

ALPINE CITY COUNCIL MEETING
on **Tuesday, February 28, 2023**

Mayor Carla Merrill called the meeting to order at 6:03pm.

I. CALL MEETING TO ORDER

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

Staff: Shane Sorensen, Ryan Robinson, Chief Brian Gwilliam, Chief Brian Patton, Craig Hall, Heidi Jackman, and Bonnie Cooper

Others: Suzanne Harris Tyler, Matt VanDam, Thomas Olsen, Amber Olsen, Christie Lewis, Michelle Schirmer, Gordon Jacobson, Alan McCurdy, Paul Fjeldsted, Rose Fjeldsted, Candi Miller, Stephen Hall, Cindy Cloward, Mike Webster, Julia Sorensen, Jim Sorensen, Rachel Johnson, Cynthia Bates, Kim Judd, Stephanie Tasso, Randy Benson, Time McKeon, Pamela Pamela, Biff Romney, Brenda Webb, Julie Buswell, Kristin Eberting, Kristi Collins, Jane Griener

II. WORK SESSION

A. FY 2024 Budget Priorities

City Administrator Shane Sorensen said the Work Session was to discuss the tentative budget ideas and priorities for the city's fiscal year 2024 Budget. Some of the new items were Three Falls Upper Parking Lot, Burgess Park pavilion, and Moyle Park Landscaping improvements. Some projects in the city's current budget year will crossover into next year's budget. The items will be Grove Drive crossing and realignment, plans for this project are about 60% complete. He anticipated in the next two months putting Grove Drive project up for bid. One of the top priorities for spring will be street maintenance, especially on 100 South, Main Street and Grove Drive. The street maintenance should be finished by July. This past year staff has installed flashing lights at cross walks in three separate locations

Projects that have been completed this fiscal year were LTAP assessment of city roads, signs, and sidewalks along with crosswalk improvements, installation at Creekside Park of four pickleball courts, waterline replacement, and exhaust system at the fire station.

Projects that are in progress are street maintenance, active transportation plan, cemetery expansion (this may crossover into next year's budget), tree removal/trimming, fire station remodel, Main Street improvements, City Hall roof, Creekside Park sprinklers controllers, Healey booster pump, sewer improvements, and storm drain improvements. One item left off the project list was cameras for city properties.

Three grants the city will have to work on will be the Lambert Park poppy restoration including fencing, trail along Grove Drive and fiber optics throughout the city. He said the city has applied for several grants, but he suggested applying for the grants that the city needs and does not have to contribute to.

In March's City Council meeting Fred Philpot with Lewis and Young will come to present a proposal he has been working on regarding water rates, sewer rates, and public safety impact fee for new developments. This proposal could help with the fire station remodel. If the council has any items that they think needs to be on the city budget that is what this work session is for.

Other items of the General Fund's priorities will come in the increase in Lone Peak Public Safety District (LPPSD) Budget. Police department will increase by 5.72%, fire department 4.04%, and administrative 42.91%. The administrative increase has already been approved by the Lone Peak Public Safety Board. Highland City has five employees that have been taking care of all administrative duties for the LPPSD. City Council member Kelli Law asked if the city was already incurring the administrative cost. Shane Sorensen answer that means the city now will be paying of share come July 1st.

A big topic of discussion in government circles is inflation. Garbage (ACE) will increase by 6.3%. Alpine City employee's health insurance will increase, but we do not have the numbers until April.

Regarding the PI system the city has budgeted for booster pumps at 400 West. The boosters will help the city more than the Healey Well boosters. The city has also put in the budget for a new well. There will be no major sewer project for the next year. The city anticipates a small number of improvements for storm drain. The city has an equipment replacement plan we review and only replace if necessary. This next year we may need one to two more dump trucks.

The city is looking at a higher reimbursement for library cards. Highland City library has raised their rates to \$80. Alpine reimburses residents \$40 with a receipt. City Council member Lon Lott asked if the city could find out if residents are using the Bookmobile. Shane Sorensen he would get that number from the Bookmobile people.

City Council member Greg Gordon asked how we would decide on the Moyle Park landscaping. Shane Sorensen said with the Cemetery improvement may push back the Moyle Park project.

The following are budget calendar items for the coming year:

Tuesday, March 3, 2023

Alpine City: Budget working draft distributed to City Council.

Wednesday, March 8, 2023

LPPSD: Work session, draft budget presentation & distribution.

Tuesday, April 11, 2023

Alpine City: Work session to discuss budget at City Council meeting

Wednesday, April 12, 2023

LPPSD: Work session, public hearing, and adoption of FY2022-23 LPPSD tentative budget.

April 12-25, 2023

Individual meetings with City Council members to discuss budget.

