

ALPINE CITY COUNCIL MEETING
Tuesday, October 24, 2023

Mayor Carla Merrill called the meeting to order at 6:38 pm.

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, Jason Thelin and Greg Gordon attended virtually.
- B. Prayer:** Jason Thelin
- C. Pledge:** Lon Lott

Staff: Shane Sorensen, Ryan Robinson, Jed Muhlstein, Steve Doxey, Chief Brian Patten, Chief Brian Gwilliam, and Bonnie Cooper

Others: Suzanne H. Tyler, Michelle Schirmer, Morgan Andersen, Fred R., Brian Schmidt, Amy Gregory, Stuart Gregory, Markus Schellenberg, Jim Sorenson, Will Jones, Sherrie Mehl, Amanda Collins, Gordon Jacobson, Julia Sorenson, Pamela Pamela, Rose Fjeldsted, Paul Fjeldsted, Alice Cospers Radebaugh, Brent Boulter, Cindy Boulter, Brad Belnap, Donna Belnap, Frederick Crook, Elizabeth Crook, Stephanie Tasso, Rany Benson, Phil Lammi, Bob Zucher, Julie Zucher, Whitey Anson, Earl Christensen, Cindy Cloward, Brenda Webb, Craig Skidmore, Heidi Smith, and Fred Philpot

II. CONSENT CALENDAR

- A. Approve City Council minutes of October 10, 2023**
- B. Bond Release No. 5, Fort Creek Landing: \$41,981.54**

Motion: Lon Lott motioned to approve the Consent Calendar with the three changes made to the minutes of September 26, 2023, by Lon Lott and Greg Gordon. 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		
Greg Gordon		
Jason Thelin		
Jessica Smuin		
Kelli Law		

III. PUBLIC COMMENT

No Public Comments were made.

IV. REPORTS AND PRESENTATIONS

A. LYRB: Water/Sewer Rate Study

City Administrator Shane Sorensen introduced Fred Philpot from LYRB, who came to city council earlier this year on the city culinary water and sewer rate studies. Fred Philpot will be following up with the council after receiving feedback from the city.

Fred Philpot said he from LRB Public Finance Advisors said his company made a recent name change from LYRB. He said after evaluating and potentially adjusting water rates would ensure the sustainability of the water enterprise fund and address disparities in rate structures between different customer groups. Several scenarios are being discussed, primarily for the water enterprise fund, to ensure that the fund remains sustainable.

1. **Scenarios one:** Scenario one is with no rate increases. Right now, the city has the funds but will run out of funds in the future.

2. **Scenario two:** Scenario two suggests an initial 27% rate increase, followed by 5% annual increases. This is meant to cover inflationary pressures on the system.
3. **Scenario three:** Scenario three looks at structural changes, particularly related to a subset of customers who have a discounted rate structure due to not having access to a specific system. There's a discussion about the fairness of this structure and potential changes. Mayor Carla Merrill asked a question about whether the billing system can differentiate between rates for different times of the year, particularly related to a pressurized irrigation system. Fred noted that rates would need to go up if the billing structure were adjusted this way.

Fred Philpot said his analysis shows that non-pressurized irrigation customers are paying less per unit on average than those who have access to both the Culinary and Pressurized Irrigation systems. This is due to the different rate structures in place. He put together specific rate changes and structural adjustments that are being considered for the water enterprise fund. Here are the key points:

1. **Rate Equalization:** The objective is to establish a rate that would make the average cost for non-pressurized irrigation (non-pi) customers equivalent to that of regular culinary water customers. This involves adjusting rates for non-pi customers to cover the average cost of \$163.
2. **Direct Cost:** There is a direct cost associated with the non-pi customer base, related to pumping and power costs, totaling around \$24,500. This cost is distributed among these customers.
3. **SE Charge:** To account for this direct cost, an additional Surcharge (SE Charge) is proposed. The SE Charge is calculated based on the tiered system of water usage and starts at 44 cents per thousand gallons, with varying rates for different consumption levels.
4. **Combining Rate Equalization and SE Charge:** The rate equalization and SE Charge are combined to create a comprehensive rate structure that aims to address the disparity between non-pi and culinary water customers.

