

ALPINE CITY COUNCIL MEETING

January 27, 2026

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

I. CALL MEETING TO ORDER

A. Roll Call

Mayor Carla Merrill

The following were in attendance at the anchor location, which constituted a quorum: Jessica Smuin, Sarah Blackwell, Chrissy Hannemann, and Andrew Young. Brent Rummmler was excused.

Staff: Shane Sorensen, Steve Doxey, Chief Brian Gwilliam, Chief Brian Patten, and DeAnn Parry

Others: Susanne Peterson, Adam Sidwell, Carl Hollan, August Bateman, Sullivan Love, Annie Williams, Phillip Williams, Steve Burrows, Sheryl Cragun Dame, Nicki Brammer, Jack Brammer, Catherine Johnston, Jeff Davis

B. Prayer

Jessica Smuin

C. Pledge

Sarah Blackwell

II. LEGISLATIVE REPORT – Senator Brady Brammer

Sen. Brammer explained that Rep. Kristin Chevier could not attend tonight because of another meeting. He loves coming to Alpine because of our strong sense of community and thanked the City Council for being good examples of public service. He also commended Police Chief Brian Gwilliam and Fire Chief Brian Patten for their excellent work.

Sen. Brammer said that there are 248 cities in the state, and when one causes a problem, it often results in a new law that applies to everyone. He tries to fix problems and craft amendments to flawed bills. He gave his cell number to the council members and encouraged them to call him. He prefers to let cities handle their business and not interfere with elections and schools. He is very willing to play defense for Alpine. He is currently working to amend the 5th/5th tax law to keep the funds in the county and was able to secure a new judge position for Utah County.

Andrew Young said he has been to the Legislature several times recently, and thanked Sen. Brammer and Rep. Chevier for their work. He learned that many legislators do not write their own bills. There is a culture of voting yes on a bill so that the sponsors will support your own bill. Andrew wants them to do what is best for the cities and the state. He encouraged Sen. Brammer to fight for local control.

Sen. Brammer said you have to pick your battles. In the House he was known as “Bill Kill Brammer.” In the Senate, things are different. Sometimes you vote yes because 70 percent of the bills are small adjustments to existing code to help things work better. Most are not controversial, but some bill you have to stop. He invited council members and citizens to visit the Legislature because it is much more interesting to be there in person.

Chrissy Hannemann commented that it looks like election laws are moving in a direction that will make it harder for people to vote. Young voters are politically savvy and know what is going on. Requiring extra steps and in-person ID validation will discourage them. The rising generation wants to participate, and these barriers are not helpful.

Sen. Brammer said that most people like receiving their ballots by mail, so they have time to research the candidates. That privilege is not threatened at this point. We want elections to be fair and open, but must minimize fraud, though we have not had fraud in Utah that would change election outcomes. It is important that ballots are returned in time to be counted, and last-minute mailing does not work anymore.

Sarah Blackwell had questions about new bills and their alignment with the state constitution, as well as HB 48 and the need for direction in enforcement.

Sen. Brammer said that if there is a question about constitutionality, the courts make that determination. Alpine is sensitive to Wildland Urban Interface (WUI) bills because of our location. They will continue to work on this legislation. Lawmakers rarely get the bills right on the first try.

Mayor Carla Merrill said that often the best intentions have unintended consequences. She thanked Sen. Brammer for being proactive to gather the mayors and keep them informed.

Chrissy Hannemann thanked Nicki Brammer, Sen. Brammer's wife, for serving on the new school board.

Motion: Andrew Young moved to have Action/Discussion Item A – Resolution R2026-09 the appointment of the City Prosecutor heard next on the agenda. Jessica Smuin seconded the motion. The motion was approved unanimously.

VII. ACTION/DISCUSSION ITEMS

A. Resolution R2026-09 appointing Carl Hollan as the City Prosecutor

Attorney Carl Hollan was invited to the microphone.

Mr. Hollan said he lives in Utah County and has been practicing in government for 14 years, mostly in prosecution. He offered to answer questions from the council.

Andrew Young said that Mr. Hollan has litigated more serious criminal cases than we typically see in Alpine. Here we mostly have shoplifting, DUIs, traffic citations and trespassing. Andrew had concerns about the retainer of \$75,000. He wondered if we could pay on an as-needed basis to be more cost effective.

Mayor Carla Merrill said that this is the going rate for a prosecutor.

Shane Sorensen said that initially David Church took care of prosecution, but when he became too busy, we hired Tucker Hansen. When Mr. Hansen gave notice of his retirement, we requested applications. There are not many firms that handle this, and we are grateful to have Mr. Hollan join us. This will not increase costs for the city. We are fortunate that Highland runs the Justice Court. We pay our monthly assessment to Highland and they handle the operations, which places less burden on our staff.