Tuesday, April 25, 2023

City Council approve LPPSD budget, if necessary (See Note 1)

Friday, April 28, 2023

Alpine City: Finalize FY2022-23 Tentative Budget document.

Sunday, April 30, 2023

Alpine City: Provide notice of public hearing for the May 10 tentative budget adoption (minimum 7 days in advance).

Tuesday, May 9, 2023

Alpine City: Public hearing on FY2023 tentative budget and adoption of tentative budget

Wednesday, May 10, 2023

LPPSD: Public hearing and adoption of FY2021-22 final budget amendments and FY2022-23 final budget

Wednesday, June 7, 2023

Certified Tax Rate due from County

Sunday, June 18, 2023

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 27, 2023

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. 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.

III. CONSENT CALENDAR

A. Approve City Council minutes of January 10, 2023

CC 3/14/2023

B. Approve Contract with Nickerson Company, Pull and Inspect 300 North Well Pump: \$10,960

Mayor Carla Merrill suggested that the following Action Items (D, E, F and H) be added the motion for approval with the Consent Calendar.

Motion: Lon Lott moved to approve moving the following Action Items D, E, F and H to the Consent Calendar. Jessica Smuin seconded the motion. There was no vote taken

Amended Motion: Lon Lott moved to approve moving the following Action Items D, F and H to the Consent Calendar. 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		
Jessica Smuin		
Kelli Law		
Greg Gordon		
Jason Thelin		

Motion: Lon Lott moved to approve the consent calendar with the correction made to the January 10, 2023 minutes by Greg Gordon, Jason Thelin and Lon Lott. 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		
Jessica Smuin		
Kelli Law		
Greg Gordon		
Jason Thelin		

III. PUBLIC COMMENT

No Public Comments were made.

IV. REPORTS AND PRESENTATIONS

A. Financial Report FY 2023

Shane Sorensen informed the council that the city is seven months through the fiscal year. Sales tax revenues have drop a little this December, but the city is still up 7.06 percent above last year currently. Remember there is a two-month lag in reporting sales tax. The red/green report projects where City Accountant Dave Sanderson feels like the city will be at by the end of the budget year. This budget will get refined every month. Shane Sorensen pointed out, sales tax and motor vehicle taxes and franchise fees there is a two-month lag, but the city is on track. The city has had 24 new building permits issued just so far this year.

The American Rescue Plan Act (ARPA) funds have changed how the government wanted the funds accounted for so, it is in its own fund of \$621K in revenue. This will be brought back to the council in June to discuss. Alpine Days and Rodeo are together on the report and could not be separated. Smaller adjustments to the report were made. An example would be the PI bond will be paid partial from PI impact fees so that will change. Overall, the city is in good financial condition.

B. Trails Committee: New Sign

Trail Committee member Shelly Butterfield asked the City Council for funding Phase A for new signage for the trails in Lambert Park. The signs would be four by four posts with metal plates attached, resembling the signs at City Hall. She was requesting funds for 13 medal plate signs and wood posts for trailheads. Each sign will have QR Code. She requested an addition 8 signs that would be for caution information. The words on the signs would be a

Column form. Each metal plate sign would be \$83. She asked for a total of between \$21-25K. Mayor Carla Merrill said there was money in the budget for Lambert Park that would cover the signs. Shelly Butterfield said that the QR Code would be a sticker, but that the committee had researched a new vendor so the stickers wouldn't peel.

City Council member Jessica Smuin asked if this type of sign can be used in the other parks. Mayor Carla Merrill asked Jessica Smuin for an example of where she would like additional signs. Jessica Smuin said High impact areas. Shelly Butterfield said the committee would only be putting sign on the trails where machinery can get to without damaging any of the trails. She said the committee's intention was to have marks all trails. Lon Lott suggested using six by six treated post so they would be sturdier. Mayor Carla Merrill said the Trail Committee could have that discussion at their next meeting. Council agreed to go forward with the trail signs as proposed by the Trail Committee.

V. ACTION/ DISCUSSION ITEMS

A. Public Hearing – Ordinance 2023-07: Mid-Year Budget Adjustment

Shane Sorensen said the following items are included in the proposed budget adjustment for FY2022-23:

- Capital Projects: adjustment in budget for the purchase of a new sprinkler parts trailer for the parks department. \$4500 Lon Lott agreed.
- ARPA Funds: budget adjustment for taking the standard allowance for revenue loss and using the ARPA funds for salaries and wages in some departments. The government outline how the cities can use these funds. Alpine city was given \$620K. The city was told that we could use the funds for operational costs. That is what the city chose to do. This allowed for more flexibility so that the city was not tied to their time and restraints.
- Emergency Services: budget adjustment for the purchase and installation of the Flock Safety cameras.

He said the council will be amending the FY2022-23 budget again in June. Mayor Carla Merrill complimented Shane Sorensen of the good job he has done with the budget.