Fred Philpot said these adjustments to water rates ensure fair costs for different customer groups and cover the direct costs associated with certain customers. It highlights the complexities of rate structures and the need to consider various factors in rate adjustments. This part of the discussion is focused on the water rate structure and the changes made to ensure fairness in pricing between different customer groups. The scenario involves a rate increase of 19% upfront for the water base rate, followed by 5% increases in subsequent years to match inflation. The rate increase is necessary to sustain the water enterprise fund. To achieve rate equality between non-pressurized irrigation (non-PI) customers and regular culinary water customers, a rate adjustment is made. Non-PI customers would see an increase from 90 cents to \$1.97. The structural rate increase is applied alongside a structural change to ensure fairness. It's important to recognize that customers without access to the pressurized irrigation system may pay more if they use a significant amount of water, especially in the highest consumption tier. The rate structure and adjustments should be reviewed annually to track the fund balance and ensure it aligns with the model.

Fred Philpot said that pressurized irrigation might be more cost-effective for certain consumption levels, especially during the summer months. However, the focus of the scenario is creating an equitable rate structure, not necessarily on making one option more favorable than the other. The sewer rate adjustment was relatively straightforward. There is a 3% annual increase in the base and usage rates to account for inflation. This is based on the current TSSD (Timpanogos Special Service District) rates.

City Council member Jason Thelin raised concerns about the base rate for culinary water in the provided packet not matching the presentation. Fred Philpot said the table that was presented here includes different scenarios, with the highest increase of 27%. Jason Thelin suggests that the numbers in the packet need to be updated to match the presented scenarios. Fred Philpot said with higher elevation costs the objective of this rate adjustment is to ensure that customers at higher elevations (who typically use culinary water for landscaping) are not disproportionately impacted compared to users with access to pressurized irrigation. To achieve this objective, rates have been adjusted. The direct costs associated with higher elevation pumping have been factored into these calculations. The pumping costs for different pump stations that deliver water to higher elevations have been considered in the rate adjustment, but the exact breakdown of these costs is not presented in this particular document.

Fred Philpot said the goal is to ensure that residents with pressurized irrigation are not disproportionately affected by rate changes related to the costs of supplying culinary water to higher elevations. The intent is to achieve equity in

the rates between customers with and without access to pressurized irrigation (PI) and the factors contributing to these rate structures. Here are some key points:

1. Customers with PI access are currently paying \$2 for their first tier (8,000 to 10,000 gallons) of culinary water usage.
2. Customers without PI access (non-PI customers) are currently paying 90 cents per thousand gallons for culinary water.
3. The rate structures are different for PI and non-PI users, and it can be complex due to base rate allocations and tiered pricing.
4. The goal is to bring the rates closer to equality, but it may not be entirely equal due to the differing rate structures.
5. The discussion revolves around the philosophy of ensuring that customers who do not have access to PI should not be disproportionately impacted by rate changes when compared to users with PI.
6. Calculations for rate adjustments are based on averages and do not consider individual variation in usage patterns.

Again, the intention was to align the rates to make them fairer for both PI and non-PI users, even though the rates may not be the same due to the variations in how these customers are charged for their water usage.

The council members expressed their concerns and questions regarding rate structures for culinary water and the impact of the pressurized irrigation (PI) system. They want to understand the impact of rate changes for customers in areas with and without access to PI. There's a need to provide a holistic view, considering both culinary and PI rates for customers with different water usage patterns, such as those with two acres of land. Council members want to ensure that the balance between customers with and without PI access is achieved, but they don't necessarily expect the total bills to be the same. City Council member Kelli Law asked if Fred Philot considered long-term water conservation policies and the potential impact of such policies on revenue and expenses. Another concern was that setting high water rates alone might not significantly incentivize water conservation in a community with abundant water resources. Overall, the council is looking for a clearer understanding of the proposed rate structures and their impact on customers, as well as considering broader conservation and water availability issues. Fred Philpot will return at another City Council meeting.

