

**NOVEMBER 23, 2004**

Minutes of the Public Hearings and City Council Meeting held on Tuesday, November 23, 2004 at Alpine City Hall, 20 North Main, Alpine, Utah 84004

The following members were present:

Mayor Philip D. Barker

City Council Members: Kimberly Bryant, Hata Puriri, Thomas Whitchurch and Hunt Willoughby

Staff: Ted Stillman, Janis H. Williams, David Church, Shane Sorensen, Rachel McTeer and Jay Healey

Others: Jannicke Brewer, Dale Porter, Craig Skidmore, Tim McGaffin, *New Utah*, Jim Tracy, Tracy Wallace, Mike Maughan, Chris Maughan, Shari Kelsch Bailey, Cody Kelsch, Mike Adams, Michael Lilly, Matthew Staib, Russell Walker, Colleen Norton, Curly Sue, Loretta Stevens, Sheniqua Smith, Brooke Henley, Darla Braney, Tyresha Norton and Jon Atwood

**PUBLIC HEARINGS:** Mayor Phil Barker called the Public Hearings to order at 7:00 pm and welcomed those in attendance and introduced the Public Hearings as follows:

1. **FOR THE PURPOSE OF RECEIVING PUBLIC INPUT REGARDING AMENDMENTS TO THE OPEN SPACE ORDINANCE.** Ted Stillman said that Wayne Hardman, caretaker of the Moyle Park Home, had requested some changes in the Open Space Ordinance. The proposed changes in the ordinance are as follows:

3. Open fires will not be allowed, except in City-installed fire pits in the Bowery, ~~and~~ rodeo grounds, and Historic Moyle Park.
5. No animals of any kind are allowed in Historic Moyle Park. In all other parks pets ~~All dogs~~ are to be leashed, except in Lambert Park in which case the ~~dog~~ pet is to be under the owner's direct control at all times. All animal excrement is to be cleaned up by the owner of the animal or pet ~~dog~~.

Craig Skidmore said there have been fires at the Rodeo Grounds and asked if these changes should include open-fire pits at the Rodeo Grounds. Hunt Willoughby said he wanted to keep the option open. There were no other comments from the public pertaining to this item.

2. **FOR THE PURPOSE OF RECEIVING PUBLIC INPUT REGARDING TRANSPORTATION ENHANCEMENT GRANTS.** Ted Stillman said the purpose of the Transportation Enhancement Grants was to enhance transportation corridors. At the last City Council meeting the Gateway Master Plan that included the Main Street Bridge project and the Main Street Lighting project was reviewed. There were no comments from the public on this topic.

3. **FOR THE PURPOSE OF RECEIVING PUBLIC INPUT REGARDING COMMUNITY DEVELOPMENT BLOCK GRANTS.** Ted Stillman said that Community Development Block Grants provide an opportunity to use Federal Highway dollars to enhance the cultural, aesthetic, and environmental aspects of the nation's transportation system. The annual funds available to Utah for this program are estimated at \$3,000,000. Rachel McTeer said the project must be related to the transportation system through one of the three following areas:

- A. Function
- B. Proximity
- C. Impact

Rachel McTeer said this program is not a grant but a reimbursement program. There were no other comments by the public on this subject.

The Public Hearings adjourned at 7:10 pm.

**CITY COUNCIL MEETING** – Immediately following the Public Hearings

- I. **CALL TO ORDER.** Mayor Phil Barker called the City Council Meeting to order at 7:10 pm and welcomed those in attendance. Scouts from various troops were recognized.
- II. **PRAYER/ OPENING COMMENTS** – Hunt Willoughby
- III. **PLEDGE OF ALLEGIANCE.** Chris Maughan led the audience in the Pledge of Allegiance.
- IV. **PUBLIC COMMENT.** Time has been set-aside for the public to express their ideas, concerns and comments on items not on the agenda.

Katie Johnson asked why the fountain in Legacy Park continuously runs and thought it would be better to have this shut off to conserve water. Mayor Phil Barker explained why this fountain runs saying that Jay Healey has to get water samples every month and this is a good place to get the water sample.

Shari Kelsch Bailey said she has been asked to represent the deaf Basketball Players who will be going to the Deaf Olympics in Australia and asked the Council if there were any provisions for making a donation so the team can go. Hunt Willoughby said we don't generally help with funding for Eagle Projects and Hata Puriri felt that this was a unique request. Thomas Whitchurch said that if we did help we would be supporting an athlete who will be going to Australia.

**MOTION:** Hata Puriri moved to approve the donation of \$600.00 to Shari Kelsch Bailey to help with funding for the deaf basketball team to go to the Deaf Olympics in Australia. Thomas Whitchurch seconded. Ayes: Kimberly Bryant, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

Mike Adams said that part of a particular Scout Merit Badge was to do some orienteering and asked the Council if they would be amenable to this suggestion as an Eagle Scout project.