Mayor Carla Merrill said she understands Andrew's concern about fiscal responsibility, but this is cost of business to provide a service to residents and have their cases heard in a timely manner. Residents do not need to travel to Provo for their speeding tickets and other small matters.

Police Chief Brian Gwilliam said he would be in frequent contact with Mr. Hollan. The job often requires after-hours and middle-of-the-night calls, and we have that option because the prosecutor is on retainer. He does not want to sacrifice timely access as it is important for cases to move quickly through the subpoena and court processes.

City Attorney Steve Doxey said that trials or hearings may have associated fees that can be billed on a piece rate, but prosecutors are always paid a flat fee per month.

Andrew Young asked what Mr. Hollan likes about Alpine.

Mr. Hollan said he grew up in Orem and now lives in Spanish Fork. He appreciates how Highland has maintained its character through all the growth in the county, and he agrees with Sen. Brammer that Alpine is a place where people want to settle. He appreciates the good work of the mayor and City Council along with the police and fire departments and hopes that his service will help residents feel safe and contribute to a positive environment.

Chrissy Hannemann thanked Mr. Hollan for applying for the job and asked what appealed to him about the position.

Mr. Hollan said that he worked in the Attorney General's office for four years and is now the Executive Director of the Utah Statewide Association of Prosecutors & Public Attorneys. He represents them in the legislature, the governor's office, and at the Supreme Court. This is the perfect size contract so he can be

in the courtroom, keep a pulse on the communities, and know the issues to take to the state. He worked with Chief Gwilliam previously and feels that this is a great opportunity.

Sarah Blackwell said she is pleased to have someone so qualified in the position.

Shane Sorensen said that Highland City will also vote on Mr. Hollan’s appointment this week.

Motion: Jessica Smuin moved to approve Resolution R2026-09 appointing Carl Hollan as the City Prosecutor. Chrissy Hannemann seconded the motion. There were 4 yes votes, 0 no votes, and 1 excused, as recorded below. The motion passed.

<u>Yes</u>	<u>No</u>	<u>Excused</u>
Sarah Blackwell		Brent Rummier
Chrissy Hannemann		
Jessica Smuin		
Andrew Young		

Heidi Smith reported that Ryan Robinson had now joined the meeting by Zoom.

III. WORK SESSION

Presentation of the Pressurized Irrigation & Sewer Master Plans – Horrocks Engineers

John Schiess from Horrocks Engineers said they used the same process for the Pressurized Irrigation (PI) Master Plan as they did for culinary water. They determine existing deficiencies, recommend improvements, and look to the future.

The PI system needs to be brought up to the declared level of service. This includes pipelines, booster pumps, a well, and tank expansions. Before Alpine had a PI system, all the water came from the culinary system, and the state required a certain level of output. When the PI system was designed, Alpine opted for double the required capacity at that time. Residents are now using even more than that amount. Because we have meters in place and a rate schedule, we can encourage conservation. The plan suggests upgrades to meet current usage, but if residents use less, fewer improvements will be needed.

Most of the PI water supply is in the lower zone, but the excess demand is in the upper areas of town. Many of the recommendations are how to move the water up higher where it is needed.

Shane Sorensen added that we have bottlenecks in the system because of high demand. Pressure problems are common in the upper elevations.

The council and staff discussed specific issues:

Comparing the 2021 study with the 2025 study – The projected costs have more than doubled. This is because construction costs have increased dramatically in the last five years. The 2021 study showed deficits, but the council did not move forward because we had good rain and snowfall then.

Use projections – Alpine is currently at a 1.1 percent growth rate. The study projections are not population based but are tied to land use and zoning. If parcel sizes decrease, the demand goes up. Larger parcels generally use less water. For a one-acre lot we assume 66 percent is landscaped. For half-acre lots it is 63 percent. When someone builds a house, we can then use their actual meter data for projections.

Impact fees – If we have existing pipe and need to upsize to serve growth, we cannot charge the replacement of the whole line to impact fees. The replacement of the existing portion must be charged to current residents, and the upsize can be charged to growth through impact fees.

Conservation – Experience shows that while education may have a small effect, the biggest factor in compliance is high user rates. However, some residents spend a million dollars on their landscaping, and they have the resources to pay for the water to keep it healthy. This is a challenge and makes conservation tough to enforce.

The city has applied for a grant to help with education and conservation efforts. The EyeOnWater app is a great way for residents to track their usage and be notified when a leak develops.

Timing of projects – The schedule suggests spreading out the projects, so they are not all in one year. The mainline upsizes have a ten-year timeline. The existing deficiencies need to be solved first. Projects required at buildout should actually be completed before that time, or we will develop more existing deficiencies along the way.

Location of the water – The mid and high zones are under-supplied. Spring runoff access and the restricted dates for Alpine to use the water make springtime complicated.