Mayor Carla Merrill opened the public hearing. No Public Comments were made.

Motion: Greg Gordon moved to approve Ordinance 2023-07 amending the FY2022-2023 Budget as proposed and outlined. 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		
Jessica Smuin		
Kelli Law		
Greg Gordon		
Jason Thelin		

B. Public Hearing – Resolution No. R2023-05: Amendment to the Impact Fee facilities Plan and Impact fee Analysis for Sanitary Sewer

Shane Sorensen said the city has been working with Horrocks Engineers to update the sewer impact fee facilities plan and impact fee analysis. The plan considers the needs of the sewer system for the build-out population and considers projects needed within the next ten years for the impact fee analysis. The following is a comparison of the current sewer impact fee versus what is proposed:

Sewer Impact Fee	Fee
Current	\$492.66
Proposed	\$362.52

If any density were to change from that which is planned, additional improvements could be needed. Alpine City's sewer line was put in towards the end of the 1970's. The city has done several projects over the last 15 years. Most

of the projects that need to be done are small. When TTDS sends their equipment to the city to flush out the lines with cameras there could be situations that will cause major repairs. There are state laws regarding how impact fees are calculated. The impact fee change will be effective on June 1st.

Mayor Carla Merrill opened the public hearing. No Public Comments were made.

Greg Gordon referenced page 21 of the resolution packet the Ranch alignment and asked if that had been completed or forwarded to the next year. Shane Sorensen said anything that is not completed by the estimated date the item will move forward to the next year.

Motion: Lon Lott moved to approve Resolution R2023-05 adopting the Sewer Impact Facilities Plan and Impact Fee Analysis as presented with the following changes:

- Page 25 the service area that the city has Horrocks Engineering correct that Alpine Cove is unincorporated Utah County because they are not unincorporated any longer.
- Insert Box Elder South as unincorporated in the service area.
- Change footnotes where PG (Pleasant Grove) appears to AC (Alpine City).

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		
Jessica Smuin		
Kelli Law		
Greg Gordon		
Jason Thelin		

C. Mountainville Legacy Senior Housing: Review of Concept Plan and Zone Change Request to Assisted Living and Nursing Care Overlay Zone.

City Planner/Administrative Assistant Ryan Robinson said a request has been submitted to Alpine City for a senior housing project located at approximately 500 S Alpine Highway called the Mountainville Legacy Development. A development proposal like this for a senior housing development would be allowed within the Assisted Living and Nursing Care Overlay Zone. The developer is requesting a change to the Business Commercial Zone to go forward with their project. Alpine City Code 3.19.040 requires the underlying zone for this overlay be the Business Commercial Zone. This proposal is made up of all or part of four different parcels. Two of these parcels are currently zoned CR-40,000 and would need to receive approval from the City Council to be rezoned Business Commercial once this project nears the final phase review. The remaining parcels of land are already zoned Business Commercial. All parcels would also need to request a zone change to the overlay zone as part of the review process. This zone change request and concept plan review is for approval by the City Council that all parcels be zoned as the Assisted Living and Nursing Care Overlay Zone.

The Mountainville Legacy Senior Housing is on 7.72 acres containing four parcels. The city would go through the subdivision process first, but the zone needs to be changes to Business Commercial before that process begins. When making the decision for the senior overlay the standard for approval would be does meet your vision laid out in the General Plan. At the hearing the Planning Commission put eight conditions for the applicant to comply with. The total number of residents allowed in the overlay zone according to Alpine City Code 3.19.070 number 11 would be one resident 1,000 square feet of lot area. This property would allow 336 total residents based on its size. The latest site plans the developer submitted shows they have 195 total residents but could be more. A public hearing was held in Planning Commission back in January their recommendation was for approval of the zone change request and concept plan. The conditions the Planning Commission placed on their decision were a traffic study be done on school days, architectural designs for the Historic Gateway District, written response to the seven of eight standards found in code 3.19.040 and present that to the City Council. Traffic details would be hammered out in preliminary process if this is approved.

The analysis of the lot with area, and shape looks good for the overlay zone. The trail that is on the northern boundary of property is listed on the current Trails Master Plan, with a 10 ft trail easement on the property.

The parking requires one stall per three residents for a total of 170 parking spots. The Development Review Committee (DRC), Fire Chief Brian Patton and Alpine City's Engineer have looked at this project and have said the traffic study found the intended use is lower than other potential uses. This project is coming in front of the city council for a zoning change further feedback would be given later.

Kelli Law asked for more details about the flood plain on this property. It appears two of the buildings are inside the flood plain on the map provided. Ryan Robinson said in part of the city code it says for the definition of a buildable area no part can be in the flood plain and in another section of code it says a project can go through FEMA (Federal Emergency Management Agency) standards so that building could be possible, but the developer would need to go through that process. Shane Sorensen said FEMA have updated the flood plains in Utah County but there still could be some inaccuracies.

