

## ALPINE CITY COUNCIL

July 11, 2023

Mayor Carla Merrill called the meeting to order at 6:08 pm.

### I. CALL MEETING TO ORDER

A. **Roll Call:** The following were in attendance at the anchor location and constituted a quorum: Lon Lott, Jessica Smuin, Kelli Law, Greg Gordon, and Jason Thelin.

B. **Prayer:** Kelli Law

C. **Pledge:** Jessica Smuin

**Staff:** Shane Sorensen, Ryan Robinson, Heidi Jackman, Steve Doxey, Chief Brian Gwilliam, Chief Brian Patten, and Bonnie Cooper

**Others:** Austin K. Draper, Corey Bingham, Lacie Lawrence, James Lawrence, Della Don Janjua, Shahbaz Janjua, Robert Chatfield, Mike Maugham

### II. WORK SESSION

#### A. Staffing/Job Descriptions/Part Time Employee Benefits

City Administrator Shane Sorensen said during a special work session, the City Council discussed the addition of new staff members and reviewed a one-page document outlining potential responsibilities. Two part-time positions were approved in the FY2024 budget. The first position is a utility clerk, which would free up more time for Heidi Jackman to focus on her Communication Coordinator role. The position would be 28 hours a week. Heidi would spend approximately 12 hours in the front office when the part-time person is not working. The second position is the Trails/Open Space/Sports Coordinator, which has been budgeted for but not filled. To effectively recruit for this position, a job description and list of responsibilities need to be prepared.

The discussion also touched upon benefits for new part-time employees. According to the Alpine City Personnel Policies and Procedures Manual, part-time employees are eligible for paid holiday leave based on the hours they would have normally worked. The Utah Retirement System (URS) rules require the city to contribute to the retirement system for part-time employees working 20 hours or more per week if they receive benefits. Vacation time is considered a benefit, and the retirement cost is determined by the employee's URS tier.

The City Council had a special meeting last December and the part-time employee position was lightly touched on. The staff proposed adding a second tier to the city policy, which would not provide vacation time to new part-time employees, thereby relieving the city from contributing to URS for those employees. Pros of this change include cost savings for the city, while cons include potential divisions among employees and reduced incentive for qualified hires. Staff seeks direction from the City Council on whether to hire two part-time positions or combine roles with Community Coordinator Heidi Jackman, the vision for the recreation coordinator position, and the creation of a second tier in the employee manual regarding benefits for part-time employees.

City Council member Greg Gordon asked about the history behind the parks and recreation position. Shane Sorensen explained that the city had hired a full-time person that would be responsible for Alpine Days along with other parks and recreation duties. The position did not work out. During a work session, the discussion revolves around staffing and job descriptions. The council discussed the possibility of hiring two part-time positions one being for a recreation coordinator role. Mayor Carla Merrill said parks and recreation was part of the current Community Coordinator Heidi Jackman new role. City Council member Jason Thelin suggested to ask Heidi how she feels with the new workload. Heidi's new position has morphed into a bigger position than what we had originally thought. City Council member Kelli Law stated that the two part-time positions had already been in the approved budget. The council considered offering a higher wage instead of any benefits. The wage would be from \$15 to \$18 per hour. They also consider creating a second tier in the employee manual to provide specific benefits to part-time employees hired after a certain date. The conversation then delves into the details of two proposed positions: a utility clerk (28 hours per week) and a trail, open space, and sports coordinator (20 hours per week). They discuss the responsibilities, salary, benefits, and

potential impact on existing staff. Shane Sorensen said he needed a clear job description before posting the positions. Mayor Carla Merrill suggested that the utility clerk and other duties could be shuffled around. The decision on whether to proceed with hiring and how to structure the positions is left for further discussion and a future City Council vote.

### III. CONSENT CALENDAR

- A. Approve City Council minutes of June 27, 2023
- B. Declare Old Bell System as Surplus Property
- C. Bond Release No. 5 – Layton Subdivision: \$103,961.90

**Motion:** Lon Lott moved to approve the consent calendar with the edits to the minute of June 27, 2023, made by himself and Greg Gordon. 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		
Kelli Law		
Greg Gordon		
Jessica Smuin		

### IV. PUBLIC COMMENT

No public comments were made.

