

**Alpine City Council Meeting
on Tuesday June 13, 2023**

Mayor Carla Merrill called the meeting to order at 6:00 pm.

I. CALL MEETING TO ORDER

- A. **ROLL CALL:** The following were in attendance at the anchor location and constituted a quorum:
Lon Lott, Kelli Law, Jason Thelin, Jessica Smuin, and Greg Gordon.
- B. **PRAYER:** Lon Lott
- C. **PLEDGE:** Jason Thelin

Staff: Shane Sorensen, Ryan Robinson, Heidi Jackman, Steve Doxey, Chief Brian Gwilliam, Chief Brian Patten, and Marla Fox

Others: Julie Yarbrough, April Cooper, Craig Skidmore, Craig Miller, Delin Wareham, Chris Wareham, Todd Smith, Marty Smuin, Will Jones, Gary Tassainer. Alexis Verson, Matt Seipolv

II. WORK SESSION

A. Active Transportation Plan – Horrocks Engineers

Alexis Verson, Horrocks Engineering representative, said she and her team have helped Alpine and Highland develop this Active Transportation Plan. She said the cities of Alpine and Highland came together and determined that there is a need for improving and expanding the active transportation network within each community and between the communities. Both cities applied jointly to MAG for funding to conduct a study and plan for active transportation. The funding was awarded, the project went through the RFP process, and Horrocks's proposed to do the work and we were selected by the selection committee.

Alexis Verson said active transportation is human powered mobility. This would be for transportation choices like walking, biking, jogging, horseback riding, wheelchair access, etc. She said she feels strongly as do those in the community, that we need a plan for more transportation choices to help get around safely, actively, comfortably, to destinations within our community. She said people don't always want to drive. She said there is a lot of funding at the local, State, and Federal level to implement projects like this.

Alexis Verson said there are tangible benefits for active transportation enhancements within our communities. She said we see quality of life improvement, it helps communities have more access to have a more active lifestyle, and an increase of safety and less crashes overall on streets that have mulit-mobil facilities on them. She said we have connections, amenities, and access to schools and churches.

Alexis Verson provided some statistics that come from a variety of research that has been done. She said they found a lot of the short trips taken locally are two miles or less and are taken in a car. She said if we can provide some other alternatives and option, we might be able to shift some of those trips and take some of that demand off our existing roads.

Alexis Verson said they developed a vision and guiding principles with a committee comprised of elected officials, staff, stake holders, and the school district to learn what the needs are. She said they collected data to understand current conditions, how are people traveling now, what are the routes they use, what is the crash data telling us. She said we can dive deep into pedestrian and bicycle injury and fatality crashes and learn a lot about what happened. Was it speed related, did it happen at an intersection, where are our hot spots that we need to direct our attention to.

Alexis Verson said we also look at future land uses. These communities are growing and changing and some of that is going to change travel behavior and create some new demands. She said they developed a backbone network which is the bigger, more comfortable, robust active transportation facilities that really connect these two communities. She said this is where we want to start; we want everyone to have access to the backbone network.

She said they used both quantity of data and quality of data to help inform those. She said they developed a support facilities network and worked on traffic calming.

Alexis Verson showed the vision and guiding principles that they developed. She said a this was developed from a variety of different parties. She asked what this plan should try to achieve, what should it do, what should it not do, and some tangible objectives to measure that. How are we going to work with future land uses and developers. How are we going to work with each other across jurisdictional boundaries and funding boundaries and how are we going to develop a network that is content sensitive and attainable.

Alexis Verson showed crash data for both cities related to pedestrian and bicycle, both severe and fatality crashes. She said there is a pattern on faster, wider, high-volume roadways and are conflicts for people walking and biking. She said this was great direction on how we want to address some of those issues. She said they had a great and successful online survey from the public with 737 responses from the population of both cities. She said people could drop a pin on a map to show where they had concerns or where they said they wanted a connection. She said this was great information to be incorporated in the plan. She said they spent a lot of time with the school district identifying safe routes to school, where they were lacking, and where connections needed to be.

Alexis Verson said high level findings that are important are that people want connections between Alpine and Highland in terms of active transportation. One of the main purposes when walking and biking are migration ways. She said there are a lot of people traveling to school and commuting and accessing local business and community centers as well. She asked what type of biking facilities we want. She said people asked for multi-use pathways, more of a high comfort, removed from the street is preferred, but a lot of people want bike lanes and other families want other paths off the road. Half of the people surveyed said they use the facilities every day or several time a week.