Mayor Carla Merrill asked if the 20 studios would be used for congregate living. Ryan Robinson said the 20 studios would be used as flex space where they could add more living spaces. Property representative Gordon Jacobson said the studios would be considered congregate housing and would be a more affordable size. The dining would be in just the one building and shared by all residents with delivery service available.

Mayor Carla Merrill asked if the developer have any market studies to support their project. Gordon Jacobson said he did a market study and there is a need for this many units. He said he can send a copy of the marketing study to the city. Mayor Carla Merrill said her concern is that she called several local senior living facilities such as River Meadow (Alpine City) which has 57 total units with assisted living and congregate living, Highland Glenn (Highland City) having 31 assisted living and 31 memory care units along with the Charleston (Cedar Hills) that has 64 total units. The Charleston as of today have five units that are available. Her other concern in a community like Alpine with waiting lists at facilities people often look at another facility or change their minds. Gordon Jacobson said congregate living is for residents that may need assistance with daily activities. Our facility will have other levels of care if needed. Mayor Carla Merrill said the Charleston (where her father lives) is a flex facility with a five-tier plan depending on what level of care the resident needs. Gordon Jacobson said this would be a 55 and older community. If a couple were to move in and one would need different care, we could provide that. Mayor Carla Merrill voiced concerns that the market for another senior living in Alpine isn't there. She asked who did the marketing analysis for the developer and where is the support that Alpine needs 175 units. Gordon Jacobson said it may be in the way a unit is defined. We are defining our congregate living would be for residents that are primarily functioning but maybe a spouse needs extra care being a little bit more upscaled units.

Gordon Jacobson said they are trying to attract the people over 55 demographics before they need care. Mayor Carla Merrill asked if the study was done only for congregate living or for a flex facility like the Charleston. Gordon Jacobson said the study included both congregate living/flex plan. Mayor Carla Merrill main concern is that this project has so many units and does not feel like if there are other facilities nearby that still have availability and this project goes forward and the units cannot be filled. Mayor Carla Merrill asked who did the market study for the developer. Gordon Jacobson said Jeff Niece did the analysis. He said Jeff Niece does market analysis for many multi-family housing/senior housing units in the state. Kelli Law asked what the definition of congregate living means. Mayor Carla Merrill said congregate living is where the unit would have kitchenets not full kitchens like an apartment.

Kelli Law asked the developer why it was necessary for the buildings to be three stories. Gordon Jacobson said because without the three stories the project would not economically viable. Greg Gordon asked what the setbacks are on this property. Ryan Robinson said he was not sure of setbacks off the top of his head. Kelli Law asked if they could do this project by removing the two buildings that are in the flood plain. Gordon Jacobson said the buildings are not in the flood plain according to FEMA. We intend to stabilize the banks of Dry Creek and make it a beautiful area.

Greg Gordon asked what the vision was to put the road over the creek. Gordon Jacobson said that would be correct that they would put in a bridge. Dan Ford another representative of the development said there is still a lot that needs to happen regarding engineering. He also wanted to clarify that the flood plains are different then wetlands. He said he has received a lot of inquires already from residents about the facility. On average there is a 5% vacancy for most

assisted living centers which is normal. He said they used Jeff Niece for the marketing analysis that this project would comply with the Moderate Income Housing for the state of Utah. Throughout the state's new housing, 44% will be for senior/assisted living housing. As Alpine's population grows, more residents are aging. Our market analysis said that first building would be full in the first month. The Planning Commission talked about traffic impact study the person we hired for the traffic study got together with Alpine City Engineer Jed Muhlestein there finding were senior living facilities have the least amount of traffic. During peak traffic times in the morning there are less than one car per one minute. In the peak afternoon/evening there is about one car per two minutes. UDOT has approved the alinement of our road with Bateman Lane. This road does not funnel through residential any area. The road would only be exiting and entering onto the Alpine Highway.

Gordon Jacobson said on the current zoning map show that the area around this parcel is in the Business Commercial Zone. Demographically what is happening in Alpine is the actual current residents are of the age where they want to be closer to their parents and families. Parking is underground so there are no outdoor parking lots. Landscaping will be throughout the project, and we are willing to have suggestions from the council. This is at conceptual idea now. Greg Gordon asked if the design was based on Park City Senior Living. Property owner said slightly. Mayor Carla Merrill questioned the developers if there are any senior living facilities that are four stories in other cities.

Mayor Carla Merrill opened the meeting to the public for comments for a total of 18 minutes and allowed two minutes per person.