### V. REPORTS AND PRESENTATIONS

#### A. Police Department Report – Traffic Enforcement

Chief Brian Gwilliam discussed police activities and reporting, addressing concerns about traffic enforcement. He provide a breakdown of calls and activities in Alpine and the shared services with Highland. The number of calls doesn't necessarily indicate a report, as calls can range from minor incidents to criminal activities. He mentioned an increase in traffic violations and the need for increased traffic enforcement due to complaints. Also mentioning the types of calls officers respond to, including accidents, animal-related issues, lockouts, vandalism, and domestic violence. He explained that the police department assist the fire department when needed. There is a discussion about the mapping program's limitations and the possibility of using an outside vendor. The presentation concludes with a request for historical data on citations and tickets.

#### B. Financial Report

City Administrator Shane Sorensen mentioned that the financial report for the end of June is not complete as there are still invoices pending. He highlighted the favorable interest earnings for the year. There is a discussion about reconciling the revenue from the rodeo with alpine days revenue and considering making a journal entry to adjust it.

### VI. ACTION/ DISCUSSION ITEMS

#### A. Conditional Use Request: Shooting Gallery – James Lawrence, 670 Lupine Drive

City Administrative Assistant/City planner Ryan Robinson said since we updated the shooting gallery code. This is the first a conditional use request from a resident. James Lawrence is requesting a conditional use permit (CUP) for a shooting gallery on his property in Alpine. The property is zoned CR-40,000, which allows shooting galleries as a conditional use. There are specific standards that need to be met for the approval of the shooting gallery, including having an underground facility with thick walls and ceilings to prevent bullets from penetrating and sound insulation to limit noise. Compliance with laws regarding lead contamination is also required.

The Alpine Municipal Code has additional standards, such as obtaining a license, maintaining cleanliness, and prohibiting gambling or loud noise in the shooting gallery. The applicant's plans show a completely underground structure with sufficient distance from neighboring properties.

The staff recommends granting the conditional use permit with reasonable conditions to address potential negative impacts. These conditions include compliance with relevant laws, compatibility with surrounding structures, ensuring public health and safety, consistency with the city's general plan, managing traffic and utilities, providing adequate parking, implementing fencing and landscaping for separation from adjacent uses, adhering to lighting and signage standards, mitigating environmental concerns, and imposing limitations on hours, operation methods, and building specifications.

The council also discussed the inspection process, potential hours of operation, and the distinction between personal and commercial use. The applicant James Lawrence clarified that the construction would meet soundproofing standards with concrete walls and insulation. The council's discussion includes topics like noise control, enforcement, and backstop measures for bullet containment. Jason Thelin voice concerns as to what level of noise would be heard by neighbors based on the type of caliber of guns would be used at the shooting gallery. Ryan Robinson suggests that the conditions could include additional padding or measures to prevent bullets from reaching the concrete. Greg Gordon said if the noise was to loud outside, those complaints would be addressed by the code compliance officer.

***Corey Bingham***  
***640 Lupine Dr***

*Corey Bingham, who lives near the proposed shooting range, expresses concerns about the noise that may escape through ventilation ducts. She emphasizes that her husband, a retired FBI agent and firearms instructor, is uncomfortable with having a shooting range next to their backyard due to safety concerns. Corey mentions the importance of having detailed codes and policies, especially in a growing city like Alpine, to ensure safety and protect residents' rights. She questions the absence of setbacks, noise mitigation measures, and lot size parameters in the shooting gallery code. Corey also raises concerns about the enforcement of the code regarding sound levels and asks about the inspection process to ensure that gunshots will not be audible from their backyard. She requests clarity on the construction requirements and whether periodic and thorough inspections will be conducted to mitigate noise issues. Corey concludes by stating their opposition to the shooting range and expressing surprise that they were not previously informed about the proposal.*