V. ACTION/ DISCUSSION ITEMS

A. Ordinance 2023-25: Code Amendment to Section 3.03050 to Amend Setback Requirements in the CR-20,000 Zone for Accessory Structures on Corner Lot

Alpine City Administrative Assistant/City Planner Ryan Robinson said Alpine Resident Markus Schellenberg has submitted an application to amend the current Alpine Development Code, the relevant section of the Alpine City Code is 3.03.050 which specifically targeting the setback requirements for accessory structures, particularly the side yard setback requirement for corner lots. The current requirement dictates that accessory structures must be set back at least 40 feet from the side lot line abutting a street. This amendment aims to change that setback requirement.

Corner lots often have increased setback requirements due to their increased street frontage. The proposed change would affect all lots within the CR-20,000 zone, not just the one in consideration. The Alpine Development Code already mandates that no accessory structure can be placed in the site view triangle, an area formed by connecting the corner of the property to points 35 feet back along each property line abutting the street.

If approved, staff recommends adding language that allows accessory structures on corner lots to be closer than the 40-foot setback when abutting a street, provided they meet the same standards for interior lots, including restrictions on height, size, and utility easement requirements. Additionally, for aesthetics purposes, a privacy fence requirement for the side yard nearest to the road is proposed.

The Planning Commission held a public hearing on this matter during their October 17th meeting and recommended approval of the code amendment after discussing and clarifying the standards for amended setbacks.

Setback Requirements: Setback requirements are in place to serve two primary purposes:

1. **Safety:** Setbacks enhance visibility and safety by ensuring clear lines of sight for drivers, pedestrians, and cyclists, thus reducing the risk of accidents. They also act as a barrier in emergency situations, such as fires.
2. **Aesthetics:** Setbacks are designed to promote an open and spacious feel in residential areas, preventing structures from appearing too close to sidewalks and streets, which could create a clustered or crowded appearance.

The staff recommendation is contingent on how well the proposed changes align with these standards. Additionally, they should weigh the public input received during the Planning Commission meeting.

Marcus Schellenberg
753 Blue Moon Lane

Marcus Schellenberg, the petitioner, addresses some points about the proposed code amendment:

1. *Marcus emphasizes that the structures in question are small and mainly consist of sheds. These structures are designed to provide storage space and free up garages for parking cars, which can improve safety.*
2. *He suggests that the proposed change may not pose safety issues since even RV pads and trailers are generally larger than the structures covered by the amendment.*
3. *Marcus notes that the current practice in the area has led to many violations, and the proposed change aims to bring common practices more in line with written regulations.*
4. *There's a discussion about the required setback, and it's clarified that the distance is typically measured from the back of the curb, considering a 10-foot distance from the curb to the property line.*

The council then discusses various aspects of the proposal, including whether the amendment should apply to different zones. Alpine City Attorney Steve Doxey suggested adding to the motion specifying what type of fence required with all the different fence types.

Original Motion: Jason Thelin moved to approve Ordinance 2023-35 a code amendment to section 3.03.50 regulating setbacks for accessory structures on corner lots as proposed. Lon Lott seconded the motion. There were 4 yes votes, 1 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	
Greg Gordon		
Jason Thelin		
Kelli Law		

Substitute Motion: Jason Thelin moved to approve Ordinance 2023-35 a code amendment to section 3.03.50 regulating setbacks for accessory structures on corner lots as proposed with the additional modification of designating the fence structure has a privacy fence. Lon Lott seconded the motion. Motion was withdrawn.

B. Grove Drive BSL (Bonneville Shoreline Trail) Impacts and Engineering Proposal

Alpine City Engineer Jed Muhlestein said in 2022, the City of Alpine secured a grant for \$76,925.75 from the Utah Outdoor Recreation Grant program. This grant was obtained to support the construction of an approximately 8-foot-wide asphalt trail along the north side of Grove Drive. The planned trail would extend from the intersection of Grove Drive and Katherine Way to the Dry Creek crossing. Additionally, the Grove Drive Realignment Project was set to incorporate a similar asphalt trail from the Dry Creek crossing to the entrance of the Bowery. The ultimate goal of this project was to provide an all-weather path for walking and biking in an area that lacks dedicated pedestrian infrastructure.

Completing this project would not only serve the community but also facilitate a connection between Lambert Park and the open spaces and trails in The Ridge at Alpine and Three Falls. The city had a deadline to complete the trail by May 19, 2024, unless an extension is granted.