Alpine Irrigation Co. – The city has a partnership with the Company based on a 100-year agreement. When we installed the PI system, Alpine was required to provide PI service to everyone served by the Alpine Irrigation Company, whether in Alpine or Highland. Their board is somewhat frustrated because they are doing their part by providing water access, but the city has not solved the delivery problems yet. Alpine City holds about 40 percent of the shares in the Company, and we want to maintain a great relationship with them. Their annual shareholder meeting is in November.

Quickest Solutions – Heritage Hills Well and the booster pump on 400 West will yield the fastest results. The process is to determine the funding, obtain council approval, send the project to an engineering firm for design, send it out for bids, award the bid, and start construction. The booster pump and lines could be designed in 4-6 months and constructed in an additional 4-6 months. Well construction requires that a test well is drilled to confirm the hydrogeology. The well would take two or three years to build. The estimates include engineering, test well, and construction costs.

Mayor Carla Merrill invited Jeff Davis, who serves on the Planning Commission and is a civil engineer and hydrogeologist, to the mic.

Jeff Davis asked John Schiess about the Alpine wells and their capacity.

John said they update the plan if a well is decreasing in capacity.

Jeff said we have had wells go down in past years and asked about current concerns like lowering a pump or rehab for a well.

Shane Sorensen said we have done all of those things. We lowered the pump in the Carlisle Well and have done rehab work on the 300 North Well, which needs a new pump. Repairs and maintenance are paid from the bund balance.

Jeff said that those maintenance projects are not part of the master plan. Residents need to know that when a well is built it does not just go forever. Maintenance is also required.

John explained that these master plans are mostly capacity related, not focused on maintenance. Those costs are handled through the normal budget.

Jeff commented that the area near Alpine Elementary has deficiencies and low pressure. Residents are very aware of this. He asked what is planned to remedy these problems and how the Heritage Hills Well would help.

John said if the Heritage Hills Well were built, a pressure-reducing station would send water to the lower zone to help fix pressure problems there.

Shane explained that when water pressures drop, the valve would open to feed more water through. Sometimes, however, it takes too much pressure from the zone above.

Jeff said this is a big job with modeling and engineering and John Schiess has done great work.

Mayor Carla Merrill asked if Jeff Davis agreed that the priority projects should be the Heritage Hills Well and the 400 West boosters.

Jeff agreed with those priorities.

Chrissy Hannemann asked Jeff about the process of building the well, how to choose the location, and the likelihood of getting the water we need.

Jeff said we do not randomly select well sites. The Heritage Hills Well had a well site study completed a while ago. They looked at the geology and where the water was moving. Even with a study, it does not mean there is a 100 percent guaranteed flow. It is always a risk.

Mayor Carla Merrill asked how the risk is mitigated by drilling a pilot well.

Jeff said it lowers the risk because you are not installing infrastructure before you are confident in the location. The timeline for a pilot well depends on the experience of the driller.

Jessica Smuin asked if this would be a primary or secondary source for PI.

John said it would be primary source, because it is in the upper zone where we do not have enough capacity, especially in the spring. We cannot get ground water until July 10.

Mayor Carla Merrill thanked John Schiess and Jeff Davis for presenting the information.

The mayor said the council would take a break before the Sewer Master Plan to hear public comments.

V. PUBLIC COMMENT

Susanne Peterson – 1230 East, Alpine

Susanne wanted to address the historic marker at the entrance to the North Cemetery. There are 11 names on the plaque and only one is a woman, (and there is a question about whether it should be Mary McDonald or Sarah Ferguson McDonald). Susanne would like to see the marker updated and expanded to include the pioneer women who deserve to be recognized, like her ancestor, Jane Taylor Nelson.

She would also like to encourage Alpine to consider senior developments like the Brookstone and Ivory neighborhoods which are located south of Timpanogos Highway. These homes are geared for active seniors and are larger independent living units.

Sullivan Love – Scenic Drive, Alpine

Sullivan is the TSSD board chairman and wanted to offer clarifications about the TSSD discussion during the last City Council meeting.

The TSSD board does not recommend who should serve on their board. That decision is left up to the individual cities. The explosive growth in the valley requires the plant to be expanded, and new regulations also necessitate extensive upgrades. Construction costs have doubled and tripled since the Covid era. Even with engineers serving on the Board, they cannot eliminate inflation in the construction sector. A comment was made about districts being taxing entities. To clarify, the TSSD is not currently a taxing entity, and no one is expressing the desire to tax residents for their wastewater services. The board members take their fiduciary responsibilities very seriously and are always concerned about the cost of projects.

Adam Sidwell – Silver Lane, Alpine

Adam reported that city open space near his home was recently cleared out. The residents were not informed about this and were distraught about the results, and this action destroyed the natural beauty of the area. Adam acknowledged that detention basins need to be maintained, but this area was mowed down to the dirt. He and his neighbors would like to see careful consideration about how our open spaces are treated and suggest planting trees in the open space.

