

November 27, 2007

Minutes of the City Council Meeting held on Tuesday, November 27, 2007 at Alpine City Hall, 20 North Main, Alpine, Utah 84004 at 7:00 pm:

The following members were present and constituted a quorum:

Mayor Hunt Willoughby

City Council Members: Kimberly Bryant, Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch
Staff: Ted Stillman, Shane Sorensen, Janis H. Williams, Jay Healey, April Riley, Kip Botkin, *Police Chief* and David Church

Others: Jim Tracy, Jannicke Brewer, Tim Clark, Sr., Tim Clark, Jr., William Lysy, Greg Hales, Jonathon Dehlin, Lani Dehlin, Zac Summers, Michael Seal, Cole Gray, Porter Edwards, Jamie Plante, Stephen Braster, Darin Edwards, Dennis Pratt, Nathan Whitlock, Cameron Bean, Oscar Kersey, Trenton Colton, Austin Hollingsworth, Shaun Deveraux, Daniel Sanderson, Mark Wells, Dakota Ostler, Zachary Hales, Eric Anderson, Austin Anderson and Jason Thelin

- I. **CALL TO ORDER.** Mayor Hunt Willoughby called the City Council Meeting to order at 7:00 pm and welcomed those in attendance.
- II. **PRAYER/OPENING COMMENTS** – Kimberly Bryant
- III. **PLEDGE OF ALLEGIANCE.** Tim Clark, Jr. 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.

Tim Clark, Jr. proposed going to the Cemetery and removing excess grass around headstones to make a clean border around them and beautify the area. Kimberly Bryant said she would take the information to the Cemetery Commission.

Austin Anderson said it was his understanding that cable and internet was to be installed on Lakeview Drive. It has not been installed yet and Austin Anderson asked what could be done to get this installed. Mayor Willoughby said the Andersons need to call Comcast and ask them when this will happen. Kent Hastings asked if it would help if the City wrote a letter requesting that cable be installed to areas that are not being serviced. David Church said we need to check the franchise agreement to see what the build out was. William Lysy suggested that Austin Anderson get a petition of all surrounding neighbors and present this to Comcast.

Dakota Ostler presented his Eagle Scout Project and wanted to clean up a portion of the Bonneville Shoreline Trail that belonged to Alpine City. Dakota Ostler has been working with Craig Skidmore and Ted Stillman. Mr. Stillman said this trail runs all the way up from Pfeifferhorn to the City limits. Dakota Ostler wants to get bags of dirt or top soil to fill in the ditches in the middle of the trail to make it look nice. This would also help to channel the water to run off the trail.

V. CONSENT CALENDAR –

- A. Bond Releases:
 - Downing Akin – HERITAGE HILLS, PLAT A; Heritage Hills Drive - \$133,251.63
 - Downing Akin – HERITAGE HILLS, PLAT B; Eastview Lane - \$97,725.20
 - Brooks Casper – CANYON CREST ESTATES SUB; Canyon Crest Road - \$15,307.12

MOTION: Tracy Wallace moved to approve the Consent Calendar. Kent Hastings seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

VI. ACTION ITEMS

A. ALPINE DAYS. Mayor Hunt Willoughby gave a big thanks to Jim Tracy and Jason Thelin as being co-chairmen for Alpine Days and Tracy Wallace for being the City Council representative over the event and presented them with a plaque.

Tracy Wallace gave a brief overview of Alpine Days and said he tried to get revenues and expenditures closer together. Since the tent was purchased that has saved the City a significant amount of money. The Youth Dance is now a revenue generating event. Councilman Tracy mentioned all the 47 volunteer's names that helped.

Councilman Wallace said that next year is John Rowe Moyle's 200th birthday and he is sure the theme will be centered around this, but doesn't know what it will be for sure.