***Shabazz Janjua***  
***549 Lupine Dr***

*Shabazz Janjua, who lives on Lupine Drive, acknowledges that shooting galleries are allowed within the city limits and anticipates an increase in their numbers based on the current guidelines. While he doesn't oppose guns, he believes that the existing laws are insufficient to address the concerns of all Alpine citizens. Shabazz expresses his shared concerns with the Bingham's and suggests that shooting galleries should be put on a ballot, allowing every citizen to voice their opinions on the matter. He emphasizes that as the number of shooting galleries potentially increases over time, the risk of accidents also rises. If the city is unwilling to put the issue to a vote, Shabazz suggests open communication between neighbors to address concerns. He encourages James, the applicant, to engage in dialogue with the Bingham's and other neighbors to discuss their concerns and potential solutions. Shabazz concludes by urging further examination and consideration of the matter, with a focus on ensuring the safety of all Alpine citizens.*

***Della Dawn***  
***549 Lupine Dr***

*that you consider including regular inspections and licensing requirements for shooting galleries. These measures would ensure that the safety standards are maintained, and that the facility operates within the guidelines set by the city. The speaker also emphasizes that since the shooting gallery is attached to a home, setback regulations still apply. They suggest referencing the specific code, 9.17.010, which requires a license for operating a shooting gallery in the city. The speaker compares it to other licensing requirements for businesses and suggests that inspections should be conducted periodically to ensure compliance and safety. Overall, the speaker emphasizes the importance of regulating shooting galleries to protect the safety of both users and the surrounding community.*

During the council discussion, there were clarifications provided regarding setbacks and licensing requirements. Setbacks for the shooting gallery were explained as being applicable even though the facility is attached to a home. The setbacks are measured from the property line to the foundation of the nearest building at the foundation level. As for licensing, it was mentioned that while there may not be a specific business license for shooting galleries, the conditional use permit serves as a form of licensing. The possibility of additional licensing requirements at the state level was also acknowledged. The latitude for review was discussed, indicating that reasonable conditions can be imposed to mitigate anticipated detrimental effects of the proposed use. The conditions should be tied back to the 12 standards mentioned earlier. James Lawrence also shared information about noise mitigation, explaining the use of acoustic ventilation and sound baffling materials. The ventilation is designed to minimize noise transmission outside the facility. Finally, concerns about safety and stray bullets by highlighting that shooting galleries can provide a controlled and safe environment for shooting activities. The presence of regulated shooting galleries may even reduce the occurrence of unsafe shooting practices in other areas, such as shooting in the hills.

**Motion:** Jason Thelin moved to approve the conditional use permit for a shooting gallery at 670 Lupine Drive as proposed. Kelli Law seconded the motion.

**Amended Motion:** Jason Thelin moved to approve the Conditional Use Permit (CUP) for a shooting gallery at 670 Lupine Drive as proposed with the following conditions and changes: The ventilation duct work would face away from the neighbors and have extra insulation. 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		
Kelli Law		
Greg Gordon		
Jessica Smuin		

## **B. Ordinance 2023-21: Changes to Mass Gathering**

Ryan Robinson said the City Council has reviewed proposed changes to the Alpine Municipal Code regarding mass gatherings in the city. The changes include updates to definitions, formatting, and grammar, as well as the introduction of separate standards for events on private and public property. Different thresholds for the number of attendees are specified, with a mass gathering permit required for events with 300 people on private property and 200 people on public property. The City Council's approval would be necessary for events with over 500 attendees or if deemed necessary by staff.

During a meeting on June 27th, the item was tabled to further review changes, including commercial events like the Tour of Utah being allowed in Alpine with Council approval. Councilmember Smuin and Mayor Merrill met with staff to discuss the changes, particularly regarding event advertising. The draft prohibits advertising before the application is approved, and conditional approval may be granted after an initial review. A motion was made to table the ordinance to allow for further discussion and review of the language.

The staff recommends that the proposed code amendment aligns with the general plan's standards, as it is a legislative decision. Further evaluation and discussion with staff are needed to ensure the language in the ordinance is appropriate.