Matt Seipolv, Horrocks Engineering representative, said they have developed on and off-street paths. Some are adjacent to the road, some that are separate paths, and some are separated by a barrier from the street traffic. He said the support network improves the level of comfort for these facilities.

Matt Seipolv said in general, we have traffic calming locations and crossing improvements. This covers the safe route to school system in Alpine and Highland with bicycle facilities to, which can help reinforce getting funding for improvements for safe route to school as well. He said they provide planning level costs to priority projects which are the center of the backbone and really provide city to city connection between Alpine and Highland. They have resources to help this move forward and measure the performance.

Matt Seipolv said we can realign the street or use what is currently there. There are other traffic calming techniques we can use. He said we have grant funding from Federal down to the State level. Evaluation metrics are great to monitor the project, and when applying for funding, how are you going to measure this project and report back to us. He said the final steps are to adopt the plan, get funding, match funding dollars, then implement.

Lon Lott asked about cross sections and where to find that information in the document. Matt Seipolv said there are different areas about cross sections. Lon Lott asked if the specifics would come later in the planning stage. Alexis Verson said when you get to the planning stage, you would get someone to help with the final design, measuring the exact right-of-way, understanding exact constraints, and developing a plan that could be bid out for construction. She said they have recommendations on what type of facility you should likely implement.

Lon Lott said along with the equestrian aspect, some areas you would put horses and some you wouldn't. Matt Seipolv said yes, there could be separate trails for that. Alexis Verson said we don't have horse lanes in this plan. She said they didn't get feedback from equestrian users or a desire to have those connections. She said a multi-use trail could be designed to have a hard surface and a soft surface adjacent.

Carla Merrill asked what best use practices are for off street trails. Alexis Verson said a minimum of twelve feet, but fifteen feet would be best. She said the Murdock trail is fifteen feet wide and it is not wide enough for the traffic it gets.

Carla Merrill asked about the Building America and Safe Streets for All grants. Alexis Verson said those are just two of fifteen or twenty grants you could apply for. Carla Merrill said MAG is moving forward with choosing what they are going to do with their grant money. Alexis Verson said Alpine City could apply on their own, the only requirement is to have an action safety plan adopted in order to be eligible. She said in theory, Alpine City could do their own safety plan independent of MAG, and then be eligible for implementation, and said there are other funds we could apply for.

Jessica Smuin asked if the grants are annual. Alexis Verson said yes.

Greg Gordon said that Westfield Road has the most bicycle usage in Alpine according to the Stava data in the study. He said there is no bike lane and would like to see something done there – such as more frequent road sweeping and creating bike lanes as there is very little parking on its roadside today. heavy traffic use and heavy use of the sidewalks and shoulder. He said there is no bike lane, and he would like to see something done there.

Matt Seipolv said as far as funding goes, there's an additional source we put in and that's in association with the Governor's statewide trails plan. He said that allocates a cap of 45 million each year for funds for projects in Utah. Jessica Smuin said we can show that this is a regional connection to Murdoch Canal and Jordan River. She said this is what the drive is. Matt Seipolv said you can get more funding if you join forces with other cities or the County.

Kelli Law asked about pedestrian tunnels for kids to cross the street to get to school. Alexis Verson said they have addressed that, and Matt Seipolv said they didn't get into much detail. Greg Gordon said we need to look at Timpanogos Highway because the study and survey comments said that no one feels safe crossing that road. Kelli Law said we need to figure out how to get from Alpine down to the Murdock Canal safely.

B. FY2024 Budget

Shane Sorensen said we have talked about the budget several times. He said he has met with each council member and the mayor individually to discuss a few projects that hadn't been discussed before. He said we've tried to incorporate all of those projects into this version of the budget and said he has updated a few things since the tentative budget was presented to the Council. He said he would like to get a straw poll, not a vote, on projects and if we want to include them or not. Then between now and the next ten days, we'll refine this document. He said the Public Hearing is scheduled for June 27, 2023, and we'll present the option for the budget at that meeting.

Shane Sorensen said a few changes have been made. MAG did a study of about 60 cities, ours wasn't one of them, and said sales tax revenue could go a little bit negative next year. He said in the tentative budget, we had \$2,120,000 as anticipated revenue and this year we had \$2,000,000. He said he adjusted it back down to \$2,000,000 to keep it flat just as a precaution. He said we adjusted some of the different fees, some up some down, to reflect trends we are seeing currently. He said we had a bid opening yesterday for a big project. He said because we didn't have an overlay project last year, we wanted to combine that project, take funds from last year and combine funds from this year and probably add some to it and do a big project, two years in one. He said it's the biggest overlay project we've ever done.