B. STOP SIGN REPORT. Ted Stillman said that Midge Rhodes has requested a stop sign at the intersection of 300 North and 600 East and Jodi Hartley has requested a stop sign at the intersection of Round Mountain Drive and Country Manor Lane. Mr. Stillman said that a Warrant Study determines the need for a signal, stop sign or a traffic control device and WCEC Engineers, Inc. was hired to do this study. The findings of their intersection stop-control warrant analysis at these two intersections and an inventory of the intersection geometry, traffic control devices, and striping was taken during a field review. Based on WCEC Engineer's evaluation of the two intersections, no change to the existing traffic control configuration is warranted.

Shane Sorensen said that stop sign requests are a touchy issue and if we look at intersections and the criteria we then make the decision whether a stop sign is warranted. Mr. Sorensen said the safety of children is always foremost in our minds, but stop signs do not guarantee that; however, Kimberly Bryant said she would love to see a stop sign on 600 East and 300 North as she drives that road every day. Mayor Willoughby felt the intersections and stop signs would not help as it is the drivers going through the intersection.

Kent Hastings asked Shane Sorensen if a warrant at the intersection on 200 North and Westfield Road was done and if it met the criteria and further asked if all stop signs needed this warrant study. Shane Sorensen said he felt a stop sign was necessary on this road at this intersection. Poor habits of drivers were identified and it was discussed how to educate and get this safety concern over to the parents. Councilman Hastings suggested that we take the stop signs from the Westfield Road/200 North intersection and move them over to 300 North/600 East school area.

Lenore Beckstrom asked if the school zone could be extended and felt this would slow down the traffic a little farther. Also, it was asked if the Police could patrol this more often. David Church said the State Legislature passed rules that doubled fines for speeding in school zones and standardized what the signs should look like plus the length of school zones and the speed in them. Hata Puriri asked if we could pass an ordinance stating "No Cell Phones in School Zones." David Church again explained the law; however, Hata Puriri felt that our residents needed another reminder especially now that winter weather is approaching. Leonard Howell lives on the corner of 300 North and 600 East and felt that to put a sign there would interrupt traffic during the other hours when traffic needed to flow freely. Jim Tracy observed that by Westfield Elementary when a Police Car is not visible cars do not stop at the stop sign. Mr. Tracy felt a stop sign sometimes gives the children a false sense of security. Kimberly Bryant thought there should be zero tolerance and suggested there be more police coverage. Tracy Wallace asked what will happen when we have the park on 100 South and felt that when 600 East is improved the dynamics of that intersection may change. Kip Botkin said the Police Department cannot use unmarked cars or photo cop. Shane Sorensen suggested that we get some parents to get out and help the children cross. Kimberly Bryant asked if we couldn't use one of the little guys in the middle of the pedestrian lane to remind the cars this is a school zone. Hata Puriri said the real problem is the parents - they just won't slow down.

MOTION: Tracy Wallace moved that based on the recommendation of staff and the technical memorandum provided by WCEC Engineers that at this particular time a stop sign is not warranted for the 300 North/600 East intersection and that alternative measures be used in education and deterrent of children in crossing at that intersection. Thomas Whitchurch seconded. Ayes: Tracy Wallace and Thomas Whitchurch. Nays: 3. Kimberly Bryant, Kent Hastings and Hata Puriri voted nay. Motion failed.

A resident who lives on Canterbury Lane said she has seen children almost get hit at that

intersection and asked if a "Pedestrian Crossing" sign could be installed to remind drivers. Lonny Dehlin felt it was foolish to try and teach the children to cross at one place if we don't train the adults and parents to slow down. Jason Thelin said his children go walk to school on that street on warm days and on cold days his wife drives them. Eric Anderson said that where the crosswalk is the children won't be able to see it in the winter time. Mr. Anderson said he saw the same problem in Texas and that school asked the parents to be part of the solution. Rocky Anderson's flags at crosswalks were discussed.

MOTION: Kimberly Bryant moved that we make that a pedestrian crosswalk with signs at each end at the intersection of 300 North and 600 East, table this to be revisited by the City Council and take back to the school and have a safety meeting with them. Kent Hastings seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

The intersection of Round Mountain Drive and Country Manor Lane was discussed.