V. **CONSENT CALENDAR** –

- A. Business Licenses:  
Caleb J. Warnock – WRITING IN DEPTH; 707 West 800 South  
Dave Prina – HILLTOP LANDSCAPING, INC; 1067 W. Westfield Road
- B. Bond Releases:  
Mark Lye – THE LYE SUBDIVISION - \$4,422.18
- C. Payment Requests:  
JOHNSTON and PHILLIPS – The Downtown Improvement Project - \$252,996.79  
(Draft)

Jannicke Brewer said that the business license application for Dave Prina's landscaping business, the Planning Commission approved a one-year conditional business license as they wanted to see if his big trucks were going to impact the neighborhood.

Shane Sorensen spent some time reviewing the Downtown Improvement Project and said the project is 8.35% completed. Mr. Sorensen went over the cost breakdown as follows:

Bid Contract Amount:	\$1,492,788.35
Asphalt Change Order:	\$ 30,000.00
Revised Contract Amount:	\$1,522,788.35
Contract Amount to Date:	\$1,633,925.25
Amount over Contract:	\$ 111,136.90
Estimated Misc. to complete Contract:	\$ 16,000.00

Estimated Completed Contract Amount	\$1,649,925.25
Estimated Completed percentage above Contract Amount:	8.35%
<b>Overages</b>	
Import Granular Fill:	\$ 43,456.48
Top Soil:	\$ 32,946.30
Replace Water Services:	\$ 8,000.00
Reconstruct Concrete Driveway:	\$ 8,761.22
Reconstruct Asphalt Driveway:	\$ 13,846.80
<b>Total</b>	<b>\$ 107,010.80</b>

Shane Sorensen said that he had talked to Lon Lott who said that he can get sod all through the winter from a supplier in Idaho. Mr. Sorensen said there are a few rock walls that still need to be constructed and then the sod installed on some properties. Shane Sorensen said that staff helped relocate all of the sprinklers except on one property and this saved a lot of money. It was noted that even with the overages the money spent is still well below the second bidder who bid on the project.

**MOTION:** Hunt Willoughby moved to approve the Consent Calendar with the payment request No. 5 to Johnston and Phillips being in the amount of \$264,356.04. Kimberly Bryant seconded. Ayes: Kimberly Bryant, Hata Puriri, Thomas Whitchurch and Hunt Willoughby.

#### VI. SCHEDULED ITEMS

**A. WILLOW CANYON HEIGHT VARIANCE – PRESTON DRIVE PARCEL.** Ted Stillman said this is a 10-acre parcel located at the end of Preston Drive and is north of Joel Kester's home with a majority of the Willow Canyon Debris Basin being located on the eastern portion of this lot. Ted Stillman said that Bret and Ingrid Van Leeuwen are requesting a 4 foot height variance on their home on the lot and the Willow Canyon Architectural Review Committee has approved the variance request. The request is within the height range of previous variances in Willow Canyon. Jannicke Brewer asked if we would get the same trail easement agreement with this new owner and Ted Stillman said this will be coming before the Planning Commission as a site plan and all concerns will be dealt with at that time. Mr. Stillman said there will be an adjustment of lot lines so this property will have frontage on a dedicated city street.

**B. WILLOW CANYON HEIGHT VARIANCE - LOT 13, WILLOW CANYON, PHASE 2B.** Ted Stillman said that lot 13 in the Willow Canyon Subdivision is located at 130 N. Bald Mountain Drive. Barclay and Gail Smith are requesting a 3 foot 6 inch height variance and the Willow Canyon Architectural Review Committee has approved the variance request. Ted Stillman said the request is within the height range of previous variances in Willow Canyon.

**MOTION:** Hunt Willoughby moved to grant the 4 foot height variance on the home located on the 10-acre parcel at the end of Preston Drive in accordance with the Van Leeuwen's building drawings and the 3 foot 6 inch variance on the Jay and Shirley Bell home located on lot 13, Willow Canyon Phase 2B. Thomas Whitchurch seconded. Ayes: Kimberly Bryant, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**C. ALPINE JR. HIGH PLAT AMENDMENT.** Ted Stillman said the LDS Church has acquired the two remaining un-recorded lots in the Long Drive Subdivision. These two lots are located on the east side of the Stake Center that is under construction on Canyon Crest and Long Drive. Ted Stillman said that now we need to amend lot 3 of the Jr. High Subdivision and add these two lots to it. The Planning Commission recommended approval of proposed Plat Amendment at their meeting of November 16, 2004 as follows:

"Loretta Stevens moved to recommend that the City Council approve the amended Alpine Junior High plat with the following conditions:

1. An Address block be included on the plat with the address as redlined

- 2. Add public utility easements around the perimeter of the lot as shown on the redline drawing
- 3. Correct the redline comments prior to recording
- 4. Meet the city's water policy

Steve McArthur seconded. Ayes: 6 Nays: 0. Motion passed.