The council's discussion revolves around proposed changes to the regulations regarding mass gatherings. The main points discussed were:

1. The need for city council review of controversial or significant mass gatherings.
2. The requirement for advertising approval before it can be released.
3. The consideration of schools and churches in the regulations.
4. Kelli Law was concerned with the exemption of schools with a physical location from mass gathering permits, regardless of the event's location.

5. The need for insurance for events with more than 200 people on public property.
6. The distinction between races and fun runs in the regulations.
7. The concern about potential conflicts and unintended consequences of the proposed changes.

Different alternatives are proposed, including exempting city events from mass gathering permits, including religious institutions in the regulations, or maintaining the existing regulations without changes. The discussion aims to find a solution that addresses the concerns and ensures clarity and consistency in the regulations.

Ryan Robison also mentioned the need for approval from the city council for gatherings exceeding 500 people. He said he added a provision for staff to review and present controversial gatherings to the city council. Changes were made regarding advertising, requiring preliminary approval before it can be published. The council also discussed the implications for schools and churches using public property for events, with some concerns raised about insurance requirements. The council debated whether religious institutions should be exempted from mass gathering permits or if they should be included with specific conditions. The discussion touched on different scenarios, such as fun runs, races, and community events. Ultimately, they decided to leave the existing regulations in place for schools and churches, while clarifying the definition of mass gatherings and adding an exemption for official city events.

**Motion:** Kelli Law moved to approve the code amendments to mass gatherings as proposed with the following conditions and changes: in section A the last sentence will say a mass gathering permit is not required for official city events. Remove the rest of that sentence. In section C it shall say other than official city events and strike the word /words or school. 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		
Kelli Law		
Greg Gordon		
Jessica Smuin		

### **C. Resolution R2023-23: Update to Consolidated Fee Schedule to Include Fees for Administrative Code Enforcement and Mass Gatherings**

Ryan Robinson said Alpine City is experiencing an increase in the number of mass gathering events held in Alpine, including public facilities. As a result, changes to the fee schedule are proposed to reflect the time and resources invested by the city in these events. This includes meetings with applicants, reviewing applications by various staff members such as the Development Review Committee, Planner, City Administrator, and Chief of Police. It also takes into account the administrative tasks of scheduling facilities and the involvement of the Public Works department for inspections and cleanup. In addition, updated standards for code compliance have been adopted, and a revised fee is necessary to address compliance issues. Currently, fees are charged for weed removal and nuisance complaints. The proposed fee aims to broaden the scope of fee collection and accurately reflect the staff's time and effort in dealing with noncompliance concerns. The staff recommends reviewing and approving Resolution R2023-23, which likely contains the details and specifics of the proposed fee changes.

During the council's conversation, the following points were discussed regarding the amendments to the fee schedule for Mass Gatherings and Code Compliance:

1. Fee Schedule Amendment: The purpose of the amendment is to accurately reflect the time and effort involved in reviewing Mass Gathering permits and Code Compliance violations. The fees should cover the costs associated with the review process.
2. Mass Gathering Fees: The proposed fees for Mass Gatherings are as follows:
  - Residents: \$150 fee.
  - Non-residents: \$300 fee.
  - Corporations or business entities: \$2,500 fee.
3. Code Compliance Fees: The existing fee structure for Code Compliance was insufficient. The proposed changes include:

- A base fee of \$100 for non-compliance.
  - After 60 days, the fee increases to \$200.
  - After 120 days, the fee increases to \$300.
  - Additional fees may be imposed for each subsequent day of non-compliance.
4. Justification for Fees: The fees aim to cover the time and effort invested by various departments involved in the Code Compliance process, such as administration, inspection, park scheduling, and clean-up.
  5. Consideration of Other Communities: The possibility of considering fee structures from neighboring communities was mentioned, but caution was advised to ensure the fees are reasonable and justified based on the city's specific needs and circumstances.
  6. Clarification of Terms: The term "Corporation" was discussed, and it was suggested to use "Corporation or other business entity" to cover all types of businesses.
  7. Use Cases: Various scenarios were discussed, such as large corporations using city parks for events, retirement parties, and large family reunions. The fees should be applied based on the type of event and the number of attendees.