August Bateman – 600 East, Alpine

August is a landscape architect and was surprised at the clearing of the open space in his neighborhood. Open spaces are important and need to be maintained, but he was concerned about the destruction. He is pleased that the council is working on the Parks Master Plan and hopes that no other open spaces are destroyed like this, but that we have a thoughtful plan to maintain them.

Steve Burrows – Meadowlark Drive, Alpine

Steve appreciated the information presented by Horrocks Engineers. Steve has read both the 2021 and 2025 plans and thinks Alpine needs to take action to fund the water projects and support water needs. We rely on Mother Nature, conservation, and policies to build infrastructure and distribute water. Mother Nature is not cooperating, and we will have deficiencies in water. He proposed a public meeting before April 15 to inform citizens about our priorities and plans and what the city is doing to solve the problem. Conservation has limited capability, but education has a lot of potential. We need conservation goals for the future, so we have the water we need.

The council returned to the Work Session.

III. WORK SESSION**Sewer Master Plan**

John Schiess said that our sewer system is in better shape than the water systems. Sewer generation has been trending down for years, and even with population growth the discharge is less. The improvements that are suggested are construction related issues. Alpine's capacity is good, even looking ahead to buildout. The proposed impact fee increases are minimal.

Shane Sorensen said that there is a bill in the legislature that would allow detached accessory dwelling units (ADUs). Alpine has allowed interior ADUs for a long time. If the bill goes through and people start building detached structures, he asked what impact it would have on capacity and our master plan.

John said we have a little bit of extra capacity, but if there are substantial zoning changes we need to look at the master plans to assess adverse impact. If there are a few new ADUs it probably will not matter, but if many ADUs are added, capacity needs to be reevaluated.

Mayor Carla Merrill asked if we would need to do another study immediately if the ADU law is passed.

John said it would require an update to the study with an estimate of how many new ADUs would be added. This would also impact sewer and culinary water systems, but not PI.

Shane commented that there is talk of a bill to require cities to allow 5,400 square foot lots. Currently our minimum is 10,000 square feet. This might be a zoning change that could affect capacity as well.

Sarah Blackwell confirmed that the master plan shows we will not need improvements at buildout. John said that was correct.

Sarah asked if the state passes the detached ADU requirement, can we say that it will not work in Alpine? Shane said we will have to wait and see what comes through the legislature.

Chrissy Hannemann asked why sewage production is going down.

John explained that with new plumbing standards, low flow toilets, conservation shower heads and other measures, it has decreased the amount of water going down the drain. We are also trending toward smaller households.

Chrissy Hannemann pointed out that the fastest growing demographic in the United States is people living alone. They do not need a huge house, and ADUs could serve that population. She asked how residents constructing large additions to their homes would affect the model.

John said that electronic meters really give us accurate data for how much water is going down the drain. Enlarged homes do not necessarily mean they will use more water, as the family size is often the same as before. The ERU calculations are adjusted to match the actual usage.

Chrissy asked for clarification on the impact fee tables on Page 30.

John explained the details about the table and impact fees and said he would re-check the numbers on Tables 12 and 13.

Jessica Smuin asked if we want to offer different housing models and smaller homes for people as they age, does this study address that?

John said that the study addresses buildout at the current zoning. If we change zoning and add more density, we need to update the studies. Adding more bathrooms does not necessarily mean more sewage is generated.

Shane said that when the state forced cities to allow internal ADUs (like basement apartments) they said cities cannot charge impact fees for that. Some cities did and had to stop. We have to look at historical flow and averages per connection. The sewer trend is opposite of the water trends.

John explained that they take culinary meter measurements in the winter to get accurate numbers for the sewer system. That is why we update master plans regularly. Additional toilets and square footage do not necessarily mean extra usage.

Jessica Smuin summarized that our water capacity cannot handle growth, but our sewer system can. Shane Sorensen agreed and said that is why the impact fees are different.

Chrissy Hannemann asked if every ADU counts as an ERU?

John said that ADUs are on the same meter as house, so they cannot split them out.

Sullivan Love, TSSD Board Chair, was invited to the mic.

Sullivan said that Lehi City did a study on ADUs. They found that the ADUs they were adding increased the water and sewer usage substantially. They wanted to push back on the state refusal to allow impact fees to be collected. It is common for homes to be marketed with the enticement that people can build an accessory apartment to rent in their basement, and it will supplement their mortgage payments. Selling a home with an additional living unit will create more discharge. If this is the case, it makes sense to collect more than one impact fee because of the increased discharge into the system.

Mayor Merrill has talked with legislators who said that the cities should have planned better. She countered that we cannot charge every home a double impact fee. She is concerned about detached ADUs because it will increase capacity, and we have large lots in Alpine that could accommodate detached ADUs. It would be expensive to increase capacity for both the water and sewer systems.

Mayor Carla Merrill thanked John Schiess and Sullivan Love for sharing their expertise.