Candi Miller

347 Twin River Loop

Candi Miller asked if the recreation center would be one or two stories at Mountainville Legacy Senior Living. Developer Gordon Jacobson said the recreation center would be one story. Candi Miller said her biggest concern was if the senior living center was what Alpine wants or needs. She does not see the reason to have a three-story building.

Paul & Rose Fjeldsted

365 W. River Circle

Paul Fjeldsted said his concern over Mountainville Legacy was moving too quickly. The senior overlay project needs to be based on FEMA studies before making any decisions. A soil study also would need to be done prior to the project. Rose Fjeldsted said she opposed Mountainville Legacy project because of the high density. She moved to Alpine for the views and the small-town feel. She is concerned about building on a flood plain and the increased traffic the project would bring.

Suzanne Harris Tyler

491 S. Alpine Highway

Suzanne Harris Tyler said she will miss her view of the mountains, traffic noise, and congestion if this project is approved. There are many others decides herself that will be impacted by this development daily. She asked the council to consider how they would feel is something like this project came to their immediate neighborhood. The developers will not be directly impacted by the development other than getting profits from the development. With the senior living staff coming and going will impact travel. She moved to Alpine 46 years ago the city did not have a deer problem. The city keeps giving more and more building permits, water access goes down and deer keep coming into town. If the council wants to keep the small-town feel, she urged the council to deny this development. All the money in the world cannot compensate for what we have. When it's gone it's gone.

Michelle Schirmer

151 W Cascade Ave.

Michelle Schirmer said her main concern is traffic. This would require 550 trips a day and that would impact our city. This is a legislative decision so she would ask the council does this meet your vision of the city. This is a not a nonresidential highway. There are residents on the Highway. The property owner is calling these units luxury apartments.

Matt Van Dam

366 S. River Road

Matt Van Dam referred to the city's Master Plan, which was changed in 2022. If you look at the prior Master Plan from 2007-2021 this area was listed as conservation space on the neighboring side and the other side was listed as private open space. It seemed to him that it would be more consistent with the city to have the gully as private open space. In the beginning the area was listed as wetlands/open space. The city has ordinances that do not permit building on a flood plain.

Thomas Olsen
481 S. Alpine Highway

Thomas Olsen said he lives right across the street from this the project with 170 parking spots. The 170 spots do not seem to be enough for most residents that have two cars. This is a project and a concept that needs to have more work done on it. If what the property owner said about the demographic is true, he said most residents would not want to leave their homes. The project reminds him of college dorms not luxury apartments for seniors.

Jim & Julia Sorenson
313 S Twin River Loop

Julia Sorensen said her great grandfather was born in Alpine in 1861 and his father built a mill in Alpine, because it was needed. She asked the council to consider if there is a real need to have more senior housing in Alpine. She and her husband moved to Alpine from Santa Barbara, California because of the beauty and small-town feel. This project is high density apartments. Alpine's Master Plan says the number one goal for land use was to maintain and promote a historic small town rural atmosphere that embraces open spaces. Changing the zone in this location would bring in people from all over the state not really serving the needs of Alpine. River Meadows has 92 units and is full currently with four on the waiting list. What will happen if the property is unable to fill all the apartments? Will those apartments become a drug rehab center? Changing the zoning to high density could create a precedent to what the old Bangerter Property does in the future. With everything in front of the legislator with land use this could be the city's final say. Mr. Sorensen said he understands that this is a legislative decision. The developer keeps asking for extra favors to make this project profitable. The residents voted for this council based on their reputations.

Pamela Pamela
600 E 100 N

Pamela Pamela said she has been a relator in the area for the past 17 years. In the Master Plan it is really hard to plan for people who live longer. Many people from all over are moving in to Alpine. Every city must do their part, Utah County can come into Alpine and force us to change zoning and the city would have to comply. This project is near other commercial areas, and it make sense to change the zoning.

City Council member Jason Thelin asked for clarification on the density for senior living versus assisted living. Ryan Robinson said the senior living is eight units per acre. Assisted living is one resident per 1000 Square feet. Jason Thelin said the maximizing density by calling this project an assisted living versus senior housing. Carla Merrill said the developer is asking for a couple of things, zoning to be BC for the two residential lots and that would allow them to have four lots per acre and once they have that, then they want to do the assisted living overlay. The city has a maximum of four acres for assisted living overlay. The project would need to have permission from the council for it to go over the four acres, this location is 7.72 acres in total. The council can approve this area to be in the BC Zone, but that does not mean council has to approve the senior living overlay or the project. Jason Thelin said there are three items that they are asking for the council to approve. One being the concept plan, two changing the residential to commercial, and three changing the overlay to senior living. Ryan Robinson said we are not looking to get approval on all three at this meeting. The residential to BC change would be made closer to the final approval process. Jason Thelin said if the council makes the decision not to change from residential to BC that would also play a part if this were to move forward. The concept plan does not work unless the council approves the zone change. Ryan Robinson said that the developer would need to submit an entirely new plan with updated densities and parking.