Shane Sorensen said sometimes it's difficult this time of year to get all the big documents put together and go through the bidding process and advertised. He said several cities that started having an option in their contract that they could negotiate for changes in fuel prices either up or down, as well as oil and different things for a second year. He said a lot of times we're not getting to our overlay projects until September or October, so we put that provision, at our discretion, to adjust costs with the contractor the second year without having to go through the bidding process. This would give us a jump so we could get our projects done earlier in the year because of Alpine Days and school starting and it could be to our advantage.

Shane Sorensen said everything is updated based on updated project costs throughout the budget front to back in the different funds. He said the big part of this cost is the overlays. He said he took what was left in the current budget year, which was approximately \$560,000 and figured that into this project. He said chip seal, seal coat, crack

sealing, striping, paint curbs red, trip hazard removal, and concrete replacement projects will have the same dollar amount as last year which was roughly around \$600,000. He said he took some additional funds from our Class C Road money that we've saved up, and from Streets from the General Fund to be able to accomplish this overlay project. He said in this case we can cover it, but if it were necessary, we could pull some money from the rainy-day fund to help with road projects after the winter we've had and said it would be the appropriate thing to do. He said there have been comments on Facebook saying the city needs to resurface the roads which we do every year, but this year has been very visible. He said hopefully we can get this project approved and move it forward in this upcoming budget year.

Shane Sorensen said we have a pre-bid meeting tomorrow for the Grove Drive Crossing Re-Alignment and open bids next week. We plan to bring that to City Council for approval on June 27, 2023, to award that project. He said this is for the Culvert and Road Re-Alignment along for the trail we have the grant for. He said this estimate is current from Horrocks's Engineering, and hopeful the estimate is within reason for this project. He said Horrocks's does a lot of these and feels confident about it, but said you never know until you bid it out. He said we'll have time between the bid opening and Council to figure out how to fund it.

Shane Sorensen said these are the Capital Project for the FY2024 Budget.

1. Crosswalk improvements would have an RRFB on 100 South and 600 East.
2. Lambert Park East turn-a-round project was added as a result of discussion on the budget. This would be where Box Elder Way comes down to Lambert Park at the East end of the emergency access road. We would build a turn-a-round that is similar to what is at the top of Moyle Drive. Jed Muhlestein put a cost estimate together for that based off current bids that we've seen come in from subdivisions, and it could be more or less. Shane Sorensen said he has a map of the area that has been staked out so you can see the footprint of the area.
3. Miscellaneous trail improvements is money for whatever need to be repaired because of water issues we've had this year.
4. Three Falls upper parking lot paving is done, and we just need to do the road base surface area where the parking lot will be. He said there will be 6 or 8 parking stalls which was approved by the City Council.
5. Moyle Park landscaping. Jessica Smuin said we need to address one of the roofs that is in pretty bad shape. Shane Sorensen said some electrical, painting, and new floor improvements were made to the caretaker's house. Jason Thelin asked if the City Council had a say on who would be the caretaker. Shane Sorensen said the City Council should advise him on that.
6. Cemetery expansion is ongoing.
7. Fire Station improvements will be the next one we get going on.
8. Surveillance cameras for city properties have money set aside.
9. Restroom locks, new system that may include a new door.
10. Main Street improvements, possible sign at the round-a-bout. He said our new flowerpots look great.
11. City Hall roof will get bid out.
12. Weather base sprinkler controllers for Healey Park and Smooth Canyon Park. He said the one at Legacy Park has worked great. The project last year was Creekside Park and it's had a few hiccups with some software updates that we've been working through. He said if you go by there and it doesn't look as green as you think it should, that's one of the reasons. He said it has been worked on for the last two weeks and it wasn't staff or contractor error, just a software issue that's being worked out.
13. Emergency operation center improvements such as a hand radio and some things here in our conference room which is also our emergency operation center.
14. Infrared fire detection cameras. Shane Sorensen said we should research this and see if it is something we want to do or not.
15. New heaters at Public's Work Building. Shane said he budgeted \$40,000 and got an actual bid of \$115,000 and said that's been updated.
16. EV charger which is approximately \$15,000.
17. Drinking fountain, benches in some of the parks.
18. Water line replacement projects. Shane Sorensen said a specific one has not been proposed yet, but there is a Rural Water Project Grant. He said it has a pretty tight timeframe and it would be a 40-year loan.