**Motion:** Jason Thelin moved to approve Resolution R2023-23 adopting new mass gather and code compliance fees I the consolidated fee schedule as proposed. Lon Lott seconded the motion.

**Amended Motion:** Jason Thelin moved to approve Resolution R2023-23 adopting new mass gathering and code compliance fee rates in the consolidated fee schedule with the following modifications: races in lambert park 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		
Kelli Law		
Greg Gordon		
Jessica Smuin		

**VII. STAFF REPORTS**

**Chief Brian Patten**

Chief Brain Patten was happy to report that on the 4<sup>th</sup> of July Alpine City did not have any issues with fireworks causing any fires.

**Shane Sorensen**

Shane Sorensen reported on the following items:

1. Flock cameras: Cameras have been installed on the entrances and exits of the city, but there are some issues with their placement on the wrong poles. However, since nobody from the city has complained about it, the matter is being left as it is for now.
2. Golf carts on city streets: It seems that there are no specific regulations in place regarding golf carts on city streets. The conversation refers to an ordinance passed in 2008 that allowed off Highway Vehicles on streets if they were street legal, with certain conditions such as the operator having a driver's license and being 16 years or older. The suggestion is to align the regulations for golf carts with this existing ordinance.
3. Vandalism and restrooms: Vandalism was a problem on the 4<sup>th</sup> of July, particularly in the restrooms, where they were tagged, and some toilets were damaged. The suggestion is to consider installing cameras in the restrooms, similar to what Cedar Hills has done, as it has helped reduce vandalism rates.
4. Fire department exercise: The fire department will be conducting an exercise involving a home demolition on Friday and the following Monday. The road (200 North) may be temporarily closed during this exercise, and a detour will be set up through the nearby subdivision.
5. Grove Drive project: The council awarded a project for Grove Drive at the last meeting, and a pre-construction meeting is scheduled for this Friday. The project is expected to start soon, possibly in the first part of August. It has been mentioned that certain streets should be planned around to minimize the impact on Alpine days.

**VIII. COUNCIL COMMUNICATION**

**Lon Lott**

Lon Lott let the council know that the Emergency Management team will have their van located at the park for Alpine Days.

**Jessica Smuin**

Jessica Smuin was happy to report that MAG had given their approval for taking over the food for the Prime Time senior luncheons.

She asked about for a progress report of the Lambert Park Conservation Easement. Greg Gordon said he and Steve Doxy are working on a management plan along with the Conservation Easement to bring to the council for a vote.

**Kelli Law**

Kelli Law said regarding Grove Drive there seems to be a misunderstanding among residents that the city is taking their land to expand the road. The clarification is made that the city is not taking anyone's land but rather working on city-owned land that has been overbuilt in the past. Shane Sorensen said he would provide a PDF document showing the land ownership will be provided to address the concern. The Grove Drive realignment project involves both road realignment and the addition of a pedestrian pathway. This information may have been prompted by communication from the Cherry Point developer, who was instructed to contact affected residents in their project area. The Bonneville Shoreline Trail grant project is also part of the overall project, and all three projects (realignment, pathway, and trail) will affect the respective areas. Kelli Law suggested that his preference for curb, gutter and sidewalk be mentioned to all developer as it provides clear boundaries on city properties, particularly where there are no existing sidewalks.

**Mayor Carla Merrill**

Mayor Carla Merrill wanted to publicly thank the residents (Darren and Heather Pepper along with Bruce Argyle) who help repair our trails due to the water flood damage.

She asked Jason Thelin to follow up with the residents of Bayberry Circle and what would be happening with the road repair in order for the snowplows to do their job.

**IV. EXECUTIVE SESSION**

None held.

**Motion:** Lon Lott moved to adjourn. 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		

Adjourned at 8:39pm