**MOTION:** Thomas Whitchurch moved to approve the amendment to lot 3 of the Jr. High Subdivision Plat subject to:

- 1. That an address block be added to the Plat with the address as redlined
- 2. That public utility easements be added around the perimeter of the lot as shown on the redline drawing
- 3. That the redlines be corrected prior to recording
- 4. That the city water policy be met
- 5. That the signatures of all lot owners in the Jr. High Subdivision Plat be obtained

Hata Puriri seconded. Ayes: Kimberly Bryant, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**D. LIBRARY CARD REIMBURSEMENT.** Ted Stillman said we are in the 3<sup>rd</sup> year of reimbursing residents up to \$35.00 per calendar year. Mr. Stillman said that American Fork has increased their non-resident library card fee to \$65.00 per year and Cedar Hills and Highland have both increased their Library Card reimbursement to \$40.00 per calendar year. Ted Stillman said we have had citizens request that we raise our reimbursement fee to \$40.00 per year. The number of Library reimbursements that we have given each year are as follows:

2001	275
2002	300
2003	264
2004	222 ( to date)

**MOTION:** Hata Puriri moved to increase the reimbursement fee for Library Cards to \$40.00 per year. Thomas Whitchurch seconded. Ayes: Kimberly Bryant, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**E. ORDINANCE NO. 2004-18, OPEN SPACE ORDINANCE.** Ted Stillman said that Wayne Hardman, caretaker of the Moyle Park Home, had requested some changes in the Open Space Ordinance. The proposed changes in the ordinance were discussed in the Public Hearing and are as follows:

- 3. Open fires will not be allowed, except in City-installed fire pits in the Bowery, and rodeo grounds, and Historic Moyle Park.
- 5. No animals of any kind are allowed in Historic Moyle Park. In all other parks pets ~~All dogs~~ are to be leashed, except in Lambert Park in which case the ~~dog~~ pet is to be under the owner's direct control at all times. All animal excrement is to be cleaned up by the owner of the animal or pet ~~dog~~.

**MOTION:** Thomas Whitchurch moved to adopt Ordinance No. 2004-18, An Ordinance amending the Open Space Ordinance with the following change:

- 3. Open fires will not be allowed, except in City-installed fire pits in such places as the bowery and Historic Moyle Park
- 5. No animals of any kind are allowed in Historic Moyle Park. In all other parks pets are to be leashed, except in Lambert Park in which case the pet is to be under the owner's direct control at all times. All animal excrement is to be cleaned up by the owner of the animal or pet

Hata Puriri seconded. Ayes: Kimberly Bryant, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**F. TRANSPORTATION ENHANCEMENT GRANT.** Shane Sorensen said the

purpose of these grants are to enhance transportation corridors and at the last City Council Meeting the Gateway Master Plan included the Main Street Bridge and Street Lighting projects. Hunt Willoughby said he wasn't comfortable taking other people's tax money who don't live in Alpine to fund this project for us.

**MOTION:** Hata Puriri moved that we allow staff to apply for the Transportation Enhancement Grant with funds being applied to the Main Street Bridge project and the Main Street Lighting project in the amount of \$215,000.00. Kimberly Bryant seconded. Ayes: Kimberly Bryant, Hata Puriri and Thomas Whitchurch. Nays: 1. Hunt Willoughby voted nay based on his comments in the discussion. Motion passed.

**G. COMMUNITY DEVELOPMENT BLOCK GRANTS.** Ted Stillman said the Community Development Block Grants are due to the State on December 3, 2004 and staff is considering applying for funds to help install curb ramps to aid the handicapped. Hunt Willoughby said he had read an article in the Newspaper on this subject and again stated he wasn't comfortable taking other people's tax money who don't live in Alpine to fund these projects.

**MOTION:** Thomas Whitchurch moved to instruct staff to apply for a Community Development Block Grant to be applied to installing curb ramps to aid the handicapped in the amount of \$37,500. Kimberly Bryant seconded. Ayes: Kimberly Bryant, Hata Puriri and Thomas Whitchurch. Nay: 1. Hunt Willoughby voted nay based on his comments made during the discussion. Motion passed.