V. ADDITIONAL PUBLIC COMMENT

Jeff Guptill – Ponderosa Drive, Alpine

Jeff has been in Alpine for four years and loves it. He appreciates the council thinking about water and the community needs to know what is happening. Residents are concerned about Canyon Crest Road and the speeds there. In Planning Commission last week, they discussed the studies on a roundabout at Ridge Drive and Canyon Crest. Jeff personally did a survey of homes around Silverleaf Park, Ridge Drive, and Canyon Crest Road. The consensus is that residents there like the idea of a roundabout. They appreciate how the Main Street roundabout functions, even with the backed-up traffic from Mountainville Academy. Residents do not want traffic lights or three-way stops but want to keep the traffic moving. He encouraged the council to support the roundabout.

IV. CONSENT CALENDAR

- A. **Approve City Council Minutes from January 13th City Council Meeting**
- B. **Approval of Payment – Cab and Chassis for New Dump Truck, Premier Truck Group: \$160,787.00**
- C. **Resolution R2026-08: Approval of Amended Consolidated Fee Schedule – (PI Rates)**

Motion: Sarah Blackwell moved to change Consent Calendar Item C - Resolution R2026-08 Amendments to the Consolidated Fee Schedule to become Item B in Section VII - Action/Discussion Items. The motion was seconded by Chrissy Hannemann. The motion was approved unanimously.

Andrew Young asked about modifications to the minutes, and if council members could change their vote, reframe their comments, or add clarifications.

Mayor Carla Merrill said that if council members have questions or do not feel that the minutes portray what actually happened in the meeting, they should email the City Recorder. Votes cannot be changed after the fact, and this is why council should come prepared to discuss the agenda items. There is always a live recording of the meeting that anyone can access as a public record.

Andrew Young said that the cost for the dump truck was outrageous, and this agenda item is just the cab and chassis. He wants to find a more economical way to do this and has looked up used trucks and government auction vehicles.

Shane Sorensen explained that the new truck is replacing a 35-year-old truck that is worn out. This is a 10-wheeler with a double rear axle so it will haul more materials and be more efficient than our smaller trucks. It will not be equipped with a sander and snowplow, so it will be ready when it is needed for water line breaks and other emergencies. This truck was already approved by the council during budget discussions and has been ordered.

Andrew Young said he personally buys used vehicles for economy. With all the projects council members are proposing, he would like to take more time to explore used options. He cannot support this item because of the high cost.

Mayor Carla Merrill said that used trucks require more maintenance and experience more down time. We also do not know how well they were maintained. Our staff takes excellent care of the trucks and stretches their usefulness for as long as they can. When we have a water main break, we may not have time to schedule deliveries through a materials vendor. This truck will last a long time.

Chrissy Hanneman says she has dealt with this vendor frequently, and in her accounting job one client usually spends over \$200,000 on each truck they buy. Big trucks have big engines and fixing them is expensive. We can get extended life by buying a new truck and caring for it well. This is a reasonable price for the truck.

Jessica Smuin asked about projects that would require a large truck like this.

Shane Sorensen said that they will use it to haul gravel, asphalt, and concrete throughout the year. The Lambert parking lot expansion will benefit from having this hauling capacity. The council has already gone through the approval process and committed to purchase this truck with specific options. We submitted a PO and the truck has been produced. It would be bad business to cancel a purchase at this point. This purchase will be paid from several funds that are used for equipment.

Sarah Blackwell asked how we evaluate our equipment a justify new purchases.

Shane Sorensen explained that Public Works maintains an equipment schedule with an assigned life. At the end of that life, they evaluate to see if it can be stretched further. For example, an air compressor may typically last 20 years, but they have one that is still operating. The city does not buy used equipment

because if it is being sold, it has a problem and could become a maintenance burden. We have had good luck with this philosophy, and we do not buy large trucks every year.

Andrew Young said he thinks we can still find a truck that has been well maintained, and he does not see how we can accomplish other budget goals with this type of expense.

Jessica Smuin asked for clarification on the PO and if it was like a deposit.

Chrissy Hannemann said that when we receive an invoice from the company the PO stage is over and the sale is done.

Motion: Andrew Young moved to approve the Consent Calendar, but to remove Item B until we can sufficiently research other economic options to help us reach budget goals and respect residents hard earned tax dollars. There was no second. The motion failed.

Motion: Chrissy Hannemann moved to approve Consent Calendar items A and B as presented. Sarah Blackwell seconded the motion. There were 3 yes votes, 1 no vote, and 1 excused, as recorded below. The motion passed.

<u>Yes</u>	<u>No</u>	<u>Excused</u>
Sarah Blackwell	Andrew Young	Brent Rummmler
Chrissy Hannemann		
Jessica Smuin		

VI. REPORTS & PRESENTATIONS

A. Open and Public Meetings Act Training (OPMA)

City Attorney Steve Doxey presented the Open and Public Meetings Act (OPMA) training that is required by the state once a year. Mr. Doxey explained that the Consent Calendar is supposed to streamline the meeting. If council members want to discuss the proposals in detail, they should move them to the Action Item section of the meeting, as Sarah Blackwell did tonight.

