

November 28, 2006

Minutes of the Public Hearing and City Council Meeting held on Tuesday, November 28, 2006 at Alpine City Hall, 20 North Main, Alpine, Utah 84004 as follows:

The following members were present and constituted a quorum:

Mayor Hunt Willoughby

City Council Members: Hata Puriri, Tracy Wallace and Thomas Whitchurch

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

Others: Jannicke Brewer, Jim Tracy, Craig Skidmore, Ula Hemingway, Bob Hemingway, Shane Hansen, Chris Gallagher, Megan White, Mr. Gardner, Sage Hoopiaina, Dagan Holbrook, Blair Buswell, Jason Thelin, Meredith Hess, Marilyn Kofford, Lew Kofford, Will S. Jones, Caleb Warnock, *The Daily Herald*, Delynn Rodeback, Zach Colemere and Dan Nelsen

7:00 pm – PUBLIC HEARING - FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT REGARDING AMENDING THE 2006-2007 BUDGET.

Mayor Hunt Willoughby called the Public Hearing to order at 7:03 pm, welcomed those in attendance and introduced the Public Hearing. Ted Stillman went over the reason for amending the 2006-2007 Budget as follows:

10 GENERAL FUND

REVENUE

Budget # and Category	Original Adopted Budget	1 st Amendment 11-28-06	Approved amount	Comments
10-31 Taxes	1,761,400	96,000	1,857,400	Reflects property tax increase for Police Officers
10-32- Licenses & Permits	345,540		345,540	
10-33 Intergovernmental	4,300		4,300	
10-34 Charge for Service	94,000		94,000	
10-35 Fines & Forfeit	50,700		50,700	
10-36 Rents & Microsoft Office Outlook 2003.lnk other revenue	700		700	
10-38 Interest	40,000		40,000	
10-39 Transfers	35,000	20,000	55,000	Reflects Energy Solutions Grant
Total	2,331,640	116,000	2,447,640	

EXPENDITURES

Budget # and Category	Original adopted Budget	1 st Amendment 11-28-06	Approved amount	Comments
10-41 Administration	278,120		278,120	No change
10-42 Court	45,800		45,800	No change

10-43 Treasurer	25,350		25,350	No change
10-50 Elections	0			No change
10-52 Government Buildings	46,885		46,885	No change
10-57 Emergency Services	1,066,270	96,000	1,162,270	Addition of 3 Police Officers
10-58 Building Inspection	135,710		135,710	No change
10-59 Planning and Zoning	133,005		133,005	No change
10-60 Streets	191,295		191,295	No change
10-70 Parks & Recreation	283,195	20,000	303,195	Energy Solutions Grant
10-77 Cemetery	70,410		70,410	No change
Misc.	55,600		55,600	No change
Total	2,331,640	116,000	2,447,640	

Ted Stillman said there were only two amendments to the budget this time. Bob Hemingway asked what the Energy Solutions Grant was and Ted Stillman explained that the City received money to clean up Lambert Park and make improvements.

The public hearing adjourned at 7:05 pm.

CITY COUNCIL MEETING – Immediately following the Public Hearing

- I. CALL TO ORDER.** Mayor Hunt Willoughby called the City Council Meeting to order at 7:05 pm and welcomed those in attendance. Kimberly Bryant and Kent Hastings, Council Members, were excused from the meeting as they were out of town.
- II. PRAYER/OPENING COMMENTS** – Hunt Willoughby
- III. PLEDGE OF ALLEGIANCE.** Dagan Holbrook 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.

Caleb Warnock said he thinks the Christmas lighting on the roundabout is very beautiful and appreciated the look. Mr. Warnock thanked the road crew for plowing the roads last night.

Rhett Smith cleaned up a trail in Lambert Park and installed three benches there for his Eagle project. Mr. Smith asked Hata Puriri to sign off on his project.

Chris Gallagher and Shane Hansen presented an idea to the City Council and said they created a monthly Newsletter called the Avenues. This magazine costs nothing and the revenue generated to print this publication would come from advertising.

Marty Jacobs asked if he could paint house numbers on curbs on Pfeifferhorn and Matterhorn streets for his Eagle Scout project. Mayor Willoughby suggested that he get the resident's permission before painting the addresses and to check with Chief Carlisle as there is a format just how these numbers are to be painted.

John Jacobs, representing the North Utah County Water Conservancy District, informed the Council that they have been working to obtain a drainage program and hope to have information available soon. It was his hope that they will be

able to make recommendations for developers about discharging water into the Dry Creek debris basin. They are becoming quite concerned with what is going on in Sandy and the State Dam Safety has informed them that their spillway is not sufficient enough.

