street rear yard may be enclosed by a fence to the same extent as a minimum rear yard or minimum side yard setback on interior lot, except for any clear-view area.
- D. A fence enclosing a recreational facility (whether private or public), such as a tennis court, swimming pool, ball diamond, etc., may be allowed up to ten (10) feet in height, as long as it is "open style" and not site obscuring, is located at least five (5) feet away from the property line, and is not within the minimum front yard setback area. A fence greater than ten (10) feet in height and/or closer than five (5) feet to a property line may be permitted with a conditional use permit or through the site plan review process if the fence is part of a new project. A fence abutting the Interstate freeway system may be erected to a height not exceeding eight (8) feet on the property line adjacent to the freeway right-of-way.
- E. Outdoor lighting shall be directed downward by means of prismatic lens, deflector, or other shading device to avoid projecting onto adjacent properties or streets. No flashing lights shall be allowed except for seasonal decoration allowed by this title.

14-16-111 FENCE, WALL, AND LIGHTING STANDARDS IN ALL OTHER DEVELOPMENTS

With the exception of a single-family or two-family dwelling on an individual lot, the following shall apply to any lot or parcel within Bountiful City:

- A. A wall or fence shall be a maximum of six (6) feet in height, with the exception that any wall or solid fence located within twenty (20) feet of a public street shall be a maximum of three (3) feet in height, and any "open style" fence located within twenty feet of a public street shall be a maximum of four (4) feet in height.
- B. Any outdoor storage area shall be screened from view by a minimum six (6) foot high wall constructed of, or finished with, materials to match or compliment the main building material of the site.
- C. Any roof mounted mechanical equipment shall be screened from public view by a parapet wall or similar device that is no lower in height than six (6) inches below the height of the mechanical equipment on the exposed side or sides. No chain link fencing, with or without slats, shall be allowed as a screening device for such equipment.
- D. Any loading or delivery facility shall be screened from street view by a six (6) foot high wall constructed of wood, brick, vinyl, masonry, or similar material as approved by the land use authority.
- E. A solid screening device or wall of masonry, wood, vinyl, or similar material shall be constructed along property lines which are located within twenty (20) feet of a residential dwelling or zone. Such wall shall be a minimum of six (6) feet in height, except for areas within twenty (20) feet of a public street property line, where it shall be the maximum height allowed in a single-family residential zone.
- F. A wall of six (6) feet in height shall be required along the rear lot line of a reverse frontage lot. In conjunction with a subdivision plat or Planned Unit Development a fence along the rear lot line of a reverse frontage lot may have a maximum height of eight (8) feet with specific approval of the Planning Commission. Such walls shall be constructed of masonry, wood, vinyl, or similar material as determined by the land use authority. Any street tree or landscaping element required by this Title shall be installed between the wall and the public street improvement.
- G. The exterior boundary of a mobile home park shall be provided with a masonry, wood, or vinyl wall having a minimum height of five (5) feet and a maximum height of six (6) feet and shall be designed in an irregular or undulating pattern to create an attractive appearance, as determined by the land use authority. The mobile home park owner and a lessee shall landscape the land between the wall and public street improvements with street trees and other landscape materials and shall maintain the landscaping continuously as required by this Title.
- H. Outdoor lighting shall be directed downward by means of prismatic lens, deflector, or other shading device to avoid projecting onto adjacent properties or streets. No flashing lights shall be allowed except for seasonal decoration allowed by this title.

14-16-112 GRADE DIFFERENTIAL

In instances where there is a grade differential along a property line separating two (2) lots as a result of a retaining wall or topographic feature, a fence, hedge, wall, or other permitted screening device may be erected to the maximum height permitted on either side of the property line. Also, in instances where a fence runs along a sloped property line, a pre-manufactured

rectangular fence panel of up to ten (10) feet in length or less may be installed horizontally to vertical posts such that one end of the panel is at grade level, and the other end is no more than two-tenths (0.2) of a foot above grade level for each linear foot of fence panel. The area beneath the bottom of the fence and the ground may be filled or remain open, and the panel height may be the maximum permitted on either side of the property line.

14-16-113 VACANT LOTS

Minimum yard setback areas apply to each lot or parcel, regardless of whether it is vacant or developed. Therefore, fencing standards shall be applied to a vacant or undeveloped lot in the same manner as to developed land.

14-16-114 NONCOMPLYING WALLS AND FENCES

A noncomplying wall, fence, landscaping element, or related site feature shall be considered a noncomplying site element and shall not be reconstructed except as permitted under the procedures for noncomplying sites as set forth in the Administration and Procedures chapter of this Title.

14-16-115 XERISCAPE STANDARDS

The following are the minimum standards for xeriscaping any parkstrip or other landscape area located within a public right-of-way:

- A. There shall be at least one (1) street tree for every forty (40) linear feet of frontage, or fraction thereof.
- B. At least fifty percent (50%) of the required landscape area shall be in live vegetation.
- C. Live vegetation shall be distributed throughout the landscape area, and shall not be clustered or segregated.
- D. Bark, lawn clippings, chipped wood, and similar loose materials are not permitted.
- E. Decorative rock material shall be a minimum of one (1) inch aggregate, and shall not exceed the height of the sidewalk nor the top back of curb. Such material shall be at least three (3) inches deep and shall be placed completely on top of a weed fabric barrier that allows the permeation of water.
- F. White quartz rock, lava rock, and gravel or any other material that approximates the color of concrete, are not permitted.
- G. Any area of xeriscape shall be improved with a drip irrigation system or similar permanent irrigation system that covers the entire area.
- H. Any individual, corporation, or other entity that xeriscapes an area within a public right-of-way shall be responsible for any damage caused by rocks or other materials that migrate onto a sidewalk, street, storm drain, or other public facility, regardless of how such migration occurs.

4-5-109.

Retaining Walls.

(a) No retaining wall which is four feet tall or taller shall be constructed without a permit issued by the City.

(1) This requirement includes all conventional cantilever concrete retaining walls as well as non-conventional wall systems such as reinforced earth structures, rock retained slopes, etc.

(2) Wall systems four feet tall or taller which are based on organic material such as treated lumber or railroad ties are not allowed.

(b) It is unlawful for any property owner to construct, or to have constructed by another, any retaining wall four feet tall or taller without first obtaining a permit from the City, or to construct or have constructed a wall in violation of subsection (1)(b).

(c) It is unlawful for any contractor or other person to construct any retaining wall four feet tall or taller for which a permit has not been issued by the City, or to construct a wall in violation of subsection (1)(b).

(d) To obtain a permit for a retaining wall, the following shall be submitted to the Bountiful City Engineering Department for review:

(1) An engineered wall design stamped by a civil, structural or geotechnical engineer registered to perform work in the State of Utah. The design shall be specific to the site and not a generic standard design.

(2) A site plan showing the extent of cuts or fills that will be included with the wall. The City may in its discretion require that the site plan be certified by a registered surveyor or engineer.

(e) All retaining walls four feet tall or taller must be inspected by the City. Prior to final inspection of the wall by the City, the contractor shall submit to the Bountiful City Building Official a complete set of inspection reports by the engineer of record certifying that the engineer has personally inspected all aspects and phases of the wall's construction.

(f) Retaining wall permits are subject to the same bonding requirement as any other building permit. Cash bonds will be returned when the work is satisfactorily completed and inspected, the engineer's certifications have been submitted and reviewed, and any damaged public improvements (sidewalk, curb, gutter, etc.) have been repaired.