The purpose of OPMA is to make sure that the public’s business is done in public. The Alpine City Council should conduct their deliberations openly. A meeting is the convening of a public body following the processes provided by law to receive comments or discuss or act upon a matter over which the body has jurisdiction when a quorum is present.

This is a public meeting. It has been noticed and there is a quorum present. Examples that are not public meetings are a chance or social gathering, a gathering where a quorum is not present, or a planned gathering at which public matters are not deliberated or acted upon. A quorum of the council may attend Alpine Days, but they are not acting upon public matters. For emergency meetings, notice must be given 24 hours in advance and must include an agenda. The public attends meetings because they are invested in an item on the agenda. It is important that the council confine their discussions to what is on the agenda.

The council should not evade the OPMA by holding smaller meetings about council business where a quorum is not present. They should also avoid using texts, emails, or other methods to conduct private conversations among council members about matters that are before the council. Such communications, even if they are one-way, are public records and are subject to disclosure under GRAMA. Council discussions in our meetings are recorded, and the audio must be published within three business days. It is important to be careful of what you say and how you say it, because it will be a public record.

The Public Comment portion is for residents to address the council about issues. They can request agenda items with approval from the mayor or two council members. This is the public’s business. It is important that council members do not initiate conversations with attendees during the meeting, engage in political grandstanding, or ask for a raise of hands for those in agreement or opposition. Of course we care about what the public wants, but it is most helpful if we conduct our business as a council and staff. If the mayor wants more public input, she can request it.

Voting it done publicly and there are no secret ballots. Your votes will be part of the public record. For some matters, a roll call vote will be required. For simple matters, it can be just yay or nay.

Closed meetings, previously called executive sessions, are allowed only for certain purposes. In a duly noticed open meeting, two-thirds of the council must vote in favor to have a closed meeting. The council member must state the specific purpose of the meeting and where it will be located. There are three main reasons for a closed meeting. They are to discuss: 1) reasonably imminent litigation, 2) the purchase, exchange, lease, or sale of real property, 3) the professional character, conduct, or competence of personnel. The meeting must stay on topic, and no final action or decision can be made in a closed meeting.

We have a resolution in Alpine to allow electronic meetings and require that a quorum is present at the anchor location. The exception is if the mayor deems it unsafe to gather, a remote meeting without an anchor location may be held. This decision must be submitted by the mayor in writing and expires after 30 days.

The public may report violations of OPMA, and we want to steer clear of those situations. In summary, do the business of the public in public and you will not have trouble.

Council members had questions about specific issues.

- Attending the same professional conference session or presentation - Mr. Doxey said that it is permissible to attend the same meeting, but if council members got together afterwards for a discussion about how it applies to Alpine City, that would technically be an improper meeting. It is important to avoid the appearance of improper meetings.
- No action in a closed meeting - Council members may not take action during a closed meeting. A case in point, within the last two years the council wanted to make an offer and acquire some property, but it had to be done quickly. In a closed meeting, council members expressed their views, but they did not make an offer. They directed staff to make an offer, and that action was then approved as a resolution in an open and duly noticed public meeting.

Shane Sorensen added that with a property purchase, staff will bring a resolution to the council with a real estate contract, obtain their approval, and then follow through on the purchase.

Motion: Jessica Smuin moved to extend the meeting until the business of the city was complete. Andrew Young seconded the motion. The motion was approved unanimously.

Mr. Doxey answered additional questions about OPMA.

- Roll call votes – A roll call vote is needed to make a decision on an ordinance, a resolution, or to expend city funds. Motions to adjourn, move agenda items, or other procedural matters only require a simple majority vote.
- Phone and other conversations between council members – Communication and sharing ideas is okay, but coming to a private consensus ahead of time is not good. Decisions should not be scripted in advance of the meeting. This undermines transparency. If staff send out information through email, it is best to reply only to the staff, instead of ‘Reply All,’ which could be construed as an electronic meeting among council members.
- Public comment on agenda items – OPMA does not stipulate that the public may not speak about items on the agenda. This is up to the discretion of the mayor. The Public Comment portion of the meeting is for listening. If council members then begin a discussion on the topic, they are essentially holding a meeting about something that was not officially noticed. It is most appropriate to follow up with the public after the meeting.

B. FY2026 Second Quarter Financial Report

Shane Sorensen said that he usually gives the monthly financial report at the first meeting of the month. However, our last meeting had a lengthy agenda, so we are reviewing it tonight. The first page shows the fund balances in each fund. We received \$1M from a grant reimbursement for street maintenance, and it will show up in the report after the mid-year budget adjustment. We have also received our main property tax distribution. Our sales tax revenue goes up and down, but recently the trend is upward.

