

**April 8, 2003**

Minutes of the City Council Meeting held on Tuesday, April 8, 2003 at Alpine City Hall, 20 N. Main, Alpine, Utah at 7:00 pm.

The following members were present and constituted a quorum:

Mayor Phil Barker

Council Members: Mel Clement, Thomas Whitchurch and Hunt Willoughby

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

Others: Dale Porter, Diana Mills, *New Utah*, Sharon Haddock, *Deseret News*, Will S. Jones, Stephen Rapp, Maureen Henderson, Lauren Layton, Emily Layton, Paige Stratford, Taylor Stratford, Cassidy Stratford, Brooke Tait, Val Hunter, Mike Mansfield, Kris Mansfield, Josh Flygare and Tammy McPherson

I. **CALL TO ORDER.** Mayor Phil Barker called the meeting to order at 7:10 pm and welcomed all in attendance.

II. **PRAYER** – Ted Stillman

III. **PLEDGE OF ALLEGIANCE** – Lauren Layton, Emily Layton, Paige Stratford, Taylor Stratford, Cassidy Stratford and Brooke Tait from Troop 1249 led the Pledge of Allegiance.

III. **PUBLIC COMMENT.** Time has been set aside for the public to express their ideas, concerns and comments on items not on the agenda.

Kris Mansfield stated her concerns about having a trail behind their house in the Willow Canyon Subdivision, Plat IA. Mrs. Mansfield was worried about the safety of her family and was concerned about the location of the trail so close to their property. Mayor Barker felt this issue was a difficult one and suggested that we get input from the Homeowners Association and the trails committee and that this be back on the agenda in two weeks.

IV. **CONSENT CALENDAR** -

Business Licenses - Home Occupations:

Ken and Archie Yamada - MEDICAL WRX, INC; 395 E. Maple Drive

Preston Stewart – INTERACTIVE COMMUNICATIONS, INC; 335 Wood Drive

**MOTION:** Hunt Willoughby moved to approve the Consent Calendar. Thomas Whitchurch seconded. Ayes: Mel Clement, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

V. **SCHEDULED ITEMS**

A. **ALPINE LAND AND WILDLIFE FOUNDATION.** Ted Stillman said that the Alpine Land and Wildlife Foundation was formed by Bob Wilcox to protect Fort Canyon. The foundation has approached the Forest Service about purchasing the Three Falls Subdivision in north Ft. Canyon and adding it to the National Forest and would like the City to write a letter in support of this request. Ted Stillman said the City was probably in support of any effort that would help preserve the Ft. Canyon area; however, the City is processing the Three Falls subdivision and that process will continue while the Forest Service purchase is being considered. Mayor Barker said he would like to discuss this issue with a representative from the Forest Service before we make a motion to approve writing a letter. Thomas Whitchurch suggested that we also talk to the landowner.

**B. SKATEBOARD PARK.** Ted Stillman said the City has received numerous requests to develop a skateboard park and has been looking at the feasibility and cost of establishing a modular skateboard park. Mr. Stillman said the cost would be approximately \$40,000 to \$50,000 and the City would need about 7,000 to 10,000 sq. feet of land. The City Council asked the Planning Commission to examine potential sites for a skateboard park and at their last meeting they considered the following locations: Burgess Park, 300 North and the ½ acre that the City owns behind the LDS Church at the south end of High Bench Road. The Planning Commission chose the south portion of Burgess Park between the ball fields and the pavilion. This location was chosen because of the central location of Burgess Park and it is away from homes. Ted Stillman said the skateboard park needed to have the ability to be expanded and Mel Clement said there could be more than one park with each park being designed differently for all skill levels. Ted Stillman said that funds for the skateboard park are included in the 2003-2004 Budget and asked the City Council to consider forming a committee to help design a skateboard park.

Kean Recreation Co., Inc. had a representative present who made a presentation on the modular ramps that this company carries. The modular ramps shown are made out of durable steel frame construction with long lasting DuraSkate surfacing. A boy in the audience asked if it would be possible to get a skateboard park constructed out of concrete and Mayor Barker said it was his intention to get input from different companies and look at a location for a skateboard park and the cost. Mayor Barker asked Ted Stillman to schedule a workshop in the near future and asked the boys in attendance to stay involved in this project. Mel Clement said he would spearhead this project and put together a committee and write an article to be put in the Newsline and schedule a workshop.