The process of securing the grant was expedited, with a short time frame between becoming aware of the grant opportunity and the application deadline. Elected officials and staff collaborated on the grant submission. Following the grant's approval, staff started to delve into the specifics required for the construction of the asphalt trail. There is adequate right-of-way along the alignment for constructing the trail. However, this construction will have varying impacts on the eight lots that front the trail, due to residential improvements that have been constructed within the right-of-way.

His presentation detailing the major impacts on each affected lot. This presentation was included in the agenda item. Given the obstacles that need to be addressed, the cost of construction is anticipated to be higher than initially budgeted. The State has approved the construction of only the portion of the trail for which funds are available if it becomes unfeasible to build the entire trail.

It is a requirement of the grant that the project must be awarded to a contractor through a competitive bid process. Considering this requirement and the presence of several conflicts that necessitate detailed engineering, the city obtained a design proposal from Wilding Engineering. This proposal covers topography assessments, trail design, drainage design, construction staking, materials testing, and support during construction.

The staff recommends that the council reviews the impacts associated with constructing the Grove Drive BST trail, as well as the engineering proposal from Wilding Engineering. Staff is looking for guidance on how to proceed with the project with potential impacts on lots fronting the trail, budget implications, and whether to engage Wilding Engineering's services for the project.

City Council member Jessica Smuin said the Bonneville Shoreline (BSL) trail will be meeting up with a sidewalk on Katherine way and will need to narrow down to 4 feet. Jed Muhlstein said the BSL trail does not have a standard width. Jason Thelin asked if the BSL would be flexible to where the trail goes throughout the city. Jed Muhlstein replied yes. Shane Sorensen said the trail would be like a bike trail, and since we don't have sidewalks in the area this would be primarily a walking trail. Jason asked where this would start the top or the bottom of the trail. Mayor Carla Merrill suggested starting the trail project at the top of the trail.

Amy Gregory
133230 Grove Drive

Amy Gregory asked the city if they would consider narrowing the road near her home. She would like to keep the keep her rock wall and landscaping.

Raymie Anderson
13293 N Grove Dr.

Mr. Anderson said he was hoping to work with the city, so they don't lose trees and the rock wall. He informed the city that there is a sewer line under his rock wall.

Bob Zucher 1:39:04
13356 Grove Drive

Bob Zucher expressed concerns about the proposed trail and the impact it could have on traffic, especially given the promises made during the Cove annexation, telling the residents that we would have any sidewalks. He believes the trail to be a good thing because it is forcing all the traffic from up north to the cove which is affecting 150 homes. The city has been building the bridge and doing all these other things while the cove road gets closed off. The residents in his area notice the difference in traffic. By not opening Moyle Drive the city has broken several promises. This is now affecting even more homes in Box Elder neighborhoods. decision to gather signatures for a referendum is a legitimate way to address these concerns, and it's a part of the democratic process. He believed it was the policy of the city and council to help protect all its residents, not just a few residents on Moyle Drive. He and some of his neighborhood has had two referendums to stop the Lambert Park Conservation Easement and the Lambert Park Management Plan, by putting the issue to a public vote, the community can decide whether to proceed with the proposed Lambert Park Conservation Easement. It's essential that the voices of the community members are heard, and referendums means of achieving that.

Kelli Law asked for clarification about the cost for the proposal. Jed Mulstein said the estimate is \$318K. Mayor Carla Merrill said the city would at least get a third to half of the cost from a grant.

Motion: Lon Lott moved to approve the engineering proposal from Wilding Engineering in the amount of \$21,800 and to move forward with the proposed Bonneville Shoreline Trail project with instruction to Wilding Engineering to work with staff on a designed width to accommodate existing rock and landscape. 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		
Greg Gordon		
Jason Thelin		
Jessica Smuin		
Kelli Law		

C. Rezone Request – Rezone Parcel 11:023:0129 and 11:0023:0083 (476 South Alpine Highway) from CR-40,000 to Business Commercial

Ryan Robinson said developers Dan Ford and Gordon Jacobson applied to rezone two parcels situated along Alpine Highway. The parcels are identified by parcel numbers 11:023:0083 (476 S Alpine Hwy) and 11:023:0129. Currently, these parcels are zoned as CR-40,000, which permits one dwelling unit per 40,000 square feet. It is important to note that the properties to the west and across the street maintain the CR-40,000 zoning, whereas the lots to the east are zoned Business Commercial (BC). The property at 476 S Alpine Highway presently features a house that would be removed as part of the development process for commercial properties.