MOTION: Thomas Whitchurch moved that based on the engineer's recommendation a stop sign is not warranted at the intersection of Round Mountain Drive and Country Manor Lane. Tracy Wallace seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

It was asked if anybody can report a license plate number to the Police Department of an offender and Chief Botkin said yes as this is what bus drivers do. Kip Botkin further stated it would help if there was a description of the driver of the car.

C. WILLOW CANYON HEIGHT VARIANCE. Ted Stillman said that William Lysy has applied to build his home at 12 N. Bald Mountain Drive which is lot 17 in Willow Canyon, Phase 2B. Mr. Lysy has asked for a 3' height variance which is within the height range of previous variances in the Willow Canyon Subdivision. Michael Howard, Chairman of the Willow Canyon Subdivision Architectural Control Committee wrote a letter approving Mr. Lysy's 3' height variance request.

MOTION: Kent Hastings moved to approve the 3' height variance as requested by William Lysy, 12 North Bald Mountain Drive, Lot 17 in the Willow Canyon, Phase 2B Subdivision. Thomas Whitchurch seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

D. DRY CREEK SOUTHEAST, PLAT B. April Riley said the proposed Dry Creek Southeast, Plat B Subdivision consists of one lot on 0.31 acres. The property is located at approximately 33 East Red Pine Drive and is in the Business Commercial zone. The concept and preliminary plans were approved in March 2003. The Planning Commission considered the proposed final plat at its meeting on November 20, 2007 and made the following motion:

"Steve McArthur moved to recommend final approval to Dry Creek Southeast, Plat B subject to the following conditions:

1. The proposed source of water rights be stated or cash in lieu of water rights be approved by the City Council
2. A bond be posted for improvements at 120% of the engineer's estimate
3. The redlines be corrected

Jannicke Brewer seconded. Ayes: 4 Nays: 0. Motion passed unanimously.

Thomas Whitchurch asked if we are charging market price for a primary share of water and Shane Sorensen said he checks each time this comes up. Ted Stillman said that we have an agreement with the Irrigation Company that all Alpine Irrigation shares stay in Alpine.

MOTION: Hata Puriri moved that the City Council grant final approval for the proposed Dry Creek Southeast, Plat B Subdivision subject to the following conditions:

1. The proposed source of water rights be stated or cash in lieu of water rights be approved by the City Council
2. A bond be posted for improvements at 120% of the engineer's estimate
3. The redlines be corrected

Tracy Wallace seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Tracy Wallace and Thomas

Whitchurch. Nays: 0. Motion passed.

E. ORDINANCE NO. 2007-16, CLEAN STREET ORDINANCE, STORMWATER ORDINANCE. Ted Stillman said the National Pollutant Discharge Elimination System (NPDES) Phase II Rule, which is part of the Clean Water Act established by the Environmental Protection Agency (EPA), will go into effect in October. Alpine City will be included in this phase. As part of the requirements, the City developed a Storm Water Management Plan that addresses six minimum control measures. As part of the NPDES, each City will be audited to verify compliance. Ted Stillman said we have been working on amending our Clean Street Ordinance to help the City fulfill the EPA regulations and as a part of this effort, we recommend that the Clean Street Ordinance be removed from the Development Code and added to Title 11 of the Municipal Code which covers streets. Additionally, Mr. Stillman stated that to have a more comprehensive approach, we recommend the adoption of a Stormwater Ordinance that addresses the storm drain system and regulations that will help maintain it in accordance with EPA regulations. The Stormwater Ordinance would be added to Title 14 of the Municipal Code which covers utilities. The draft ordinance was enclosed in the City Council Member's packets for review and discussion purposes.

Ted Stillman said this will be on the December 18, 2007 agenda for approval.

