

ALPINE CITY COUNCIL MEETING
Alpine City Hall, 20 North Main, Alpine, UT
January 14, 2014

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

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

Mayor Don Watkins

Council Members: Troy Stout, Will Jones, Roger Bennett, Kimberly Bryant, Mel Clement

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

Others: Devan S. Bennett, Benjamin J. Bennett, Benny Godfrey, Colin Grant, Wes Funk, Adam Godfrey, Jake Schauerhamer, Deran L. Bennett, Kaden Jensen, Dale Ihrke, Kobee Jensen, Tessa White, Jennifer Stout, Becky Rasband, Darren Gooch, Emily Gooch, Judy Pickell

B. Prayer: Will Jones

C. Pledge of Allegiance: Adam Godfrey of Troop 16

SWEARING-IN OF COUNCILMAN TROY STOUT. Troy Stout was sworn in by the City Recorder to a four-year term on the City Council. Mayor Don Watkins and Councilman Roger Bennett were sworn in previously on January 6, 2014.

II. PUBLIC COMMENT: None

III. CONSENT CALENDAR

A. Approve Minutes of December 10, 2013

B. Payment Request #4 to VanCon Construction - \$190,334.74

C. Reimbursement for Portion of Alpine Boulevard through Bennett property to Roger Bennett - \$10,670.40.

D. Reimbursement for Portion of Storm Drain in Alpine Boulevard to Roger Bennett - \$14,976.50

Roger Bennett stated he had a conflict of interest and would abstain from voting.

Shane Sorensen explained that when Bennett Farms subdivision was developed and Alpine Boulevard extended through the Bennett property, the road was built as an arterial street rather than a local street. The City reimbursed developers for oversize improvements and the developer would need to be reimbursed for the additional width. Along with the road construction, a portion of the storm drain was installed in Alpine Boulevard to correct an existing deficiency. The Bennetts would need to be reimbursed for that, as well. He said it was a benefit to the City to have those things completed.

MOTION: Kimberly Bryant moved to approve the Consent Calendar. Troy Stout seconded. Ayes: 4 Nays: 0. Motion passed. Roger Bennett abstained

IV. REPORTS and PRESENTATIONS

A. Financial Report for December 2013: Rich Nelson summarized the report for December. He said property tax in December was at 80%. There would probably be more coming in during the next month since there was typically a time lag on reporting. Revenue in other areas was up from the same time the previous year including sales tax and franchise fees. Motor vehicle tax and Class C Road funds were down a little. Plan check fees and building permit fees had already met the budgeted annual goal. The budget anticipated an annual building revenue based on 17 new homes. Since July 2013, the City had issued 23 permits for new homes. As a matter of interest to the Council, Mr. Nelson said the state legislature was looking at the funding formula on gas tax and he expected that would be an issue that impacted the cities.

V. ACTION/DISCUSSION ITEMS

PUBLIC HEARING - KEYSTONE ANNEXATION: Shane Sorensen explained that the proposed annexation consisted of approximately five acres and was located west of the property at 1380 N. Grove Drive. Currently the property was landlocked, which was unusual for an annexation. Also, there was no development plan so staff was looking for direction on whether or not the Council wanted to see a development plan. The property would be in the CR-40,000 zone if annexed.

David Church said the Keystone Annexation petition had been filed by Will Jones in August 2013, and was reviewed by the Council and certified by the City Recorder. The proposed annexation had been noticed as required by state code. The affected entities had also been noticed. The required 30-day protest period had ended and no protests had been filed with the Boundary Commission. Sometime after the public hearing, the Council could approve or deny the annexation, either at this meeting or a later one.

Mayor Don Watkins opened the public hearing to public comment. There were no comments. He then opened it to discussion by the Council.

A. Keystone Annexation - Will Jones: In response to questions from the Council about what would be done with the property and how it would be accessed, Will Jones said it was intended to be only one large five-acre lot which would be accessed by a road that would be built in the county. The party that was buying the property only wanted one home on it. He showed where there was a deeded easement from Grove Drive that would access the lot. Mr. Jones said he would be building the road with a 54-foot wide easement and all the improvements except for sewer which would come from another direction. Mr. Jones said that when the rest of the land was annexed, the road would be looped. An Ordinance of Annexation and Annexation Agreement would be prepared for the next meeting.

No action was taken.

B. City Council and Planning Commission meeting schedule for 2014: The Planning Commission had amended and approved their meeting schedule for 2014 and passed it on to the Council. Troy Stout recommended eliminating the City Council meeting scheduled for November 25th since it was just before Thanksgiving, and possibly July 8th.

MOTION: Will Jones moved to accept the City Council and Planning Commission meeting schedule for 2014 as proposed but eliminate the City Council meeting scheduled for November 25th. Roger Bennett seconded. Ayes: 5 Nays: 0. Motion passed.

