

October 28, 2003

Minutes of the City Council Meeting held on Tuesday, October 28, 2003 at Alpine City Hall, 20 North Main, Alpine, Utah at 7:00 pm:

The following members were present and constituted a quorum:

Mayor Phil Barker

Council Members: David Adams, Mel Clement, Kent Hastings and Thomas Whitchurch

Staff: Ted Stillman, David Church, Janis H. Williams, Shane Sorensen and Ron Devey

Others: Jannicke Brewer, Dale Porter, Rachel McTeer, Diana Mills, *New Utah*, Craig Skidmore, Will S. Jones, Hata Puriri, Kim Arnold, April Cooper, Joan Evans, *Newsline*, Sharon Haddock, *Deseret News*, Greg Ogden, Fred Burton, Mary Ann Burton, Don Rogers, Bill Crockett, Ula B. Hemingway, Bob Hemingway, Jim Tracy, Charmayne Warnock, Mike Larsen, Cathy Larsen, Kathy Bailey, Regina Adams, and Adele Leavitt

I. **CALL TO ORDER.** Mayor Phil Barker called the meeting to order at 7:06 pm and welcomed all those in attendance. Councilman Hunt Willoughby was excused as he was out of town.

II. **PRAYER** - Thomas Whitchurch

III. **PLEDGE OF ALLEGIANCE.** Craig Skidmore, chairman of the Trails Committee, lead 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.

Fred Burton expressed his opposition for his property being on the Master Trail Plan and presented a petition for a trail to be on his property. Thomas Whitchurch said the Planning Commission was going to have a Public Hearing on this issue. Mr. Burton felt that when a citizen's property is being considered for a trail, the citizen should be involved early on in the planning stage. Mr. Burton felt the article in the Daily Herald was an insult to him and suggested that the Mayor give him a letter stating this trail be taken off the Master Trail Plan. Mayor Barker said the residents on 800 South were the ones who wanted a trail to go across Dry Creek to the new Junior High School and Westfield Elementary School. Mr. Burton felt the City was taking a quick fix solution to solve this problem and said that he had visited with the Bangerter's said they didn't have a clue that their property was being considered to have a trail on their property. David Adams said the citizens in that neighborhood invited the candidates to come over for a Candidate Night to go over this issue and he now has an understanding why the neighbor's don't want that particular alignment; however, there were many neighbors who wanted a trail. Fred Burton said he would work with all the neighbors to secure an alignment if the City will take his property off the Master Trail Plan first so there isn't the condemnation being held over his head. David Adams suggested that the neighbors come up an alignment and this then be presented to the Planning Commission.

Charmayne Warnock said many of the residents in that area are interested in getting a trail as they have horses and they want to be able to access the mountains. Charmayne showed on a map the possibility of going through the vacant lot by the highway and then have the trail go along the back of Lynn Higgins, Kaplar's and Frandsen's property. Charmayne said not to give up on the residents who want a trail.

V. **CONSENT CALENDAR –**

- A. Business Licenses:
Steve Christensen – ALPINE DYNAMICS, 610 East 770 North

Vaughn R. Sharp – PHOTO TOURS, 136 West 150 North
George H. Wright III – WRIGHT MARKETING, INC, 497 W. Treeline Drive

- B. Bond Releases:
Grant Gifford – PHEASANT RIDGE SUBDIVISION - \$115,191.84

MOTION: David Adams moved to approve the Consent Calendar. Thomas Whitchurch seconded. Ayes: David Adams, Mel Clement, Kent Hastings and Thomas Whitchurch. Nays: 0. Motion passed.

VI. SCHEDULED ITEMS

A. 2002-2003 AUDIT. Greg Ogden presented the 2002-2003 Annual Audit. The Management Letter contained several financial recommendations as follows:

1. Payment of Bills – Bills need to be paid on a regular cycle. The City has implemented a bill-paying schedule.
2. General Fund Excess Cash – The General Fund ended the year with approximately \$50,000 in excess cash. The General Fund is only allowed to have 18% of the budget amount remaining in case. These extra funds will be transferred to the Capital Improvement Fund.
3. Cash Balance as a Revenue – The amended budget showed the cash balance as a revenue. It should be shown as fund balance.