V. CONSENT CALENDAR

Bond Releases:

Downing Akin – HERITAGE HILLS, PLAT A–Offsite Improvements - \$20,413.98

Ty Rogalski – BURGESS PLACE, PLAT A – 200 North - \$1,595.04

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

VI. ACTION ITEMS

A. GARDNER FOUNDATION GRANT. Ted Stillman said the Gardner Foundation has approached the City with a proposal to install a concrete border around the play equipment in Legacy Park and to put rubber chips underneath the play equipment there. Megan White introduced her sister, Sage Hoopiaina, who is the chairman of their family foundation, said they would like to do a safety concrete border around the playground and felt the playground in Legacy Park needed some upkeep. They live here in Alpine and wanted their family project to be here in our area. Jim Tracy suggested that the curbing by the swing set be moved away from that structure as the kids climb on the poles.

MOTION: Thomas Whitchurch moved to accept the generous donation by the Gardner Foundation to install a concrete border around the play equipment in Legacy Park and put rubber chips underneath the play equipment. Hata Puriri seconded. Ayes: Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

B. BLAIR BUSWELL – IMPROVEMENT OF CITY OPEN SPACE. Ted Stillman said Blair Buswell and Layne Webb have asked permission from the City to improve City open space in the Twin River Subdivision. The open space is located along both sides of the sidewalk on Twin River Loop between 283 West (the Buswell home) and 349 South (the Webb home). They are offering to pay for the landscaping, including lawn, sprinklers, and maintenance; but are asking that the City help with clean up and removal of 3 to 4 inches of dirt to make room for topsoil and sod. In the last Planning Commission Meeting, there was discussion regarding the piece of land behind the sidewalk next to the trail and whether that should be permitted to have a manicured landscaped appearance or if it should remain natural. The concern was that if it had a manicured landscaped look, it would look like an extension of a private yard which is not what the City wants; however, the option of allowing the petitioner to clean up that space and spread some wildflowers or natural vegetation was brought up as an alternative to a landscaped look.

Blair Buswell said his neighbors used to mow the area in the open space; however, both he and Layne Webb are willing to incur the cost of landscaping the open space even though this will benefit the whole neighborhood. Mr. Buswell said he hasn't had a chance to review the Agreement that he has been asked to sign and he would like to research what kind of flowers that he has been asked to plant and not be tied down to wildflowers. Hata Puriri said he has been working with Blair Buswell and noted that Mr. Buswell just wants permission to make the area more beautiful. Here we have some citizens who want to make our City beautiful and bear the cost of the improvements. There won't be any dog runs or a gazebo on the trail. Hunt Willoughby said the Agreement needs to be tied down so that we don't get anything that is not permitted. This item will be brought back at the December 12, 2006 City Council Meeting.

C. ORDINANCE NO. 2006-21 – AMENDED 2006-2007 BUDGET. Ted Stillman proposed several changes to the 2006-2007 Budget which includes:

Public Safety – Addition of three (3) Police Officers	\$96,000
Lambert Park Clean-up Fund	\$40,000

Tracy Wallace was under the impression that the addition of the three (3) additional police officers was included in the original budget and Ted Stillman said no they were not. Tracy Wallace said that the 2006-2007 Budget that was adopted earlier in the year there was an increase in the Police Professional Services from \$674,000 to \$790,000 and that is an additional \$115,000. Ted Stillman explained that In February, 2006 the police added an additional officer and then they went from a part-time secretary to a full-time one and then dispatch costs have gone up dramatically along with fuel costs. Tracy Wallace said we are going from approximately \$674,000 from last year to approximately \$884,000 this year, a \$200,000 increase in one year.

Hata Puriri said he was having an issue with the Lambert Park cleanup asking for an additional \$40,000.

MOTION: Hata Puriri moved to adopt Ordinance No. 2006-21, An Ordinance Amending the 2006-2007 Budget subject to the following changes:

1. To approve the Public Safety District's request for three (3) additional officers for \$96,000
2. Withdraw the Lambert Park cleanup in the amount of \$40,000

The motion failed for lack of a second.

Thomas Whitchurch asked if the Lambert cleanup fund in the amount of \$40,000 was amending the budget to reflect the donation that we have already received. Ted Stillman said that Energy Solutions doesn't want any money back but if there is any money left, a fund will be set up for additional improvements in the park.

Tracy Wallace said he still had an issue with the \$96,000 amount for the three (3) new police officers and said he needed to research his notes. Ted Stillman explained that the minutes are self explanatory and we set a Public Hearing to deal with this issue.