C. City Council Appointments and Assignments for Calendar Year 2014: Mayor Don Watkins made the Council assignments. After a brief discussion by the Council, some assignments were added.

Mayor Don Watkins:	Community Communication/Newsline General Administration Personnel Finance Mountainland Association of Governments Utah County Council of Governments Lone Peak Public Safety District
Council Member Kimberly Bryant:	Lone Peak Public Safety District Youth Council
Council Member Mel Clement:	Parks, Trails, Recreation and Open Space
Council Member Roger Bennett:	Solid Waste District Advisor to staff on pressurized irrigation and water conservation
Council Member Troy Stout:	Mayor pro tem Parks, Trails, Recreation and Open Space

Council Member Will Jones: Eagle Scout Projects and Volunteers
Alpine Days
Advisor to the staff on recreation

David Church said the Council would need to appoint a mayor pro tem by motion. Typically they did it at the beginning of a meeting where one was needed, but they could do it for the entire year.

MOTION: Will Jones moved to appoint Troy Stout as the mayor pro tem for 2014. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Motion passed.

MOTION: Will Jones moved to accept the Council Assignments as revised. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Motion passed.

D. Planning Commission Member Appointments: Bryce Higbee and Todd Barney had served on the Planning Commission for the past few years and their terms expired in January 2014. Bryce Higbee agreed to being reappointed to the Planning Commission. City Planner Jason Bond recommended Judi Pickell to fill the other vacancy on the Planning Commission. Ms. Pickell was currently the administrator of the Utah Chapter of the American Planning Association. She previously worked for Lindon City as the assistant planner and had conducted planning conferences. She had lived in Alpine for five years.

Members of the City Council asked Ms. Pickell a variety of questions about her philosophy on planning and Alpine's future. Ms. Pickell said she was not there to changes ordinances or rezone. Her job would be to work for the City and make sure developers got a fair shake.

MOTION: Will Jones moved to appoint Judi Pickell and Bryce Higbee to Planning Commission for four-year terms. Troy Stout seconded. Ayes:5 Nays: 0. Troy Stout, Will Jones, Roger Bennett, Mel Clement and Kimberly Bryant voted aye. Motion passed .

E. Appointment of City Administrator to the Utah Valley Dispatch Special Service District (UVDSSD). City Administrator Rich Nelson had been previously appointed to the UVDSSD and his term had expired. The City Council moved to reappoint him.

MOTION: Kimberly Bryant moved to reappoint Rich Nelson to the Utah Valley Dispatch Special Service District. Will Jones seconded. Ayes: 5 Nays: 0. Troy Stout, Will Jones, Roger Bennett, Mel Clement and Kimberly Bryant voted aye. Motion passed .

F. Appoint Dale Ihrke to the Timpanogos Special Service District Board: Rich Nelson said they had received an email from Mr. Ihrke who asked them to consider appointing him as a member of the TSSD Board. He had recently retired as the plant manager of the regional water treatment facility in San Jose, California and was offering his 24 years of experience and expertise in the field.

Rich Nelson said he had contacted the TSSD Board and learned that it was acceptable to appoint a representative who was not a member of the Council. Mr. Ehrke had lived in Alpine for two years. Mr. Ehrke said he had visited the plant and was aware there was a lawsuit pending. He would email his notes from the Board meeting to Rich Nelson who could forward them on to the Council.

MOTION: Troy Stout moved to appoint Dale Ihrke as Alpine City's representative to the Timpanogos Special Service District Board. Will Jones seconded Ayes: 5 Nays: 0. Troy Stout, Will Jones, Roger Bennett, Mel Clement and Kimberly Bryant voted aye. Motion passed .

Mayor Watkins noted that Ron Eaton was present at the meeting. He had previously served on the Planning Commission but had to resign due to a church calling. He had regularly attended both Planning Commission and City Council meetings in the past few months and was interested in serving the City again.

G. Budget Development Outline for the Fiscal Year 2014-15: Rich Nelson reviewed the outline for the six month process of developing the Budget. At the next meeting the City Council would go over past goals and see how successful they were. They would review big issues coming up. The City Council needed to consider what goals and objectives they had. In February the department heads would create a balanced budget. In March they would set up individual meetings so Council members could ask questions. In April the Council would hold a budget work session. In May the tentative budget would be presented and public hearings held. The final budget had to be adopted on or before June 22nd. The new fiscal year started July 1st.

Mr. Nelson said the PSD budget was a concern, primarily because of the fire department and EMS. The fire department had received a grant to hire additional officers and the grant ran out, which left them short. They also lost revenue when hospital transport fees were turned over to American Fork. The police department budget was in good shape. He said the Council needed to consider whether or not they wanted to make the fire department a special district.