Greg Ogden said the City needs to transfer the General Fund excess cash by the end of June before closing out the annual budget and the cash balance needs to be shown as a fund balance rather than revenue. Accounts Payable has been late with checks being late in being sent out and Ted has sent he has implemented a bill-paying schedule.

Thomas Whitchurch asked if the audit normally should take three months after the end of June and Greg Ogden said the audit needs to be completed by the end of December. Greg Ogden explains that the State doesn't want the City to charge so much in taxes and other fees in order to keep the City solvent that would put a burden on the citizens.

David Adams asked about the depreciation expense and asked if some cities put this in an account. Councilman Adams wondered if it wouldn't be smart to put some money in a reserve account to replace water pipes and roads.

Greg Ogden then went over the process he uses in performing an audit for the City.

MOTION: David Adams moved to accept the 2002-2003 Audit as prepared by Greg Ogden. Thomas Whitchurch seconded. Ayes: David Adams, Mel Clement, Kent Hastings and Thomas Whitchurch. Nays: 0. Motion passed.

B. LARSEN MINOR SUBDIVISION. Ted Stillman said the Larsen Subdivision is a two-lot Minor Subdivision with one existing home located at the corner of 426 North and 400 East. Attached are the City Engineer's comments. The Planning Commission recommended approval of the Subdivision at their meeting of October 21, 2003 with the following motion:

"Phil Andrus moved to approve the Larsen Minor Subdivision subject to the following conditions:

1. The Boundary Line Agreements should be recorded and the entry number and year be referenced on the plat
2. 400 East Street be changed to 425 East Street

3. 400 North Street be changed to 426 North Street
4. The address on lot 1 be changed to 459 North 425 East
5. Dedicate the southeast corner of lot 1 as a right-of-way (15 ft. radius required)
6. Add two additional lines for City Council signatures
7. Add City Attorney Approval block
8. It appears that the chord bearing from point H to I should be southwest bearing as opposed to a southeast bearing. It would need to be corrected on the drawing as well as the boundary description.
9. The note in the title block stating that Lot 7 Plat A, Alpine Cottonwood Estates Subdivision was being amended appeared that it should be referenced as Revised Plat A since there was an Alpine Cottonwood Estates amended plat.
10. A mylar be provided, signed and stamped by the surveyor. The mylar would need to be revised and resubmitted.
11. A 120% bond would be provided for the required improvements.
12. The City's water policy would be met for lot 1 of the development.
13. Make redlined corrections to the final plat as noted above.
14. The existing house would be shown on lot 2.

Steve McArthur seconded. Ayes: 5. Nays: 0. Motion passed.

Ted Stillman said that most of the above conditions have been met.

MOTION: Thomas Whitchurch moved to approve the Larsen Minor Subdivision subject to the following:

1. Meet the City's water policy for the new lot
2. Post a 120% bond and pay appropriate fees
3. Record the Boundary Line Agreements with adjacent properties
4. Correct all errors on the Subdivision Plat

Mel Clement seconded. Ayes: David Adams, Mel Clement, Kent Hastings and Thomas Whitchurch. Nays: 0. Motion passed.

C. WILLOW CANYON DEBRIS BASIN. Ted Stillman said that Joel Kester has been working with Neff Engineering on the design of the Willow and Preston Canyon debris basins; however, this was not ready for discussion tonight, but will be on a future agenda.

D. FINANCIAL REPORT. Ted Stillman said the fiscal year is one-fourth over and the Financial Report shows the revenues and expenditures through September 2003. Mr. Stillman's made comments concerning the following:

1. Sales Tax – Is up over last year. There were concerns with the slow economy that the Sales Tax would decrease.
2. Motor Vehicle Tax – Barely ahead of the same time last year.
3. Franchise Fee – Is up only because of deposit timing. The utilities do not pay their Franchise Tax in equal increments.
4. Plan Check Fee – Is down due to a slow down in building
5. Building Permit Fee – Is down due to a slowdown in building
6. Class C Road Fund – Is up a little. These funds will be used for the downtown curb, gutter and sidewalk project.
7. Property Tax – Is low because the main property tax payment from the county does not arrive until January.

Ted Stillman said that cash-wise we are in good shape and money will be spent on the

downtown road improvement project. Mr. Stillman said are not collecting enough pressurized irrigation impact fees to keep up with the bond payment and this will have to be looked at.