The applicants' intention is to develop these properties as retail commercial units. It is important to clarify that this application is solely a request for rezoning. If approved, the applicants would be required to follow the standard approval process for any commercial development. This process would ensure that the proposed uses, aesthetics, and other development codes comply with city regulations.

City Code:

- Alpine Development Code 3.07 Business Commercial Zone (BC)
- Alpine Development Code 3.04 Country Residential Zone (CR-40,000)

The only thing the city council will be voting on is the rezone. The developer would still need to go through the approval process with their This would be in the gateway historic zone. The Planning Commission conducted a public hearing during their October 17th meeting, during which members of the public raised various concerns. Some expressed concerns related to parking, Alpine's capacity to support a significant number of business units, and the potential increase in traffic resulting from this proposal. However, those in favor of the proposal emphasized the need for additional commercial establishments within the city.

The Planning Commission passed a motion to recommend approval of the rezoning request, citing consistency with the Master Plan and the potential for providing attractive retail and office spaces at the gateway of the Historic district.

General Plan:

- **Business Commercial:** Land zoned as B-C (Business Commercial) should consist of professional office, retail, and other commercial uses that serve the community and are situated within a safe and aesthetically pleasing environment. Limited residential uses shall be permitted as outlined in the Alpine City Development Code (Alpine General Plan, Pg. 7).
- **CR-40,000:** Land zoned as CR-40,000 (Country Residential – 40,000 square foot minimum lot size) includes areas generally located around the periphery of the city center. These areas are considered suitable for low-density residential development, aiming to preserve the rural and open space character of the city (Alpine General Plan, Pg. 7).

Ryan Robinson said staff recommends that the council evaluate the rezoning application and consider factors such as compatibility with the Master Plan, adherence to development code requirements, and the potential for enhancing the retail and office spaces at the city's gateway. This would be 42 units and may need more parking. There were five motions made by the Planning Commission and the final vote being to recommend to approve the zone change.

The City Council had a substantial amount of discussion and debate about a proposed development and the potential zone change for the area along Alpine Highway. The council said it is important to have these detailed discussions in order to make informed decisions that align with the community's vision for Alpine. Their discussions cover zoning, residential use within commercial zones, the vision for the community, traffic concerns, and more.

Jessica Smuin asked if there was a possibility of having a development specific zone for just the two lots. Ryan Robinson said the developer did not mention that. The developer wanted to get feedback from the council. A development specific zone is possible but that would mean amending the city code and starting all over again. Kelli Law said he believed the council had voted to have a senior overlay for the lots. Lon Lott said the senior overlay had been voted down. Jessica Smuin mentioned that the feedback from the Planning Commission was that they wanted to see the developer intentions with the property before making their decision.

Kelli Law said his concern was with the state laws changing he would feel more comfortable looking over the city's ordinances prior to deciding. Mayor Carla Merrill suggested the property owner could meet with the council members one at a time. Shane Sorensen suggested having a work session regarding zone changes, that way staff could get direction from the council as well as the Planning Commission. City Council member Greg Gordon said if the council approves the zone change this could be a potential problem. The property owner is unable to sell the units, the area could turn into town homes or condos with 40 units.

Mayor Carla Merrill said the primary purpose would be for Business Commercial (BC). The city would not allow single family units. Ryan Robinson said there are new laws coming. He said this project would need to be owner occupied with a business on the main level. Lon Lott said at the Planning Commission public hearing there was a lot of feedback from residents around the proposed BC zone change.

Gordon Jacobson

Gordon Jacobson asked what the City Councils vision was for the property and if he could get some feedback so that he could develop his property. He said this is just a conceptual plan because we needed something to get the rezone on the two properties. The idea for the two properties is just preliminary. He believes that there is a real need for offices in Alpine. When he met with the mayor and a few council members they said to come up with a flexible mixed-use type of zone. He is trying to have smaller units for business owners to buy without have to buy a bigger building and leasing out additional office space that they are not utilizing. He believes that you don't need to have a frontage for a business now that everyone has access to google maps. They have had interest in these units that business owners can purchase. What he sent into the city was just a rough proposal. He is working with our civil engineer to get a plan to turn into the city. He would like feedback from the council members that he was not able to meet with. He asked for the council to consider tabling the zone change until he can bring more information to the council.

