



Town of Alpine
SPECIAL COUNCIL MEETING MINUTES

DATE: December 16, 2019
TIME: 5:05 p.m.

PLACE: Town Council Chambers
TYPE: Special Meeting

- 1. CALL TO ORDER:** Mayor Lutz called the meeting to order at 5:05p.m. Mayor Lutz led the attendees in the Pledge of Allegiance.
- 2. ROLL CALL:** Sharon Backus, Clerk/Treasurer, conducted the roll call. Council Present: Justin Fritz, Robert LaPier, Jeremiah Larsen and Mayor Lutz. Councilman Adam Farnsworth was absent and excused. A quorum of the Council was established.

3. ADOPT AGENDA:

Councilman Fritz moved to adopt the agenda. Councilman Larsen seconded the motion. Vote: 4 Yes, 0 No, 0 Abstain, 1 Absent, (Farnsworth). Motion Carried.

4. ACTION ITEMS & BUSINESS:

- **Motion to adopt on second Reading 271 Ordinance No. 2019-08, "An Ordinance Annexing Certain Land to the Town of Alpine and Approving the Timber View Estates Annexation to the Town of Alpine" as amended.**

Councilman Fritz moved to amend 271 Ordinance No. 2019-08 "An Ordinance Annexing Certain Land to the Town of Alpine and Approving Timber View Annexation to the Town of Alpine" by removing all references to Alpine Lakes Subdivision and Excel Development LLC; to add the Town of Alpine will accept responsibility for the annexed portion of Jordan Canyon Road upon annexation and to adopt on second reading with all edits.

Councilman Larsen seconded the motion. Discussion ensued.

Councilman Fritz stated that at the previous meeting on December 4, 2019, the concerns expressed by the landowners bordering Timber View Estates included firstly, the requirement for trees to be planted along the outside of the perimeter fencing and along Jordan Canyon Drive for the purpose of providing a visual buffer. Trees have been planted along Jordan Canyon Road but not along the perimeter fencing. Secondly, there is the allegation that the units are not being rented as single-family dwellings and lastly, there is no storage on-site for the dwellings or in a nearby storage facility designated for that purpose.

Mr. Dale Cottam addressed the council stating that the town's recommendations were in fact adopted by the county in the final determination for the Timber View Estates PUD. Mr. Wiemann acknowledged that he knew what was required but trees cannot be planted now and felt that the screening provided by the fence was adequate. The adjacent landowners disagreed, requesting the trees be planted. Mr. Cottam stated that there is deck space for each unit but with respect to storage space Mr. Cottam stated that he was uncertain what provisions had been made to address that requirement. The single-family residence requirement was included in the final determination and all eighteen units are single-family dwellings.

The county put the definition for single-family residences as, **"Family – one or more persons related by blood, marriage, adoption or guardianship, and/or not more than four persons no so related, who are living and cooking together as a single house keeping unit."** Mr. Cottam stated that all units are six-bedroom units. Mr. Cottam stated that the unit could have two related and four unrelated persons in each. Mr. Wiemann is complying with this requirement.

Mr. Dale Cottam stated that the Alpine Lakes Subdivision was removed from the annexation petition at this time because it is premature. It does not impact the 2020 census. Mayor Lutz stated that the infrastructure in Alpine Lakes Subdivision is the well and the town is planning to incorporate that water system into the town. The town engineer is currently working on plans to acquire funding to loop the system by connecting it to the town's water system. The Town will not pursue this unless it is within the town boundaries. Also, the credits to be awarded for Alpine Lakes per the Development Agreement cannot be awarded until the subdivision is annexed.

Mr. Marlowe Scherbel stated that the North Alpine Water Company has an easement only and does not own the land where the well and water lines are placed. These easements may conveyed to the town.

Mr. Rick Bickner residing at 37 Angie Lane addressed the council and stated that in addition to the items already addressed by Councilman Fritz, there was a playground put in and at the time there was an office that acted as a barrier between the playground, fence and the road. Mr. Bickner's concern now is that the barrier is no longer there so the playground is adjacent to the fence so there is nothing to prohibit children from entering the road which is a serious hazard. A barrier is needed keep the children from running into the road where they could encounter the vehicle traffic or the other option is to move the playground.

Mr. Sanderson stated that the town could require a barrier. There is still one more reading of the ordinance to which this could be added.

Councilman Farnsworth joined the meeting at 5:20 p.m. There was still a quorum of the council present.

Mr. Rick Starkey addressed the council asking how much of Jordan Canyon Road would the town be maintaining. It was confirmed that the town will only maintain Jordan Canyon Road to the to the North East corner of Timber View Estates. Mr. Starkey requested the town maintain all of Jordan Canyon Road, not just the portion in the annexation.

Mr. Marlowe Scherbel of Surveyor Scherbel explained that for the town to take on the remainder of Jordan Canyon Road, the remaining landowners would need to present an annexation petition to the town; bring the remainder of Jordan Canyon Road up to town standards and the annexation process would then be followed per statute.

Councilman Larsen pointed out that the Mixed Zoning in the county is different from the Mixed Residential and Commercial (MRC) zone in the town of Alpine with respect to definition of "family".

Mr. Dale Cottam stated Timber View Estates was built to county standards and meets the "family" definition required by the county, however, should these units be removed, and new units be built, those would have to meet the town's definition of family.

Ms. Vickie Bickner stated that she had met and toured one of the six-unit buildings. She is still persuaded that the occupants are not related and there are six grown men from different geographical areas in the one unit. Mr. Bickner expressed concern over this finding.

Councilman Farnsworth left the meeting at 5:25 p.m. There was still a quorum of the council present.

Vote: 4 Yes, 0 No, 0 Abstain, 1 Absent, (Farnsworth). Motion Carried.

The aforementioned Ordinance may be viewed in the Town Office or on the website at alpinewy.org

5. Adjournment:

Councilman Fritz moved to adjourn the meeting. Councilman Larsen seconded the motion. There was no discussion. **Vote: 4 Yes, 0 No, 0 Abstain, 1 Absent, (Farnsworth). Motion Carried.**

Mayor Lutz adjourned the special council meeting at 5:30 pm.



W. Kennis Lutz, Mayor



Date

Minutes taken and transcribed by:



Sharon L. Backus, Town Clerk/Treasurer



Date

Attest:





Sharon Backus, Town Clerk/Treasurer



Date

**** Minutes are a brief summary of a recording of the meeting ****