Jessica Smuin asked in looking at this project can we ask for the assisted living to be put on the front two lots and the back two lots do a senior overlay, by doing this the city could limit the density. Ryan Robinson said council could make that recommendation.

City Council member Lon Lott said it is important to address the concerns with trails. Trails will not be taken away no matter what is built in this area. The city does have some trails on private property that need to get easement or right of way. The city does have a buffer for all trails/city open space which would not go away. As far as the

General Plan saying that this is private open space, unless it was part of a Proposed Residential Development (PRD), the city could not label it as private open space. Shane Sorensen said staff has not found any documentation that shows the area was established as private open space. When the Alpine Art Centers plat was recorded the city did not allow building in or on a flood plain. The city has been in cooperation with the Art Center to have their artwork displayed along city trails.

Jessica Smuin asked the developers what the tax base revenue for the city would be. Dan Ford said the senior living would have between 16-20 employees. Amenities being medical, a bistro (for residents and the public) and physical therapy. He said he did not have an estimate on what the revenue numbers will be.

Kelli Law appreciates everyone coming to the meeting and the property developer. Regardless of the council’s decision, the city costs a lot to run. The city is looking at paying 100k just for sprinklers. He asked that the residents keep in mind that the city needs revenue to keep providing its residents. Kelli Law said at some point that area will be developed and part of it is already in the BC Zone. He would like to see something less than three stories. After the motion and before the vote Lon Lott said he would like to see something more like Red Pine area and be more affordable. Council needs to ask what the vision has been for a small-town look and feel. A lot of the homes going in Alpine are much bigger than these buildings and two people verse 50 people are moving in. If council wants to move forward, we will need senior house at some point but thinks this is project is too big with too many concerns, especially with regards to transportation. He said UTA said Alpine city is not in the plan for the next 27 years. Kelli Law said Lon Lott made a good point that this would be a good location for senior housing, but he feels this project to be too big. Jessica Smuin asked that the developer if they could bring back a smaller plan with 100 units verses 300, and make the units mixed use models.

Motion: Greg Gordon moved that the concept request at 476, 501, 462 and 450 South Alpine Highway from the business commercial to assisted living and nursing care overlay zone be denied because it does not conform to the city’s General Plan. 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		
Jessica Smuin		
Kelli Law		
Greg Gordon		
Jason Thelin		

D. Ordinance 2023-02: Public Notice Amendment: to section 2.04, Public Notice clarifying written notice requirements.

Approved in the Consent Calendar motion.

E. Ordinance 2023-04: PRD Setback Exception Amendment, to section 3.09.060, removing language for setback exceptions in the Planned Residential Development zone.

Jason Thelin said he was ready to make a motion without any discussion. The council agreed.

Motion: Jason Thelin moved to approve Ordinance2023-04 as proposed. 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		
Jessica Smuin		
Kelli Law		
Greg Gordon		
Jason Thelin		

F. Ordinance 2023-05: Accessory Structure Height in BC Zone, to section 3.07.080: amending setback exception requirements for customary residential accessory structures in the Business-Commercial zone.

Approved in the Consent Calendar motion.

G. Ordinance 2023-06: Water Conservation, Code Amendment 3.13: adopting standards from Central Utah Water Conservation District for water conservation.

Ryan Robinson said Central Utah Water (CUW) is requiring all cities within their watershed area to adopt a water conservation ordinance for the residents of that area to be eligible for water conservation rebates such as the “Flip your strip” program, rebates for installing smart irrigation controllers, etc. They had very specific criteria that had to be included in the ordinance. That criterion is items 1 – 4 of section 3.13.050. CUW has reviewed this draft and approved it.

There are two main ideas presented. First, this only applies to front and side yards of new construction and retrofit projects/construction: not the entire lot. Second, putting grass in park strips is no longer allowed as park strips are difficult to water efficiently. Only commercial site plans would have to turn in a landscaping plan for review (this requirement is already in ordinance). New residential building permits will be given an informational flyer with the landscaping code but will not turn in landscaping plans for review, this would overwhelm the building permit process. The Planning Commission held a public hearing on this recommended approving the ordinance during their February 7th, 2023, meeting. The Planning Commissions discussion focused primarily on different scenarios that would or would not meet the requirements of this new ordinance. The different requirements for trees that could go in a planter strip and terms to use such as “xeriscape” vs “local scape” for public perception were also discussed. This ordinance needs to be adopted by March 1st. This is a legislative decision the standards for approval or denial are that the proposed code amendment should be compatible with the standards found in the General Plan as well as current city code and policies. A decision should be made for approval or denial based on those criteria. Staff recommends approving the ordinance.