**H. FINANCIAL REPORT.** Ted Stillman reviewed the Financial Report through October 2004 with the pressurized irrigation connections being discussed. Mr. Stillman said the connections were lower than anticipated, but in the spring the number of building permits increases which in turn causes the number of pressurized irrigation connections to increase. In all, Ted Stillman said the city is right on track.

**I. 10-YEAR FINANCIAL PLAN.** Mayor Barker had asked staff to prepare a 10-Year Financial Plan for the city. The purpose was to prioritize projects and programs and to make sure that revenues are available to accomplish the projects the city plans on accomplishing. Mayor Barker felt that a long-term financial plan should be in place and shouldn't be changed with each new Council. A summary of projects was in the council's packets and was a "work in progress." The projects were reviewed. It was suggested that vehicle replacement be added to the project list.

**J. VEHICLE PURCHASE.** Ted Stillman said the 2004-2005 Budget included funds to purchase a new pickup truck with the Parks Supervisor using this truck. The Parks Dept. seasonal maintenance personnel will then use the current pickup being used by that department. The following bids were received:

Salt Lake GMC	\$19,840.00
Ken Garff Ford	\$19,848.18
Gene Harvey Chevrolet	\$23,200.00

Ted Stillman said that Ron Devey had checked out the price estimates above with ones he found on line.

**MOTION:** Hunt Willoughby moved to approve the purchase of a pickup truck from Salt Lake GMC in the amount of \$19,840.00 to be used by the Parks Dept. Thomas Whitchurch seconded. Ayes: Kimberly Bryant, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**K. FOLLOW-UP.** Mayor Barker asked that follow-up items from previous City Council meetings be reviewed with the list being as follows:

1.	Stonehedge Speed Limit Sign	The speed limit sign has been installed
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| 2.  | Alpine Elementary Crosswalk  | A 2 <sup>nd</sup> crossing guard has been placed at the crosswalk                                |
| 3.  | Stop Sign at 300 North and 600 East  | No action taken. Alpine Elementary School would like a crossing guard at this location           |
| 4.  | Ranch Drive Striping   | No action taken  |
| 5.  | Clean Streets Ordinance  | The City Council voted that staff could give permits to allow items to be placed on City streets |
| 6.  | Rodeo Committee  | A request for those interested in being on the Rodeo Committee was included in the Newslite      |
| 7.  | Cemetery Committee   | A request for those interested in being on the Cemetery Committee was included in the Newslite   |
| 8.  | Westfield Road Safety Concerns<br>(place a sidewalk along Westfield Road)                      | No action taken  |
| 9.  | Burgess Park Maintenance   | The cleaning of restrooms has been improved and the grass has been trimmed.                      |
| 10. | PSD Police Officer hiring criteria   | The PSD hiring criteria will be on the January PSD Board Agenda                                  |
| 11. | Sidewalks in new developments are being broken by trucks driving over them<br>monitor sidewalk | The Building Inspector will monitor sidewalk damage  |
| 12. | Car lot at Canyon Crest and Main   | The cars have been moved   |
| 13. | Accessory Apartment Ordinance  | Changes have been adopted by the City Council  |

## VII. COMMUNICATION

**Hata Puriri** – Asked if the city took down the sign on the Church fence that advertised Red Ribbon week. Ted Stillman said you have to obtain permission from the Church to put up a sign and there is now a phone number posted.

**Hunt Willoughby** – Said that someone came into his office and said they were interested in building another landfill as the one now in existence is in disarray. It was noted that Hata Puriri is now on the Solid Waste Board and David Church is their attorney.

**Kimberly Bryant** –

1. Said that Ula Hemingway talked to her to see if the City would pay for all the utility costs for the Relic Hall. Ula Hemingway has applied for a Federal Grant but needs a contractor's name on the grant application. There is a broken window that needs to be repaired and Mrs. Hemingway asked if the city could make up the booklets that she gives out when someone tours the Relic Hall.

2. Chris Culver had asked if she could put together a list of all residents who

are over 70 to make sure their needs are met. Mayor Barker suggested that a committee be formed for this purpose.

**VIII. EXECUTIVE SESSION** to discuss Litigation, Property Acquisition and Personnel

**MOTION:** Hunt Willoughby moved to go to Executive Session to discuss land acquisition. Hata Puriri seconded. Ayes: Kimberly Bryant, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**MOTION:** Hunt Willoughby moved to go to Open session. Thomas Whitchurch seconded. Ayes: Kimberly Bryant, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**IX. APPROVAL OF MINUTES:**

Public Hearings and City Council Meeting of November 9, 2004

**MOTION:** Thomas Whitchurch moved to approve the minutes of the Public Hearings and City Council Meeting of November 9, 2004 as amended and adjourn. Kimberly Bryant seconded. Ayes: Kimberly Bryant, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

The meeting adjourned at 8:45 pm.