Shane explained the graphs and mentioned some specific details:

- The Carlton shop purchase should close in February.
- The Canyon Crest PI project has been paid for.
- Large street and storm drain projects were completed.
- Water and sewer enterprise funds are up because we have not had recent projects.
- A property purchase lowered the balance in recreation impact fees
- The fire station project should start in May, so funds are allocated for that. This project will roll over into the next budget year.
- We will do maintenance on some PI wells to prepare for the watering season.

Chrissy Hannemann pointed out that funds which are allocated for the fire station and other projects are sitting in the Capital Improvement Fund. The only debt we are paying off as a city is for the pressurized irrigation system. She clarified that new pumps and other repairs are paid from the PI fund balance.

VII. ACTION/DISCUSSION ITEMS

B. Resolution R2026-08 Approval of the Amended Consolidatd Fee Schedule – PI rates

Shane Sorensen explained we had a consultant conduct a pressurized irrigation rate study when we switched from flat rates to metered rates. The rate model was complicated because of our obligation to shareholders in the irrigation company. Considering our capital facilities plan and other needs, a three percent increase was built into the rate structure for five years. The increase goes into effect with the January bill each year, and this is the fourth year of the five-year increase. With the increased expense of construction projects now, three percent is not enough to cover our costs.

Andrew Young had questions about user fees and if we are using these funds to supplement other areas.

Shane said that it was part of our PI agreement with the irrigation company that we would not transfer funds from PI to other areas.

Andrew asked why the shareholders are also charged the three percent increase.

Shane Sorensen explained that if we are not getting water out of the creeks we must pump, and those costs go up every year. The irrigation company knows that the three percent increase is part of the agreement, and that the city can periodically raise rates. Shane read through the agreement and we are in compliance.

Andrew said he would like to pay for increased utility costs from money saved in other areas instead of raising user rates. He cannot support the rate increase.

Shane Sorensen said that Mark Anderson with Zions Public Finance came to talk to the Finance Committee on Thursday. Mark is a former City Manager for Heber City, so he has years of experience on both sides of the equation. Our enterprise (utility) funds should be like a business that pays for what goes on within that system. User fees, impact fees, and bonding come into play.

Motion: Chrissy Hannemann moved to approve Resolution R2026-08 adopting The Consolidated Fee Schedule with amendments as outlined. Jessica Smuin seconded the motion. There were 3 yes votes, 1 no vote, and 1 excused, as recorded below. The motion passed.

<u>Yes</u>	<u>No</u>	<u>Excused</u>
Sarah Blackwell	Andrew Young	Brent Rummmler
Chrissy Hannemann		

Jessica Smuin

C. Ordinance 2026-04: Public Facilities Zone Setbacks

Ryan Robinson, who recently accepted a new job as a city administrator for Enoch City, said that after three days in his new position he appreciates Shane Sorensen even more

Ryan said that this ordinance for the Public Facilities Zone (PFZ) presents language similar to the Business Commercial Zone. City property and schools are the only entities in the PFZ. Churches are excluded. As an example, if the city needs to build a pump house on our property with smaller setbacks, this gives us the ability to send it through the Planning Commission and City Council to seek an exception. The Planning Commission held a public hearing and voted unanimously to recommend approval. This change does not require that city or school projects will have smaller setbacks, it just provides the option to seek an exception.

Shane Soresnsen said that the fire station is not in our Business Commercial Zone anymore, it is now in the PFZ. This requires residential setbacks, and there was not an option to apply for an exception.

Jessica Smuin asked for clarification on how exceptions would be determined.

Shane Sorensen said that the ordinance states that a reduced setback may be considered when justified by sight specific circumstances and when recommended by the Planning Commission and approved by the City Council, and in no case shall an approved setback on a corner lot be less than 18 feet.

Andrew Young suggested that language be added to say, "so long as it does not impede the views of a resident." This would prevent the city from constructing a tall building to block their views.

Motion: Jessica Smuin moved to table Ordinance 2026-04 the proposed amendments to Development Code 3.08.050 to allow staff to come up with language to address residential views if an exception is allowed. Andrew Young seconded the motion. There were 4 yes votes, and 1 excused, as recorded below. The motion passed.

<u>Yes</u>	<u>No</u>	<u>Excused</u>
Sarah Blackwell		Brent Rummmler
Chrissy Hannemann		
Jessica Smuin		
Andrew Young		

Chrissy Hannemann suggested that if we add view protection language to the PFZ, we should also add it for residential areas, so the code is uniform throughout the city.

Ryan Robinson said that Andrew Young and Sarah Blackwell have submitted language for a view protection ordinance that will be on the agenda for the Planning Commission soon.

D. Ordinance 2026-05: Senior Housing Overlay Amendments

Ryan Robinson explained that several years ago the state mandated a specific subdivision review process. This ordinance cleans up the language for the Senior Housing Overlay and brings our code into compliance with the state.