19. Pressurized irrigation projects are the 400 West booster filter building roof, and the 300 North well.
20. Misc. sewer improvements will be done with the overlay projects and we're milling asphalt pretty much curb to curb. Shane Sorensen said in doing that, we have to lower all the manholes and valves before the mill comes and then after the overlay happens, we have to raise them all back up and pour concrete rings around it. He said this project will be \$268,000 in manholes and valves. He said we try to spread this out and have some of our water and were funds pay for some of that.
21. Misc. storm drain is small storm drain projects that pop up and helping with the manholes as well.
22. Grant projects: Burgess Park Area Trail Improvement Grant which was awarded to us. Shane Sorensen said our matching funds will be about \$153,000, the grant was for just under \$150,000. He said the Lambert Park BSD Trail which we discussed being part of our Grove Drive project, at least the part that's affected in that section. He said we discussed maybe getting a price from that contractor to do the rest of it while they're there.
23. ADA Ramp Project through the CDBG Grant, Shane Sorensen said our matching funds would be about \$33,000, and the grant is \$50,000. He said we are currently working with them to get things finalized.
24. Hook Lift Truck, Shane Sorensen said this would be a pre-order and we don't have to pay upfront; it would be in the next budget year, and it would give us a jump on the order and trying to get the actual truck here.
25. Salary adjustments, Shane Sorensen said he met with the mayor, and we put in a 4% merit with a 1% one time, not ongoing, and a few market adjustments.
26. Tweaks made on utilities.

The City Council had a discussion about parking at the top of Three Falls. Carla Merrill was opposed to spending \$150,000 for a new parking lot. She said we already have a parking lot at the south end of Lambert Park and one at the top of Moyle Drive. Jessica Smuin said that lot is heavily used and is already full. Jason Thelin is in favor of a new parking lot. Lon Lott said we could leave that line item in there and discuss it at a later time. Shane Sorensen said he included all of these projects and pulled some money from the Capital Improvement fund, and said the budget works with all these projects in. He said there's no harm leaving it in and then flushing it out down the road. Greg Gordon said he is in favor of a new parking lot because a parking space is needed and now there is nowhere for cars to turn around.

Jason Thelin asked if the new City Hall roof would be shake shingles. Shane Sorensen said yes. He said the pump house will also have shake shingles. Carla Merrill said she was concerned about the cost of shake shingles on the pump house. Jason Thelin said it has previously been approved.

III. CONSENT CALENDAR

- A. Approve City Council minutes of May 9, 2023
- B. Approval to Pre-Order Hook Lift Truck: \$252,805.42
- C. Approval of 2023 Overlay bid (bids open June 12)
- D. Approval of Holbrook Asphalt Proposal – High-Density Mineral Bond: \$95,052.48
- E. Resolution R2023-18: Consolidated Fee Schedule – Sewer Impact Fee
- F. Ordinance 2023-17: code Amendment to Section 11.06.050 for Construction and Repair of Streets and Sidewalks, Requiring a Permit from the Building Department
- G. Ordinance 2023-16: Code Amendment to Section 3.21.060 clarifying that Trees and Other Objects Are Not Allowed in the Sight Triangle
- H. Ordinance 2023-18: 2023 Fireworks Restrictions
- I. Commercial Building Sign Application: Laser-Skin-Body + Glo Signs – Jaymie Beck
- J. Commercial Building Sign application: Alpine dentistry + Pfeifferhorn Dental Signs

MOTION: Lon Lott moved that item A, City council minutes of May 9, 2023 be moved off the consent calendar for further review, and to moved to approve action items C and D, the Commercial Sign applications, to the consent calendar.

Jason Thelin seconded the motion. There were 5 yes votes, 0 no votes, and 0 excused as recorded below. The motion passed unanimously.

<u>Yes</u>	<u>No</u>	<u>Excused</u>
Lon Lott		
Jason Thelin		
Kelli Law		
Greg Gordon		
Jessica Smuin		

MOTION: Lon Lott moved to approve the consent calendar as stated.

Jessica Smuin seconded the motion. There were 5 yes votes, 0 no votes, and 0 excused as recorded below. The motion passed unanimously.