MOTION: Thomas Whitchurch moved to table action on adopting Ordinance No. 2006-21, An Ordinance Amending the 2006-2007 Budget. Hata Puriri seconded. Ayes: Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

D. LEGACY PARK RESTROOMS/PAVILION. Ted Stillman said the gazebo is complete and thanked all who made it possible. The next project in Legacy Park is the installation of restrooms. Mr. Stillman said that to build a restroom facility could cost up to \$250,000 so he proposed putting a prefabricated restroom in Legacy Park. The cost of the restroom is \$50,000 and it would be located between the pavilion and the sidewalk. Ted Stillman said this facility would be hooked up to sewer and then there would be electricity and the facility would be heated. It was discussed that if we constructed a larger pavilion this would create the need for more parking. Thomas Whitchurch asked about constructing a storage building for to accommodate storage of the flags, volleyball equipment and the horseshoes, etc. Councilman Whitchurch made several suggestions about the placement of the restrooms and felt that one toilet on each side would not be enough to certify our facilities to comply with Utah County for Alpine Days.

Mayor Hunt Willoughby said the last project in Legacy Park will be to re-roof the pavilion which would include sandblasting the metal parts and installing tongue-in-groove decking (like the new gazebo) and putting on a new roof. Mayor Willoughby suggested that we put the same type of roof on the pavilion as what was put on the gazebo.

Ula Hemingway said that Legacy Park is very important to the old-timers and this park is the center of all activities and that is what we see when we enter our City. Mrs. Hemingway said she has talked to a lot of people this past week and they all want a larger pavilion plus a storage shed. Ula Hemingway said she wants this to be the most beautiful park in town.

Staff will do much of the work and Thomas Whitchurch suggested that we go with porcelain fixtures.

MOTION: Hata Puriri moved to authorize the purchase of a prefabricated restroom for Legacy Park up to \$50,000. Tracy Wallace seconded. Ayes: Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

E. BACKHOE LEASE. Ted Stillman said the City currently leases a backhoe from Wheeler Machinery for \$8,000 per year. This lease is for three years and the City receives a new backhoe every three years. Mr. Stillman would like to renew the Lease Agreement for \$7,850 per year.

MOTION: Tracy Wallace moved to approve the lease of a backhoe from Wheeler Machinery at a cost of \$7,850 per year. Hata Puriri seconded. Ayes: Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

F. PLANNING COMMISSION APPOINTMENT. Mayor Hunt Willoughby said that Jannicke Brewer's six-year term on the Planning Commission expires on January 1, 2006. She has served on the Planning Commission for a number of years and is currently serving as Chairman. Mayor Willoughby recommended that Jannicke Brewer be reappointed to the Planning Commission.

Thomas Whitchurch said that Jannicke Brewer has worked for many years and known the ordinance and hopes that another Planning Commission member will take the initiative to learn from her.

MOTION: Hata Puriri moved that Jannicke Brewer be reappointed to the Planning Commission for a term of six years. Tracy Wallace seconded. Ayes: Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

G. ROCKY MOUNTAIN POWER FRANCHISE AGREEMENT. Ted Stillman said that Rocky Mountain Power's 50-year Franchise Agreement with the City expires on December 31, 2006. They would like to renew the Agreement with all the changes as proposed in previous meetings and Delynn Rodeback said this has been approved by their attorneys. Delynn Rodeback asked for a clean copy of the Agreement with all the corrections and Ted Stillman said he would get him one.

MOTION: Thomas Whitchurch moved to approve and adopt Ordinance No. 2006-20, The Rocky Mountain Power Franchise Agreement. Hata Puriri seconded. Ayes: Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

H. CITY PROSECUTOR (CRIMINAL CITY ATTORNEY). Mayor Hunt Willoughby said that Alpine City contracts with Highland City to use their Justice Court. David Church has served as the City Attorney and the City Prosecutor for both cities for a number of years and Highland City would like to use more of David Church's time for their other legal work. Highland City has hired the law firm of Hansen and Wright to serve as the Criminal City Attorney; however David Church will continue to serve as Alpine's prosecutor in the interim. Mayor Willoughby said he talked with Mayor Frandsen of Highland City and then with Tucker Hansen about Alpine's desire how the council wants its cases handled. David Church said Court cases would be handled more efficiently as Tucker Hansen would already be at 4th District Court and will be there all day.

Ted Stillman said the City Council can decide, if you wish to recruit for a City Prosecutor, or if you wish to hire the firm of Hansen & Wright as the City's prosecutor. Thomas Whitchurch felt it was appropriate to put this out for an RFP. David Church said we would then have to get with Highland and do a joint RFP. Mayor Willoughby said this will take some time to work this out with Highland and said that Kimberly Bryant has withdrawn her concerns. Tracy Wallace said that in the interim we should stay with David Church until a decision is made.