Mayor Carla Merrill said she would personally like to see a couple of restaurants with walking paths and green belt. She said a senior housing would most likely pass if it were more like Red Pines development. She said she appreciates Mr. Jacobson pointed out the city weaknesses in their codes.

City Council member Lon Lott said the unknown is very frightening to the community with regards to traffic and having a high density of the project along Alpine. We already have an issue with traffic with Mountainville academy. There are just so many unknowns with this project. *Mr. Jacobson questioned if the council would receive support from the council if the project would have business commercial closer to the road and residential closer to the creek.*

Mayor Carla Merrill asked the council what their thoughts were. *Mr. Jacobson said tried reaching out to the council on March 31st, He met with Greg Gordon and Jessica Smuin. Kelli Law said he never received that email or had any voicemails from the developer.* Jason Thelin said his philosophy is to make decisions based on the development plan

presented by the developers to the council and how it adheres to the ordinances. He expressed concerns that the meeting might not be fair to Alpine residents, who may not have the same opportunity for face to face time with the city council to express their concerns. *Mr. Jacobson asked if this project would help the city with their Moderate-Income Housing requirements.* Lon Lott said although senior residents would like to downsize and still live in the Alpine areas. The city already has Montdella on Main Street, and those units were supposed to be affordable. The units are not affordable, and they have not sold them. *Mr. Jacobson said that the Mondella units are a lot larger than what he had in mind for his development.*

Mayor Carla Merrill suggested he work with Jessica Smuin on submitting a new plan. Jessica Smuin said she is not favor of 43 high density units there are zoning option that are emerging now that allow cities to create very specific communities. She hears loud a clear what the council does not want but it would be great to talk about what the council does want for this property as you enter Alpine. If the council can legislatively do this through this new creative way, maybe staff could tell us what that looks like. Ryan Robinson said other cities such as Mapleton where his worked previously have done specific zones. The developers create a code for a new zone. The developer would still need to go through the approval process with the Planning Commission and City Council. He said these zones are site specific saying the location could be limited to the total number of units allowed and what the units could be used for. He said he could research more about the topic if the council would like him to.

Motion: Jason Thelin motioned to deny Ordinance 2023-26 the proposed zone change for parcels # 11:023:0083 and 11:023:0129 from the CR-40,000 to the Business Commercial Zone based on it not conforming with the Alpine City General Plan. 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		
Greg Gordon		
Jason Thelin		
Jessica Smuin		
Kelli Law		

Motion: Jason Thelin moved due to the time to have items D and E moved to the next City Council meeting and move straight to staff communications. Kelli Law seconded the motion. No vote was taken.

Substitute Motion: Jessica Smuin moved to move item E to the next City Council meeting and continue to item D and staff communications. 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		
Greg Gordon		
Jason Thelin		
Jessica Smuin		
Kelli Law		

D. Resolution No. R2023-34: Construction Standards Update

Jed Muhlstein explained that the Construction Standards Specifications and Details underwent an update at the September 26, 2023, City Council meeting. During this update, two specific items were discussed and requested for further approval. The motion that was passed during this meeting included several changes:

- Pavement Cut Moratorium Standard (Page 26, Item H):** The motion called for a review of section D to add more specificity concerning the definition of an "emergency." This revised section was to be brought back to the city council for approval.
- Pavement Cut Moratorium Standard (Page 26, Item H):** Section B was to be modified to extend the period from three years to five years.
- Sleeves and Conduits in the Sprinkler Section:** This section was to be corrected to use the appropriate wording and to reflect changes made by Lon Lott.

4. **Code Reference (Page 55, 500.030):** A correction was to be made for the new item regarding the replacement of sewer lines when an existing plot has existing service. This correction was to ensure compliance with current APWA standards, and the revised section was to be brought back to the city council for approval.

Jed Muhlstein noted that items 2 and 3 have already been corrected, and items 1 and 4 are now being presented for approval as originally requested by the council.