<u>Yes</u>	<u>No</u>	<u>Excused</u>
Lon Lott		
Jason Thelin		
Kelli Law		
Greg Gordon		
Jessica Smuin		

IV. PUBLIC COMMENT

Julie Yarbrough, resident, said she thinks the stop sign at Westfield and 400 West is a bad idea and she thinks it will be a safety issue.

Craig Miller said the stop sign will be an issue in the snow because you can't get up the hill from a full stop. He said we should have the stop sign going horizontally and not vertically because of the ice. Starting and stopping will be a nightmare.

Debbie Dickens, resident, said she is serving a mission in Germany and doesn't want any work done on her cul-de-sac without communication.

Delin Warham said October 2022 motion has been disregarded and she'd like to think when the City Council takes action, it's meaningful. How do I know which motions have teeth and which don't? She said residents were not notified about work being done in her cul-de-sac and in the October meeting, the City Council said they would work with residents at least a dozen times. She wanted the landscape islands weren't grandfathered in when annexed. She said protecting Alpine's natural is stated in several areas of the General Plan. She asked the City Council to honor the annexation agreement and other city codes. She asked if the islands are owned by the city or the HOA. She asked the City Council to restore the natural area in Juniper Circle.

Gary Tassainer, resident, said he expects the City Council to enforce what they agreed on in their cul-de-sac in the Cove. He said the agreement was overturned because of a new resident who built a huge home and apparently has some clout with the City Manager and what the city did, was wrong. He said he and his wife want to go see the poppy's but can't because vehicles are banned, and he and his wife can't walk in there because of health issues. He asked the City Council to improve the road above Moyle Park to give the people another way in and out. He said there is an impact to everybody else because the city won't put a road through there.

Shane Sorensen said he approached the homeowner about improvements on the cul-de-sac. The homeowner did not approach the city. He asked Mr. Tassainer to come visit him in his office to discuss this further.

Carla Merrill said there are permits for disabled people to go see the poppies.

Todd Smith, resident, said he recognizes that as a subdivision that's annexed, things change with city services and we need to look at what the city needs, and what the homeowners can preserve, and come up with some sort of

compromise. He said we need a plan moving forward so we know and try to limit the surprise of a homeowner coming out and seeing changes they weren't expecting.

Jason Thelin said that's what the city's hope was last fall, was to work with the residents and find a compromise.

Shane Sorensen read the motion that was made last fall. *Jason Thelin made a motion to approve city staff to work with residents in Alpine Cove Circles, in not removing the island within the circles with the following condition: All new homes shall not put anything such as cement, landscaping, sprinklers, in the city's easement. Residents will work with the city; the city may still need to remove the islands in the future. The residents may water and make other improvements to these islands. Emphasize to residents the need to do culverts and water retention areas.*

Jason Thelin said it sounds like we said we would work with residents and that was what my recollection was. Shane Sorensen said the new homeowner is going to put in a paver driveway. He said we've had experiences with this before and said it's very expensive to go in a fix this after it's been done. He said he was just trying to get ahead of this before the driveway was put in and cost the city more money. He said that is why this was done. The homeowner did not come to the city, I went to him when I saw his building permit come through. He said it's offensive to say the homeowner has clout with the city.

Chris, resident, said it is very well documented last October, that no work would be done without conversations with the residents in the cul-de-sac as it relates to the islands.

Carla Merrill said she said the city staff was not removing the island. She said they were making improvements and did not disturb the sage brush or trees. Some rock was removed, and a little pavement added. She said she apologizes for the miscommunication.

V. REPORTS AND PRESENTATIONS

A. Fraud Risk Assessment

Shane Sorensen said the State Auditor sent out a survey about this because they took a lot of flak about it. He said we'll get twenty points on number four, Statement of Ethical Behavior. He said something new that is related to this is we had a fraud endorsement on our insurance policy. We got a letter from the insurance company saying we have to meet a certain threshold or points to qualify for that endorsement going forward. He said we could do it but not in the timeframe that was required. He said about a week after that email come out, they backed off and said they were going to put this off for about a year. He said because we don't have a CPA, we need to form an audit committee to get the points to get the fraud endorsement on our insurance policy.

Carla Merrill asked who would be on the committee. Shane said it could be made up of staff and citizens and could be looked at over the next year.

The City Council had a discussion about different thing they could do to get the points needed.