Mayor Willoughby asked Ted Stillman to send out an RFP.

VII. REPORTS – FINANCIAL REPORT. Ted Stillman reviewed the Financial Report through October 2006 outlining how revenues are doing and also listing the Fund Balances as follows:

Sales Tax – Is up \$91,520 over the same time as last year. This reflects Utah's strong economy.

Franchise Fees – Are down from last year by \$2,824. This reflects reduction of the Telecommunications tax as well as the cap on natural gas franchise put on by the legislature.

Plan Check Fees – Continue to lag because of slow residential development. Through October, 42 building permits were issued for new homes where we would normally have 7- building permits issued for new homes.

Building Permits – Also continues to lag because a slow down in residential permits. Another reason building permit revenue is down is because our fees have not increased in 15 years. Staff is currently evaluating the building permit fees and will be bringing recommended changes to the City Council.

Mayor Willoughby asked if we have seen an increase of recycling cans. Ted Stillman responded said that we are up about 20%. Tracy Wallace asked if the schedule for the recycling cans can be put on the City's website.

VIII. COMMUNICATION – ELK RIDGE LANE. Ted Stillman said that as part of the approval of the Heritage Hills Subdivision, south Elk Ridge Lane was to be closed and made into a cul-de-sac and it is the responsibility of the Heritage Hills developer to construct the cul-de-sac. They are in the process of designing the cul-de-sac, but it will not be completed until the end of May and could be completed earlier in the spring depending on the weather. The residents on Elk Ridge Lane are having trouble with construction traffic driving on Elk Ridge Lane. Staff proposed closing the south end of Elk Ridge Lane with Jersey barriers and putting up signs saying the road is closed. The Elk Ridge Lane residents would enter Elk Ridge Lane from the north off of Heritage Hills Blvd.

Shane Sorensen said the jersey barriers are being used in another location on 800 South and it was discussed there isn't a turnaround for the snow plows. Shane Sorensen said we could put signs on both ends of Elk Ridge stating "No

Construction Vehicles.” Jim Tracy said another concern would be the garbage trucks. The garbage trucks won’t go down a road they couldn’t turn around on and the residents would be required to bring their cans out. Lew Kofford proposed that concrete barriers be used and then some put gravel down for a temporary turnaround. Another concern Mr. Kofford had was when Plat A of Heritage Hills was approved this was addressed in the Development Agreement. Lew Kofford asked if they fell off of the table and is there a way to tie this into Plat C’s Bond? Shane Sorensen said we will monitor this situation more closely and it will be better for the City if the developers of Heritage Hills complete this work. Shane Sorensen said that with a gravel temporary turnaround the plows couldn’t push snow on top of gravel. Lew Kofford said that with his and the Hess’ tractor they can take care of the snow plowing.

Thomas Whitchurch –

1. The PRO Committee talked about the new park on 100 South.
2. The Youth Council delivered fruit baskets to the elderly people in town. Are taking a look at the General Plan.

Hata Puriri

1. Asked how the snow plowing experience went and were there many cars on the road. The green tags were put on cars even though it doesn’t start until Friday. Some residents on High Bench Road cannot get up their driveways. It was noted that the Public Works Dept. as well as the Police Dept. put fliers on cars. Tracy Wallace asked what it would take to get big signs put on Canyon Crest, Westfield Road and on Main Street stating “No Parking...”.
2. Asked if we were liable concerning the incident with the two men who fell down the elevator shaft. Ted Stillman said that OSHA is investigating this.
3. It was noted that the twins (Craig Carlisle’s grandchildren) passed away.

Shane Sorensen –

1. High Bench Ridge, Plat B and their title company found that there was a triangle piece of property that was to be deeded to Patterson Construction Company. This was never done; however, there are issues with the plat. If they are changing the plat they need to come back to the Planning Commission and the City Council. Shane Sorensen explained the storm drain and a detention basin put in. There is a trail easement constructed and Patterson feels this trail should not be there. The Pattersons are going to get a price from their contractor for the sidewalk extension.
2. There will be a meeting with FEMA tomorrow at 12:30 pm here at City Hall.

IX. EXECUTIVE SESSION to discuss Litigation, Property Acquisition and Personnel. An Executive Session was not needed.

X. APPROVAL OF MINUTES

City Council Meeting of November 14, 2006

MOTION: Hata Puriri moved to approve the minutes of the City Council Meeting of November 14, 2006 as amended and adjourn. Thomas Whitchurch seconded. Ayes: Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

The meeting adjourned at 9:00 pm.