**C. CREEKSIDE PASS SUBDIVISION – FINAL APPROVAL.** Ted Stillman said the Creekside Pass Subdivision is located at the west end of 800 South on approximately seven acres and will have six lots. The Planning Commission granted Preliminary Plat approval at their meeting of March 4, 2003, the City Council reviewed the Preliminary Plat at their meeting of March 11, 2003 and the Planning Commission recommended Final Approval at their meeting of April 1, 2003. Shane Sorensen said some of 800 South has curb and gutter and recommended the City obtain an easement to take storm drain water to Dry Creek. There would have to be a retention basin constructed. The water rights that would be conveyed were water rights owned by Ken Melby and Shane Sorensen checked the proposed ones and they checked out to be a good right. The stub street was discussed at length with several different options being presented. Thomas Whitchurch felt the Planning Commission had come up with a plan that would be the best for the city and couldn't think of any good reason to delay granting final approval of this subdivision. David Church explained that currently our park impact fee included the trails. We are getting approximately \$1,000 per lot and if we split this out between parks and trails we would only get hundreds of dollars per lot.

**MOTION:** Hunt Willoughby moved to grant Final Approval to the Creekside Pass Subdivision, that the developer provide an Escrow Bond for improvements, a deed for the water, and that acknowledgement for the water provided to the city are groundwater rights. Thomas Whitchurch seconded. Ayes: Mel Clement, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**D. DEERFIELD SUBDIVISION – FINAL APPROVAL.** Ted Stillman said the Deerfield Subdivision is an eight-lot subdivision located on 200 North at approximately 250 West (the Merlin Whitby property) and is in the CR-20,000 Zone. The Planning Commission recommended Final Plat approval at their meeting on April 1, 2003. Shane Sorensen said the trail will be by Fort Creek ditch and explained why there wasn't a trail in this particular development.

**MOTION:** Thomas Whitchurch moved to grant Final Approval to the Deerfield Subdivision based

on the following conditions:

1. That an easement be provided for the temporary turnaround
2. That the derelict parcel be deeded to the adjacent property owner
3. That water is provided to meet the city's water requirements
4. That a bond be provided for improvements

Mel Clement seconded. Ayes: Mel Clement, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**E. QUINCY COURT SUBDIVISION – FINAL APPROVAL.** Ted Stillman said the Quincy Court Subdivision is a six-lot subdivision located at 665 N. Grove Drive and is in the TR-10,000 Zone. The Planning Commission granted Preliminary approval on March 4, 2003 and the City Council reviewed the Preliminary Plat at their meeting on March 11, 2003. At that meeting Wayne Patterson requested that the cul-de-sac be made into a through street to allow development of his property and Mr. Patterson presented to the Planning Commission a Subdivision reflecting his desire for a road through the Quincy Court Subdivision. Ted Stillman said the Planning Commission discussed this issue at their meeting of April 1, 2003 where Final Approval of Quincy Subdivision was requested. The Planning Commission voted 3 to 2 in favor of the Quincy Court Subdivision; however, the motion failed because 4 positive votes are required. Will Jones was appealing the Planning Commission's motion and was asking that the City Council grant Final Approval to this subdivision. Shane Sorensen asked the Council's opinion about approving a combination curb and gutter to get 26' of asphalt. The plat as presented was acceptable to the adjacent property owner, as it would allow him access for development of his property in the future.

**MOTION:** Mel Clement moved to grant Final Approval to Quincy Court Subdivision, that the developer provide an Escrow Bond for the improvements, and that water be provided to meet the City's water policy. Thomas Whitchurch seconded. Ayes: Mel Clement, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**F. WASTEWATER MANAGEMENT RESOLUTION NO. R2003-02.** Shane Sorensen said the Department of Environmental Quality requires that the City adopt a resolution annually indicating that the City Council has "reviewed the Municipal Wastewater Planning Report for 2002 and has taken all appropriate actions necessary to maintain effluent requirements contained in the UPDES." Mr. Sorensen said the report is really directed toward wastewater treatment systems.

**MOTION:** Hunt Willoughby moved to adopt Resolution No. R2003-02, A Wastewater Management Resolution. Mel Clement seconded. Ayes: Mel Clement, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**G. WATER SOURCE PROTECTION PLAN.** Shane Sorensen said the State Drinking Water rules require that Alpine update its Water Source Protection Plan and Horrocks Engineers made a proposal to update the City's Source Protection Plan for \$4,500.00. This is a six-year update plan and since we have added two new wells, the State likes to look at our model to see the impact on other water sources. Mel Clement's was concerned that we always use Horrocks Engineers and suggested that we get input from other engineering firms in the future. Shane Sorensen said that Horrocks has all of our information and felt they did a good job for us.