B. Financial Report

Shane Sorensen said the report on the sales tax through nine months of the year we're plus 6.84 percent. He said there's quite a few projects that will roll into the next budget year and those are addressed in the budget. He said we are in good shape and we'll work with Dave to make sure we have all the bases covered for our budget amendment in two weeks and make sure our General Fund is not above that threshold of thirty-five percent.

VI. ACTION / DISCUSSION ITEMS

A. Coombs Residence Height Exception – Willow Canyon

Ryan Robinson said the petitioner is seeking to build a home on Lot 19 of the Willow Canyon Subdivision. Plans show the proposed home with a height of 37' 6" above the natural grade which puts it 12' 6" feet above the restricted height of 25 feet.

The Willow Canyon Architectural Committee reviewed the plans and recommended that the City Council waive the right to enforce the Willow Canyon Annexation height restriction and allow the home to be built 12' 6" above the

restricted height. The height of these homes is measured differently (natural grade vs finished grade) than those outside of this subdivision and if measured similarly would be within the required height restrictions.

Several homes have used this exception process in the past and have been approved to do so. A few examples include the Whittenburg, Clark, and Gage homes within this development.

MOTION: Jason Thelin moved to approve the Coombs Residence Height Exception in Willow Canyon Subdivision so long as the height of the home does not exceed 12 foot 6 inches above the 25 foot height restriction.

Lon Lott seconded the motion. There were 5 yes votes, 0 no votes, and 0 excused as recorded below. The motion passed unanimously.

<u>Yes</u>	<u>No</u>	<u>Excused</u>
Lon Lott		
Jason Thelin		
Jessica Smuin		
Kelli Law		
Greg Gordon		

B. Ordinance 2023-12: Assisted Living Density Requirement

Ryan Robinson said The Planning Commission over their last three meetings has reviewed the density requirements for the Assisted Living and Nursing Care Overlay Zone. This review was an attempt to update the density requirements for specific uses (Independent Vs. Assisted living). This change also measures the density by units rather than residents as we do in other zones. Previously the density requirement in this zone was one resident per 1,000 square feet of lot area with a maximum lot area allowed being 10 acres for an assisted living or congregate living proposal. During this review process, the Planning Commission discussed the following:

- The General Plan vision for this zone and the need for assisted living in Alpine (*Alpine General Plan Land Use Policy 3.4*). The [U.S. Census report](#) as of 2020 reports 12.7% of Alpine residents are over 65.
- The need to make this marketable to those who develop this kind of project while at the same time not becoming a burden to city resources.
- Keeping the assisted living component, the majority use with any proposed developments.

Neighboring cities, those in the development community, and best practice articles were used to develop the amended code attached. During the May 2nd PC meeting the following motion was made:

MOTION: *Planning Commission member Jeff Davis moved to recommend approval of the proposed code text amendment changing the language in section 3.19.070 and reducing the density standards in the Assisted Living and Nursing Care Overlay Zone as proposed.*

Susan Whittenburg seconded the motion. There were 7 Ayes and 0 Nays. The motion passed.

This item was reviewed during the May 9th, 2023, City Council meeting. Council tabled the discussion in order to make the following changes with the following motion:

MOTION: *Kelli Law moved to table Ordinance 2023-12 to change the language in 3-19-070 reducing the density standard in the assisted living and senior overlay zone based on the following:*

- *to tighten up the language on the rental,*
- *make it conform to the city code regarding nursing care/care facilities and*
- *add definitions for a kitchenette in congregate living.*

Lon Lott seconded the motion. There were 5 yes votes, 0 no votes, and 0 excused. The motion passed unanimously.

As found in the example edits (attached) these items have been addressed as requested. Though not included in the motion, clarification was made to the section outlining density requirements in this zone. This included limiting the

density to a maximum of 120 total units per development project. 60% of those units would need to meet the definition of Assisted Living. The remaining could be Congregate/Independent Living with a max of 40 units.

Noticing

Notice has been properly issued in the manner outlined in the City and State Codes. A public hearing was held on March 21st, 2023.

Ryan Robinson said someone couldn't own their unit; the units would be under one ownership.

Greg Gordon said his concern is having a density over 100. Ryan Robinson said the max would be 120 with 60% in assisted living and 40% in congregate living. He said this really come out at 112.

Kelli Law asked if someone owns the property, can someone else run the business. Ryan Robinson said yes. Carla Merrill said we need the verbiage to be more clear. She said she has concerns about this business failing and the property being turned into apartments.