F. CANVASS OF BALLOTS. State Law requires that the City Council review and approve the canvass of the ballots from the 2007 General Election. Janis H. Williams, City Recorder, stated the election was under the direction of the County because of the referendum that was included on the ballot. Election results that were provided by Utah County Election Office are as follows:

2007 Municipal General Election
 Official Results
 Summary Report
 Alpine City

Registered voters 5105 – Cards Cast 2509 49.15% Num. Report Precinct 6 – Num Reporting 6 100%

CITIZEN'S STATE REFERENDUM NUMBER 1		
	Total	
Number of Precincts	6	
Precincts Reporting	6	100%
Vote For	1	
Total Votes	2474	
FOR	1300	52.55%
AGAINST	1174	47.45%
ALPINE COUNCIL		
Number of Precincts	6	
Precincts Reporting	6	100%
Vote For	3	
Total Votes	6591	
KIM ARNOLD BRYANT	1524	23.12%
KENT HASTINGS	1290	19.57%
BRADLEY RENEER	1184	17.96%
TROY STOUT	999	15.16%
JIM TRACY	1278	19.39%
TED YORK	292	4.43%
Write-in-Votes	24	0.36%

MOTION: Hata Puriri moved to approve the canvass of ballots as presented. Tracy Wallace seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

G. RODEO COMMITTEE. Mayor Hunt Willoughby said that at the City Council Meeting of October 9, 2007 the Rodeo Committee was created with two of the five members to come from the PRO Committee. The PRO Committee at their meeting of October 18, 2007 recommended that April Cooper and Evertt Williams be appointed to the Rodeo Committee. The City Council needed to confirm these appointments to the Rodeo Committee and also appoint three additional members. Mayor Willoughby

suggested that Dana Beck, Bob Chatfield and Taylor Richards be members-at-large to serve on the Rodeo Committee as these people have been involved in improving the rodeo grounds in the past.

MOTION: Thomas Whitchurch moved to approve the Mayor's recommendations of members-at-large to serve on the Rodeo Committee. Kimberly Bryant seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

VII. REPORTS

A. FINANCIAL REPORT. Ted Stillman discussed the Financial Report ending with October 2007. Mr. Stillman said we can see a slow down in the economy in impact fees, building permit fees and sales tax. Ted Stillman said that building permits are about half for the last two years from previous years.

VIII. COMMUNICATION

Kimberly Bryant – Said that one of the managers at Koehler's told her they were impressed with the Police Department in handling a recent incident. Their response time was very good.

Hata Puriri.

1. Has one more meeting with the solid waste district and asked the mayor if he appointed another councilman to serve on that board that he might want to ask him to attend this meeting.
2. Do we give a ticket the first time a car is parked on the road during a snow storm?

Tracy Wallace.

1. Asked about the maintenance fees on lots that are not built on and asked whether we should charge storm drain fees to the lot owner prior to a meter being installed. David Church said we could.
2. Rich Knapp, our IT specialist, has gone to Bluffdale and Tracy Wallace asked if he will continue to work on our computers.

Thomas Whitchurch.

1. Was concerned the Eagle Scouts were not coming to City Council Meeting in their uniform. Hata Puriri said we are lucky to get the scouts here. Erick Anderson, an Eagle Scout Counselor, said they try to prepare the scouts on how to present their proposed project. One of the purposes is to teach leadership skills
2. The Alpine Youth Council is sponsoring Santa Is Coming to Town on December 8, 2007 from 10:00 to 12:00 here at City Hall.

Ted Stillman. Reminded the Council about the Bond Refinance Meeting on December 5, 2007 at 7:00 pm, if needed. We will have a conference call with the Bond people.

David Church. Said that Ted Stillman can communicate with the councilmen on the property acquisition.

IX. EXECUTIVE SESSION to discuss Litigation, Property Acquisition and Personnel

X. APPROVAL OF MINUTES

City Council Meeting of November 13, 2007

MOTION: Kimberly Bryant moved to approve the minutes of the City Council Meeting of November 13, 2007 and adjourn. Thomas Whitchurch seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

The meeting adjourned at 9:15 pm.