**MOTION:** Mel Clement moved that Horrocks Engineers be authorized to update the City's Water Source Protection Plan at a cost not to exceed \$4,500.00. Thomas Whitchurch seconded. Ayes: Mel Clement, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**H. GROUND WATER STUDY.** Shane Sorensen said that at the last meeting Dave Pitcher, Chief Engineer of the Central Utah Project, presented reasons why Alpine should

participate in the North Utah County Ground Water Study. The State allows water to be transferred from other areas to North Utah County and there is concern that they have allowed more water to be transferred than there is water available. To protect our existing water rights, Shane Sorensen said we need to know how much water we actually have and how much water is available. The water model used to project how much water is available has not been updated since the 1980s and this new study would create a new groundwater model. The total cost would be \$750,000 to complete and Alpine's share would be about \$6,000 spread over 4 years.

**MOTION:** Hunt Willoughby moved to enter into an agreement allowing the City to participate in the North Utah County Ground Water Study at an amount not to exceed \$6,000.00 spread over four years. Mel Clement seconded. Ayes: Mel Clement, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**I. 2003-2004 BUDGET.** Ted Stillman gave the councilmen an overview of the 2003-2004 tentative Budget. Mr. Stillman said the 800 South trail is in this budget and Highland City felt that we were not paying enough for Court expenses and want to charge us more money. Mayor Phil Barker asked if it wouldn't be smart to set a tax rate higher so that we can get to some future projects sooner and be able to do what we want to do. Ted Stillman said the council needed to adopt the budget the first week in June. This will be back on the agenda for discussion next time.

**J. CANYON CREST – WIDENING PROJECT.** This item will be discussed in Executive Session.

**K. WADSWORTH CANYON WATER.** This item will be discussed in Executive Session.

**L. FT. CANYON BOOSTER STATION LAND ACQUISITION.** This item will be discussed in Executive Session.

## **VI. COMMUNICATION**

Thomas Whitchurch said that plans for Alpine Days are progressing and he is looking forward to a very successful event.

Mel Clement said he hasn't seen any progress on the Healey Well house and asked Shane Sorensen about this. Shane said they are supposed to have this finished by July 1 as it would cost the contractor \$1,000.00 per day after July 1 until finished. The same contractor built the Ranch Drive Well house and is aware of the penalty.

Ted Stillman said we received four bids for the Burgess Park Restrooms and recommended that we award the bid to Steve McArthur. Mayor Barker said he wanted to get this facility built for use for this year's baseball season.

**MOTION:** Thomas Whitchurch moved that we award the bid for the construction of the Burgess Park Restrooms to Steve McArthur in the amount of \$74,000.00. Hunt Willoughby seconded. Ayes: Mel Clement, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

Phil Barker asked for an update on High Bench Road and Shane Sorensen said the contractor was ready to lay the pipe.

Mayor Barker reported that he had met with our congressmen back in Washington D.C. to talk about getting congressional approval to do a land swap for building the Preston Canyon debris basin and the best concept was to build the basin at the mouth of the canyon. Mayor Barker was planning to meet with the Forest Service officials for this region to further discuss this proposal.

Ted Stillman said that Shane Sorensen had received approval from UDOT to construct the roundabout; however, their concern was for pedestrian safety. UDOT will also give us money to be applied to construction of the roundabout. Thomas Whitchurch asked about funds for the lighting on Main Street.

Mayor Barker said he had met with Bill Turnbull whom is excited about drafting some plans for the bridge on Main Street.

## **VII. EXECUTIVE SESSION – Litigation, Property Acquisition and Personnel**

**MOTION:** Hunt Willoughby moved to go to Executive Session for the purpose of discussing property acquisition. Seconded. Ayes: Mel Clement, Thomas Whitchurch and Hunt Willoughby.

**MOTION:** Hunt Willoughby moved to go back to open session and extended the meeting to 10:00 pm. Mel Clement seconded. Ayes: Mel Clement, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**MOTION:** Mel Clement moved to approve and authorize the staff to offer no more than the amount approved in closed session for the properties concerned. Hunt Willoughby seconded. Ayes: Mel Clement, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed

Mel Clement turned in a petition asking the City to construct the skateboard park by the L.D.S. Church in Healey Heights. Thomas Whitchurch said the parking lot by the church is lighted and was afraid it would be used 24 hours a day for skateboarding.

## **VIII. REVIEW ACTION ITEMS**

### **IX. APPROVAL OF MINUTES - City Council Meeting of March 25, 2003**

**MOTION:** Hunt Willoughby moved to approve the City Council Meeting minutes of March 25, 2003 and adjourn. Mel Clement seconded. Ayes: Mel Clement, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

The meeting adjourned at 10:00 pm.