Andrew Young had questions about the state code and if it applied to Business Commercial or overlay zones. He asked about the City Council role in approving senior overlays.

Mayor Carla Merrill explained that if a developer is applying for an overlay, they must go through both the Planning Commission and the City Council to see if it is a good decision for our city. Once that is approved, it is no longer a legislative decision but an administrative process. The developers would work with staff after that.

Attorney Steve Doxey said that the specific subdivision statute applies to single-family homes and twin homes. The action to allow an overlay zone on a particular project is a legislative decision. If a developer wanted to build a subdivision with single-family homes in the CR 40,000 zone, it would be an administrative decision unless they asked for a PRD. This proposed language change does not relinquish any rights of the council for oversight.

Mayor Carla Merrill reiterated that this brings our code into compliance with state law.

Ryan Robinson said that the language in the code says that the City Council has to approve a development agreement as part of an overlay re-zone.

Mr. Doxey confirmed that a development agreement is part of an overlay zone approval in state code and we cannot change that. The final subdivision plat approval is administrative, as required by state code.

Andrew Young asked if the development agreement approval would allow the council to have a say in the density, parking, and other issues.

Mr. Doxey said that those issues would be part of the overlay zone approval. If an overlay zone is conditioned upon the development agreement, the developer has to comply with those specifications.

Ryan Robinson added that density and parking requirements are already spelled out in the code.

Andrew Young said he thinks that the zoning and the uniqueness of senior housing projects is beyond the scope of state law. This is very different from standard subdivisions in residential zones. We are trying to adhere to state code, but we are going too far.

Mayor Carla Merrill asked if he wanted to separate a senior overlay with congregate living and a senior overlay with single family dwelling units.

Mr. Doxey said he does not think it matters under the Land Use, Development, and Management Act (LUDMA), because the administrative subdivision approval procedure only applies to single-family, two-family, and town home dwellings. Congregate living would not fall under this code. The state code does not apply to commercial buildings or congregate living.

Shane Sorensen clarified that in Alpine senior housing is limited to single units or two attached units.

Ryan Robinson explained that this change says we will follow the subdivision ordinance for single or double units. If a multi-family project were proposed, it would have different standards.

Motion: Sarah Blackwell moved to approve proposed code amendment to the Alpine Development code 3.18.080 regarding the Senior Housing Overlay Zone review process as presented, based on the finding that the amendment is consistent with the General Plan and brings city code into compliance with Utah Code. Chrissy Hannemann seconded the motion. There were 3 yes votes, 1 no vote, and 1 excused, as recorded below. The motion passed.

<u>Yes</u>	<u>No</u>	<u>Excused</u>
Sarah Blackwell	Andrew Young	Brent Rummier
Chrissy Hannemann		
Jessica Smuin		

VIII. STAFF REPORTS

Shane Sorensen said he would email his updates to the council members.

IX. COUNCIL COMMUNICATION

Jessica Smuin reported that some large trees have fallen at the poppy garden, and she thinks the lack of water is a problem. We need to evaluate the existing trees and may need to hand-water the garden if we do not get enough precipitation. This may also influence whether we can open the gardens for public viewing this year. She would like security cameras to be considered a top priority.

Jessica also serves on the history committee and would like to expand the committee to work with arts and culture as well.

Shane Sorensen said he can review the committee guidelines with Attorney Doxey.

Sarah Blackwell met with Nicki Christensen to coordinate the Alpine Youth Council calendar. She is also working with Bethany Sorensen to create a Google doc for community service ideas and would like to encourage more involvement. Sarah will be meeting with Josh from the American Fork Chamber of Commerce on Thursday.

Chrissy Hannemann said the Finance Committee had a presentation on bonding which was very informative and provided good context. Alpine City does not require the huge bonds that are needed for school districts, so we have more options.

Andrew Young met with the Sculpture Garden Committee, and they are open to options and ideas. For about \$20,000 they can create four small statutes. This will be a donor project, and Andrew wants to get resident feedback. He will also be helping with fundraising. He was inspired by the bronze family statue recently installed in Lehi City for around \$150,000.

Andrew said he would like to see our fence ordinance improved. Regarding the WUI map, the state representative who created it told Andrew that as we implement fire mitigation our insurance premiums should go down. He encouraged council members to visit the Legislature and share their ideas.

Sarah Blackwell requested that Andrew email her a list of bills that might affect Alpine City.

Jessica Smuin commented that the Sculpture Garden Committee wants to move forward and will pay for the landscaping upgrade by City Hall.

Mayor Carla Merrill said that there will be an open house to meet the new superintendent of our Aspen Peaks School District tomorrow night. She will send additional information in an email

Motion: Andrew Young moved to adjourn the meeting. Chrissy Hannemann seconded the motion. The motion was approved unanimously.

The meeting was adjourned at 10:22 pm.