Lon Lott said he doesn't want each unit to be a separate ownership but said the whole property needs to be single ownership.

The City Attorney said we could say, all units in a facility in the assisted living and congregate living needs to be under one ownership.

MOTION: Jason Thelin moved to **TABLE** the proposed code text amendment until we have more clear verbiage from our City Attorney.

Greg Gordon seconded the motion. There were 5 yes votes, 0 no votes, and 0 excused as recorded below. The motion passed unanimously.

<u>Yes</u>	<u>No</u>	<u>Excused</u>
Lon Lott		
Jason Thelin		
Jessica Smuin		
Kelli Law		
Greg Gordon		

C. Ordinance 2023-14: Code Amendment to Municipal Code Section 8.06.020 Mass Gathering Ordinance to Review Standards for Mass Gatherings

Ryan Robinson said more and more people are discovering the amenities here in Alpine and want to use them for various events. Due to the high volume of requests we have already received this year, the staff is recommending changes be made to the Alpine municipal code [8.06.020-Mass Gathering Ordinance](#). These changes are meant to preserve the amenities offered and ensure that when used for mass gatherings they are well taken care of. Several of these changes are also aimed at protecting surrounding residents from some of the impacts mass gatherings can have on neighbors. These changes include:

- Excluding official city and school events (primarily Alpine days) from the mass gathering standards.
- Add to the definition of a mass gathering the total number of people allowed (100) to be considered a mass gathering.
- Prohibit mass gathering events at Lambert Park excluding the rodeo grounds and bowery.
- Limits races and concerts to no more than 100 total people.
- Removes staff's ability to grant exceptions to guidelines.
- Prohibits alcohol at mass gathering events on public property.

- Add that an event at the rodeo grounds is responsible to remove weeds in the parking lot for safety purposes.
- Adds a standard for noise with a measurable amplified sound not exceeding 80 dB from the nearest property line.
- Limits food trucks to two per event.

This item was reviewed, and a public hearing was held during the June 6th, 2023 Planning Commission meeting. The Commissioners felt like we should exclude school events from these standards as most school events (athletics, fundraisers, general events) would be considered mass gatherings. They also wanted to allow mass gatherings to occur at the bowery and rodeo grounds at Lambert Park. The majority of the conversation was clarifying questions regarding how this would impact current uses and requests. The following motion was made:

Planning Commission member Ethan Allen moved to recommend approval of the code amendments to mass gatherings as outlined.

- *Exemption for schools*
- *Exclude rodeo grounds and bowery in Lambert Park*
- *Include 80 decibels to noise limit*
- *Get rid of the Alpine Days reference in the definition section.*

Alan Macdonald seconded the motion. There were 6 Ayes and 0 Nays. The motion passed.

The City Council had a discussion about the amount of people for a race or a concert. Jason Thelin and Greg Gordon thought 100 people was too limiting. Carla Merrill said most of these events are coming from outside the city because their own city doesn't allow it. She asked if we want all these large events in our city. She said city run events would be exempt so this would include Alpine Days. They talked about parking issues, and impact to the residents.

Jason Thelin said he thought this was a little overkill to make a resident get a permit, or permission for audio for events. Jessica Smuin said she agrees. She doesn't think family reunions should be included. Jason Thelin said he doesn't think we should restrict numbers on private property.

MOTION: Kelli Law moved to include in our mass gathering ordinance no races or concerts over 100 participants that are not sponsored by Alpine City.

City attorney Steve Doxey said his recommendation was to table this item until more work could be done on it. Ryan Robinson said we have pending applications and it would be best if a motion could be made. Carla Merrill said we could make a motion tonight and then amend it later. She said that way, Ryan Robinson had something to fall back on when addressing the applicants.

Kelli Law withdrew the motion.

MOTION: Kelli law moved to approve the code amendment to Mass Gatherings as proposed with the following condition:

1. In definition B, 100 people be changed to 200 people.

Lon Lott seconded the motion. There were 5 yes votes, 0 no votes, and 0 excused as recorded below. The motion passed unanimously.

<u>Yes</u>	<u>No</u>	<u>Excused</u>
Lon Lott		
Jason Thelin		
Jessica Smuin		
Kelli Law		
Greg Gordon		

Carla Merrill asked the City Council to get the changes they would like to see to Ryan Robinson and said we can look at this again in two weeks.