Shane Sorensen said that concerning the roundabout the contractor's will be changing traffic flow to the other side of the road and it was noted that with slower speeds and even with construction, traffic has moved very well.

E. TRANSPORTATION IMPROVEMENT PROGRAM (TIP). Ted Stillman said there are funds in this year's budget to design the reconstruction of Westfield Road. The next step is to fund the improvements to the road and one source of possible funding is the federal Transportation Improvement Program. The first step to apply for these funds is to write a letter stating our intent to apply for federal funds. Kent Hastings asked if there is a way we could make improvements on Westfield Road sooner than the projected six years for safety of the children walking to school and then apply the funds when we get them. Shane Sorensen said we could not and several options were discussed for other roads to be included in this program.

MOTION: Mel Clement moved to authorize City staff to submit a letter signed by the Mayor giving notice of intent to apply for federal funds for the reconstruction of Westfield Road. Kent Hastings seconded. Ayes: David Adams, Mel Clement, Kent Hastings and Thomas Whitchurch. Nays: 0. Motion passed.

F. VEHICLE PURCHASE. Ted Stillman said the 2003-2004 Budget includes funds to purchase a crew cab pickup and said the City has received the required three bids. The City Engineer will use this truck and Public Works maintenance personnel will then use the current extended cab pickup. Thomas Whitchurch looked on the internet and found the range of prices for this kind of truck.

MOTION: Kent Hastings moved to approve the purchase of a 2004 GMC Crew Cab pickup in the amount of \$29,249.50. Mel Clement seconded. Ayes: David Adams, Mel Clement, Kent Hastings and Thomas Whitchurch. Nays: 0. Motion passed.

G. SEWER IMPACT FEES. Ted Stillman said in February of 2002 the City Council discussed lowering the Sewer Impact Fees from \$1,031.00 to \$760.00. This was based on the updated Sewer Capital Facilities Plan; however, a Public Hearing was never scheduled. Thomas Whitchurch asked for a clarification between Timpanogos Special Service District's impact fee and the City's and David Church said that impact fees could only fund new capitol facilities.

MOTION: Kent Hastings moved to schedule a Public Hearing on lowering the Sewer Impact Fees from \$1,031.00 to \$760.00 for November 25, 2003. Mel Clement seconded. Ayes: David Adams, Mel Clement, Kent Hastings and Thomas Whitchurch. Nays: 0. Motion passed.

VII. COMMUNICATION

Thomas Whitchurch reminded Council Members about the Meet the Candidate Night on Wednesday, October 29, 2003 at 7:00 pm at Westfield Elementary.

Mel Clement –

1. Asked Craig Skidmore to stay for Executive Session
2. Asked Rachel McTeer about how the scheduling of athletic fields was going and Rachel indicated there was an incident with the Lone Peak football team where they came over to use the field at Burgess Park. The football team would not leave

and bullied the soccer teams.

Mayor Barker –

1. Asked if the telephone box on 300 North has been looked at to see if it operates quieter
2. Asked about safety lighting on the roundabout and Shane Sorensen explained what is included in this project. There will be sleeves for pressurized irrigation and electricity will be provided.

Shepherd's Hill was discussed with all the towers on top and Thomas Whitchurch suggested that we research to see if the wireless providers have put up a bond to landscape the hill and put up trees.

VIII. EXECUTIVE SESSION – Litigation, Property Acquisition and Personnel

MOTION: Mel Clement moved to go to Executive Session for the purpose of discussing litigation and property acquisition. Kent Hastings seconded. Ayes: David Adams, Mel Clement, Kent Hastings and Thomas Whitchurch. Nays: 0. Motion passed.

MOTION: Kent Hastings moved to go back to Open Session and adjourn. Mel Clement seconded. Ayes: David Adams, Mel Clement, Kent Hastings and Thomas Whitchurch. Nays: 0. Motion passed.

IX. REVIEW ACTION ITEMS

X. APPROVAL OF MINUTES

Public Hearings and City Council Meeting of August 26, 2003
Public Hearings and City Council Meeting of October 14, 2003

The minutes were not ready for approval.

The meeting adjourned at 9:30 pm.