H. Pine Valley Realty Office Commercial Site Plan - Will Jones: Jason Bond said that in June 2013 Will Jones requested an exception to the parking requirement which was granted by the City Council. The parking requirement was based on the square footage of the building, and since Mr. Jones was not planning to have office space in the basement, he requested a reduced parking requirement. An agreement was signed and a deed restriction stating that the basement of the building would be for storage only. There would be no offices. The site plan then went to the Planning Commission who reviewed it under the guidelines of the Historic Gateway zone. There were a number of renderings and at length the Planning Commission sent a recommendation to the Council that it be approved.

Jannicke Brewer said the building was in a prominent location by the roundabout and they wanted to make sure it met the requirements of the zone. They felt it complied with a modern application of the Gateway zone.

There were some further questions and discussion about the potential use of the basement and parking issues that may arise. David Church said that the deed restriction was self-enforcing. If the new office building didn't have enough parking, it would create a problem for the owner, not the City or other businesses.

Roger Bennett and Will Jones both declared a conflict of interest and would abstain from voting.

MOTION: Mel Clement moved to approve the Pine Valley Realty Office Commercial Site Plan as proposed. Kimberly Bryant seconded. Ayes: 3 Nays: 0 Motion passed. Mel Clement, Kimberly Bryant, Troy Stout voted aye. Roger Bennett and Will Jones abstained. Motion passed.

I. Auto Repair Shops - Proposed Amendments to the BC Zone to allow auto repair as a conditional use: Jason Bond said the Planning Commission had been reviewing the issue of auto repair in the BC zone and had recommended it be a conditional use in the BC zone rather than creating a service commercial zone. There were seven specific things they wanted to have addressed that would regulate auto repair shops. A public hearing was set for the February 4th meeting.

Roger Bennett asked if the ordinance would allow two businesses on the same lot? If a residence and a business could exist on the same lot, could the residence be converted to a business? Will Jones said that the financing would be interesting if there were two businesses on the same lot.

David Church said the ordinance allowed accessory buildings on a lot. The interpretation was that there would be one primary building and one or more accessory buildings. It didn't allow multiple primary buildings.

Kimberly Bryant said the whole issue of auto repair shops came up because of upset neighbors. Would neighbors adjacent to an auto repair shop in the BC zone be upset?

Mayor Watkins said they owed it to the community to have an open debate on auto repair. It was a big change from what the ordinance had previously allowed and they needed to make sure the neighbors knew and the public knew they were considering allowing auto repair shops in Alpine.

The Planning Commission would be working on this at their next meeting.

J. City Council Training on Open Meetings/Closed Meetings - David Church. This item was postponed.

VI. STAFF REPORTS

Shane Sorensen updated the Council on their progress on the storm drain system in the flood area. He said they laid the last piece of pipe in the ground on the Box Elder pipe line, but there was still a lot of work to do. He discussed the dike in Lambert Park that would be built. It had minimum width of four feet on the top and could go wider. They were looking at a 50-foot swath. Troy Stout asked if there was some way they could utilize it in such a way that it blended with Lambert Park. Shane Sorensen said he felt it fit the lay of the land and the trails.

VII. COUNCIL COMMUNICATION

Mel Clement said he would be resigning his City Council seat effective January 28, 2014. He and his wife Cinda would be serving a mission for the LDS Church to Texas. He said it had been great serving on the Council and he wished them the best of luck.

VIII. EXECUTIVE SESSION

MOTION: Kimberly Bryant moved to adjourn to executive session to discuss pending litigation. Troy Stout seconded. Ayes: 5 Nays: 0. Troy Stout, Will Jones, Roger Bennett, Kimberly Bryant and Mel Clement voted aye. Motion passed.

The Council went into closed session at 9:08 pm.

At 10:40 pm a motion was made to return to open meeting.

MOTION: Troy Stout moved to retain the law firm of Ray Quinney and Nebeker for the purpose of litigation on damages caused by the Quail Fire, and the ensuing flood damages. Will Jones seconded. Ayes: 5 Nays: 0. Troy Stout, Will Jones, Roger Bennett, Kimberly Bryant and Mel Clement voted aye. Motion passed.

MOTION: Kimberly Bryant moved to retain the law firm of Ray Quinney and Nebeker to appeal the County Commission approval of the 59-lot, Box Elder South Subdivision and approve a maximum of \$30,000 to be spent in the current fiscal year with funds to come from the unappropriated fund balance. Troy Stout seconded. Ayes: 3 Nays: 2. Troy Stout, Kimberly Bryant, Mel Clement voted aye. Roger Bennett and Will Jones voted nay. Motion passed.

Will Jones explained that he would prefer to make a more comprehensive assessment of the issues including outcome and costs before they committed the funds to pursuing the case. Roger Bennett said he would be okay with spending \$30,000 for the calendar year, but not for the remainder of the fiscal year.

MOTION: Kimberly Bryant moved to adjourn. Will Jones seconded. Ayes: 5 Nays: 0. Motion passed.

The meeting was adjourned at 10:55 pm