D. Resolution R2023-19 – Adopting the Certified Tax Rate for 2023 (FY2024)

Shane Sorensen said the city is required to adopt the certified tax rate (or an adjusted rate) each year. The Utah State Tax Commission publishes the rate that will maintain the same property tax for the City, in addition to new growth. The auditor is required to provide certified tax rates to entities by June 8 to allow them time to adopt them by June 22. The auditor was late providing rates this year. Alpine City received the certified tax rate on June 9 after hours. In order to meet our deadline, we are amending the City Council agenda to include the certified tax rate on the June 13 City Council meeting. The certified tax rate for FY2024 is 0.001281 which will provide property tax revenue in the amount of \$2,602,108. The tax rate for last year was 0.001306.

Shane Sorensen said we estimated \$50,000 for new growth and it was really close to that compared to last years revenue to this year’s rate. We have resolution R2023-19 before you to adopt the Certified Tax Rate.

MOTION: Greg Gordon moved to approve Resolution R2023-19 Adopting the 2023 (FY2024) Certified Tax Rate of 0.001281.

Kelli Law seconded the motion. There were 5 yes votes, 0 no votes, and 0 excused as recorded below. The motion passed unanimously.

<u>Yes</u>	<u>No</u>	<u>Excused</u>
Lon Lott		
Jason Thelin		
Jessica Smuin		
Kelli Law		
Greg Gordon		

MOTION: Lon Lott moved to extend the meeting to 9:30 pm.

Greg Gordon seconded the motion. There were 5 yes votes, 0 no votes, and 0 excused as recorded below. The motion passed unanimously.

<u>Yes</u>	<u>No</u>	<u>Excused</u>
Lon Lott		
Jason Thelin		
Jessica Smuin		
Kelli Law		
Greg Gordon		

VII. STAFF REPORTS

Ryan Robinson

We are reaching out to different companies to get bids to look at our State Code to make sure we are in compliance.

Steve Doxey

Steve Doxey said he suggests doing it this way because it would be a lot less expensive and have a firm go through and identify change in State Law and make sure the language is what it needs to be.

Carla Merrill

When speaking with the residents, they are not upset about the plan and what you are doing, it’s because they didn’t know what was going on and what was going to happen. They assumed the worst-case scenario of you’re taking the trees out, and you’re taking our island out. She said that wasn’t the case, but because of lack of communication, they just didn’t know. Jason Thelin said you can head off a lot of problems with pro-active communication.

Shane Sorensen

Residents called and come to the city office multiple times this past winter about issues in their cul-de-sac. He said a resident wants the city to buy a special plow just for their subdivision. He said maybe we should make that area private, and they take care of their own streets. He said improvements were made in order to snow plow the cul-de-sac at their request.

The 4-way stop sign was approved in 2021 and the motion was unanimous. Kelli Law said two crosswalks will be added and it will be impossible to have crosswalks without stop signs. He said he understands people want to get a running start, but even then, vehicles won't be able to get up the hill in bad weather.

Shane Sorensen said there needs to be a stop sign for the people coming out of the new subdivision because they won't have a sight line up the hill.

Shane said the snowpack run off has been something. He said it has been great for our water supply.

VIII. COUNCIL COMMUNICATION

Lon Lott

A staff member needs to go to TSSD training at their facility on June 22, 2023. He said Marla Fox will go and Shane Sorensen said he could go too.

Jessica Smuin

Feasibility study needs to be done on the monument.

We are closing the poppies down in the next few days because they've peaked and there's been so much impact on them that we need to close it and start working on some week mitigation. She said the State of Utah came out and looked at it and said we have a white top that could decimate the whole poppy field. She said by closing it down, we can work on the weeks and said it's going to be awesome in the future.

Mayor Carla Merrill

When is the crosswalk on 2nd north going to be painted.

Residents are asking about dog parks.

Kelli Law

Would like to review the minutes from last fall regarding the work done on_island on Bayberry Circle to get clarification.

Asked about sign placement for Alpine Days. Carla Merrill said to work with the City Code Enforcer, Don Quigley.

MOTION: Jason Thelin moved to go into closed Executive Session in the Alpine City office to discuss City litigation.

Greg Gordon seconded the motion. There were 5 yes votes, 0 no votes, and 0 excused as recorded below. The motion passed unanimously.

Yes

- Lon Lott
- Jason Thelin
- Jessica Smuin
- Kelli Law
- Greg Gordon

No

Excused

VI. EXECUTIVE SESSION

Adjourned at 9:30 pm