Motion: Lon Lott moved to approve Resolution No. R2023-34 as proposed. Jason Thelin seconded the motion. There were 4 yes votes, 1 no votes, and 0 excused as recorded below. The motion passed.

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

E. Resolution No. R2023-35: Update to the Consolidated Fee Schedule for Culinary Water and Sewer Rates

Resolution No. R2023-35 was moved to the next city council meeting on November 14, 2023.

VI. STAFF REPORTS

Chief Brian Gwilliam

Chief Brian Gwilliam reported that he received multiple calls and texts regarding speeding near the Grove Drive Realignment Project, while the construction is ongoing.

Ryan Robinson

Ryan Robinson said the city has been noticing a lot more homes putting in fences that have gates opening to open space. Staff thought the city had language in the code saying residents couldn't do that. We have not been able to locate that in the city code. He asked if the council would consider putting gates that open into open space on a future agenda.

Jason Thelin believed the council had previously voted to allow a resident to have a gate that opened into Moyle Park. Mayor Carla Merrill suggested that staff locate the minutes from the meeting Jason Thelin spoke about. Ryan Robinson mentioned that he understood the city had development agreements with property owners around Lambert Park. Jessica Smuin suggested letting property owners put in a four-foot gate to allow a person to go through but not a double gate for a vehicle to go through.

Ryan Robinson provided the council with a paper addressing questions and concerns regarding Code Compliance. This document will provide information to residents about the city's code and how to navigate compliance issues.

Steve Doxey

Steve Doxey mentioned he filed a brief in response to the Francom petition for judicial review of their variance. denial. He said Shane Sorensen would distribute a copy to the council.

Shane Sorensen

Shane Sorensen reported on the following items:

1. The restrooms at Burgess Park are planned to be closed due to the forecast of low temperatures. Additionally, other restrooms that are usually closed during the winter will follow suit.
2. The city has been conducting interviews for part-time positions and will provide an update in three weeks.
3. The Burgess Park trails restoration project is nearing completion.

4. Grove Drive realignment project is expected to be paved next week, with a short shutdown period for excavation work.
5. Work continues with the cemetery expansion project in the larger section.
6. There's information about a rate increase hearing for the TSSD (Timpanogos Special Service District) scheduled for November 16th, and efforts are being made to communicate this to residents.
7. The city is following the process outlined for referendums that were submitted by residents.

VII. COUNCIL COMMUNICATION

Lon Lott

Lon Lott mentioned a potential rate increase with the Timpanogos Special Service District (TSSD) for November 17th, 2023 meeting. He said the meeting will be noticed in the Newline and the city website.

Jessica Smuin

Jessica Smuin mentioned the following:

1. She voiced concern regarding the chain link fence on Grove Drive, she noted that it's not the standard black color.

Shane Sorensen said he would look into the matter. Lon Lott said regarding the chain link fence on Grove Drive, it's noted that it's not the standard black color. Shane Sorensen said he would look into the matter.

2. The Main Street Committee met earlier today.
3. She asked for an update on the trail called Forbidden in Lambert Park.

Mayor Carla Merrill said the city is waiting for the property owners' engineers to get back with some schematics for Jed Muhlestein, also a write up from their lawyer.

Kelli Law

Kelli Law asked to get an updated map of all the city properties. Shane Sorensen said he would send a map to the council.

Kelli Law suggested creating a resolution to address specific issues going on in the world such as antisemitism or even make a statement within the powers of a City Council. The city could draft a resolution, and work with the city attorney or a designated city official to ensure it meets legal requirements and is in line with your city's values and priorities. The council can then review, discuss, and vote on the resolution during a council meeting. It's a formal way to make your city's stance on important matters clear. If you have a specific topic or issue in mind for the resolution, you can begin drafting it, and then it can be discussed with the rest of the council.

Mayor Carla Merrill

Mayor Carla Merrill requested staff to post notices about restroom closure for the season. It would be a a considerate idea, especially for those residents who have established routines when they are out in the community parks. Keeping the community informed helps them adjust their plans accordingly. The public notices can also be part of the regular communication efforts to keep residents informed about any public facility closures.

VIII. EXECUTIVE SESSION

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		
Greg Gordon		
Jason Thelin		
Jessica Smuin		

Adjourned at 9:48 pm