Greg Gordon said thirty homes in Alpine have taken advantage of the CUP rebate. Lon Lott said in code 3.13.05 3.13.050 Landscaping Requirements:

1. Lawn shall not be less than 8 feet wide at its narrowest point.
2. Lawn shall not exceed 35% of the Total Landscaped Area.
 - a. Small residential lots, which have no back yards, which the total landscaped area is less than 250 square feet, and which the front yard dimensions cannot accommodate the minimum 8 feet wide lawn area requirement of the landscaping requirements in this section, are exempt from the 8 feet minimum width lawn area requirement and maximum of 35% lawn requirement.
3. Lawn shall not be installed in park strips, paths, or on slopes greater than 25% or 4:1 grade. For park strips, see Xeriscape standards set forth in section 3.13.070.
4. In commercial, industrial, institutional, and planned residential/commercial development common area landscapes, lawn areas shall not exceed 20% of the total landscaped area, outside of Active Recreation Areas.
5. Landscaping within the sight triangle (see ADC 3.25.050) shall not be taller than three (3) feet.
6. Trees are not allowed in the sight triangle.

In Lon Lott’s business as a landscaper, he said he has many projects where the front yard were 50% shrub and 50% grass. Greg Gordon said the more a home is setback the more landscaping the resident could have. Lon Lott said his concern is if this ordinance is only for new builds, how are the residents going to try to figure out how to landscape with 65% shrubs or xeriscape or rocks. it seems larger homes have been built. He said with smaller residential lots with no backyards, the total landscape area is less than 250 square feet, and the front yard dimensions cannot accommodate a minimum of eight feet wide. He asked who would be enforces the ordinance because live in an area that will have a hard time meeting these requirements. Referring to the code:

3.13.030 Outdoor Landscaping Standards. All new landscaping for public agency projects,

private development projects, developer-installed landscaping in planned residential/commercial development residential projects within the front and side yards shall comply with the landscaping standards below:

3.13.040

Definitions

Front Yard: The area extending the full frontage of the lot, the depth of which extends from the back of curb (or front property line if there is no curb) to the nearest point of the main building.

Lawn: Ground that is covered with grass or turf that is regularly mowed.

Mulch: Any material such as rock, bark, compost, wood chips or other materials left loose and applied to the soil.

Park Strip: A typically narrow landscaped area located between the back-of-curb and sidewalk.

Paths: Designed routes between landscape areas and features.

Side Yard: The area extending the full depth (front to back) of the main building between the main building and side yard property line(s).

Total Landscaped Area: Improved areas of the property that incorporates all the completed features of the landscape. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, and other non-irrigated areas intentionally left undeveloped.

He said if a resident were doing their own landscaping, they would not have to meet these guidelines. He said he did not know if it was just semantics that the city accepts and have no one to enforce this code. Ryan Robinson said this would be difficult to enforce. The city does have a new Code Enforcement Officer Don Quigley that could enforce this ordinance. Lon Lott said a critical point is there will be absolutely no grass in the park strip. Greg Gordon said the key point of this code is the park strip which is technically owned by the city. There is a home in Alpine where the entire front yard is rock and the park strip in grass. Another resident has mulch with trees and a few flowers on their park strip, but he complains that people park in front of his home and trample his flowers. Lon Lott said drip systems can be put in park strips. Mayor Carla Merrill said the reason why the state came up with this is because the state has been going through several years of drought. it is very hard not to waste water. She said she thinks it is a good program and a place to start in conserving water. Utah State has a lot of suggestions on plants that could be used. Shane Sorensen said the state may make all cities comply with this program. Lon Lott asked if the city would be responsible for the plants that could be damaged in the park strip from our snow removal trucks. City Attorney Craig Hall replied, no. Lon Lott said in his business he has done subsurface irrigation for this purpose. He agreed with Mayor Carla Merrill that the city need to start somewhere.

Greg Gordon asked on corner lots where would the front of their house be to determine which are to do the park strip. Ryan Robinson said that would be difficult. Lon Lott said we can choose not to pass the ordinance tonight. Greg Gordon said we can make amendments to the ordinance later if we find that it is not working. Jessica Smuin said doing this we can get funding and support. Greg Gordon said the ordinance is very negotiable. Mayor Carla Merrill reminded council that this ordinance would need to be approved by tomorrow March 1st.

Motion: Lon Lott moved to approve Ordinance 2023-06 Water Conservation as require by the Central Utah Water Conservancy District with the following changes:

- Section 3.13.06 line seven – be clarified to say the city “may” waive plan submission requirement for commercial projects less than one acre in size.

Jason Thelin seconded the motion. There were 3 yes votes, 2 no votes, and 0 excused as recorded below. The motion passed.

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

H. Ordinance 2023-08: Shooting Gallery Standards, Edits to Title 3.23: Regulation conditional use in relations to the designated land use authority, standards for review, shooting gallery standards, the approval process, and general language.

Approved in the Consent Calendar motion.

VI. STAFF REPORTS

Heidi Jackman

City Utilities Manager/Accounts Payable/Community & Communications Coordinator Heidi Jackman said she had been working on Alpine City’s website and social media. She had been working on a list Greg Gordon gave her. The list contained missing items for the city’s website. She had added five years’ worth of recorded/audio minutes of City Council meetings. She had also created QR Codes for city trails. In the future when the city wants to update a map, the city will be able to update the map without changing the QR Codes. She can also put a series of maps and information about the trails. The program is less than \$50. She has started a new Instagram account and already has 100 new followers. She has been updating the city’s Facebook page and created a twitter account for the city. She said she made posts to Instagram and Facebook with the last trash delay throughout the city due to snow. By doing the posts the city did not receive any calls that day about the delay.

Craig Hall

Craig Hall reminded the council about the court of appeals hearing involving Blue Bison which will be held at 9:30am on the 14th of March. He said City Attorney Steve Doxey will be present during the month of March for any meetings. Shane Sorensen said there will be a virtual option to watch the court of appeals hearing.

Shane Sorensen

Shane Sorensen said he, Lon Lott, Mayor Carla Merrill, Jed Muhlestein and Ryan Robinson toured the Utah County Emergency Management facilities. The equipment they have is for any of the cities to use for city events or emergencies. We all learned a lot during the tour and are now working on Alpine City’s Emergency Management Plan. Ryan Robinson sent out a google form for training for the emergency preparedness.

Snowpack flood control the city has 20,000 sandbags and have order an addition 5,000. Lon Lott said the county has bags if the city needs them. Greg Gordon asked how many sandbags we have been used in the past. Jason Thelin said in 2013 the city used a lot but that was because of the fire.

Burgess Park basketball court redone. The city wants to put up a four-foot fence around the side of the court by the trail so that resident will need to go around to get to the court. The fence posts will be in the edge of the trail but will not affect the trail in any way.

Tree removal will begin at Legacy Park. Five trees will be removed that are dead. An additional 13 dead trees will be removed from Becks Hill Park. Jessica Smuin asked if we could have a shade triangle tarp over the playground. Shane Sorensen said he would check. Lon Lott asked who was responsible for removing the tree on the old Bangerter Property now owned by the Church of Jesus Christ of Latter-day Saints. Shane Sorensen said the property owner was responsible.

There are a lot of bills going through the Legislative session right now that will have an impact on cities. One item called DID’s (Development Industry District it is crazy to have a non-elected body have taxing power. One example of that would be developments going in and putting improvements in. Craig Hall explained DID’s is basically what if a single property owner or 100% property owners wants to create a DID which establishes mechanism by which a property tax can be assessed to reimburse the developer for his or her Capital Expenditures to put water, sewer lines,

and storm drains. That sort of thing can then be passed on to the city and then levy the assessment the property tax it totally takes it away from the city. He is concerned because there will be no standard set. Moderate Income House bills are coming up where each city will need to help pay for Homeless shelters in their county.

Shane Sorensen mentioned the city hired a new Code Enforcement Officer Don Quigley. Mr. Quigley is from Taylorsville and is chair of the local Planning Commission. Mr. Quigley will be working 20 hours a week, one day a week he will be working from home.

VII. COUNCIL COMMUNICATION

Lon Lott

Lon Lott asked about when the cleaning out of ditches and catch basin near Box Elder would be taking place, along with the corner lot that is in the overflow area. Shane Sorensen said staff will be meeting with the property owner of the corner lot.

Jessica Smuin

Jessica Smuin said she would be introducing the community to a new summer guide. The guides theme will be Poppies and Pickleball. June 7th-10th the community will be able to participate in several activities. The hope is to reopen the poppy area with the new improvements and have someone those days in June patrol the area. She asked about moving the poppy sign and have a kiosk. She said the city intended on planting more poppies in Lambert Park. She said she would be applying for a grant for the Amphitheater near the rodeo grounds in Lambert Park.

Greg Gordon

Greg Gordon asked about getting information on a bond schedule for the city.

Mayor Carla Merrill

Mayor Carla Merrill attended an Alpine School District meeting where the district talked about school closers. The closures would affect Alpine Elementary and Mountain Ridge Jr High. The closures would take place later. Mountainville Academy will be enrolling only kindergarten through sixth grade this next year.

She said that there are several items going through the state Legislation that will affect our city. She suggested the council and residents contact our local representative Senator Kennedy and Representative Brammer with any concerns.

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

No Executive Session was held.

Motion: Lon Lott moved to adjourn. 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		
Jessica Smuin		
Kelli Law		
Greg Gordon		
Jason Thelin		

Adjourned at 9:09pm