

**DECEMBER 20, 2005**

Minutes of the Public Hearing and City Council Meeting held on Tuesday, December 20, 2005 at Alpine City Hall, 20 North Main, Alpine, Utah 84004 as follows:

The following members were present and constituted a quorum:

Mayor Philip D. Barker

City Council Members: Kimberly Bryant, Kent Hastings, Hata Puriri and Hunt Willoughby

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

Others: Jannicke Brewer, Dale Porter, Jim Tracy, Shelli Tracy, Ashley Tracy, Will S. Jones, Brian Baxter, Breanna Groneman, Ula Hemingway and Bob Hemingway

**PUBLIC HEARING – 7:00 pm.** Mayor Phil Barker called the Public Hearing to order at 7:00 pm and introduced the hearing as follows:

For the purpose of receiving public comment regarding Conditional Uses

There were no comments from the public.

The Public Hearing adjourned at 7:05 pm.

**CITY COUNCIL MEETING:**

**I. CALL TO ORDER.** Mayor Phil Barker called the City Council Meeting to order at 7:05 pm and welcomed those in attendance. Mayor Barker noted this would be the last City Council Meeting of the year and this is the final meeting of his term.

**II. PRAYER/OPENING COMMENTS** – Phil Barker

**III. PLEDGE OF ALLEGIANCE.** Ted Stillman 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. There were no comments from the public.

**V. CONSENT CALENDAR –**

- A. Business Licenses:
  - Martin T. White–TRANSWEST TESTING & SUPPLY LLC; 1175 E. Round Mountain Drive
  - Cody M. Smith – SMITH CO. INDOOR CLIMATE TECH; 225 North 400 West
  - Deborah Madsen – MADSEN VIDEOGRAPHY; 883 Andes Drive
- B. Bond Releases:
  - Rob Clauson – ALPINE COMMONS – Final Release on original Bond to split bond - \$28,047.60
  - David Moon – MOON SUBDIVISION, Phase 2 – Final Release - \$13,671.72
  - Mark Hansen – LARSON ALPINE SUBDIVISION, PLAT A - \$3,940.80
  - Roger Whitby – WHITBY WOODLANDS, PLAT B - \$26,066.88
  - Darin Edwards – WAYNE COURT - \$9,919.32
  - John Paskett – PASKETT COURT - \$2,124.96
  - Bryce Nelson – WHISPERING PINES - \$12,175.80
  - Richard Mendenhall – DRY CREEK FARMS (Westfield Road Improvements) - Reimbursement of \$15,000.00
- C. Payment Requests:
  - Staker Paving – Canyon Crest Road Asphalt Repair - \$11,318.18

**Ben Crete, Inc. – 2005 Sidewalk Replacement Project - \$14,445.58**

Shane Sorensen explained the Bonds Releases on Alpine Commons and the Moon Subdivision, Phase 2. Alpine Commons was going to provide the City with two bonds to take place of the one bond and when this has been accomplished then the bond for \$28,047.60 can be released. On the Moon Subdivision, they need to reimburse the City for the cost of the 15-inch storm drain pipe through the development in the amount of \$5,940.00; however, the oversizing of the line was covered by impact fees. Also, the developer of the Moon Subdivision needs to provide and install street signs. Shane Sorensen said that all other bonds could be released.

**MOTION:** Kent Hastings moved to approve the Consent Calendar as proposed. Kimberly Bryant seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri and Hunt Willoughby. Nays: 0. Motion passed.

**VI. SCHEDULED ITEMS**

**A. PLANNING COMMISSION APPOINTMENT.** Mayor Barker said that Dale Porter's term on the Planning Commission expires on January 1, 2006 and extended a word of appreciation for the 13 plus years Mr. Porter has given the City. Mayor Barker said that Brian Baxter has accepted the invitation to serve on the Planning Commission. He has served as the chairman of the Board of Adjustment for the last 4 years and has served in various community events.

**MOTION:** Hunt Willoughby moved to accept Mayor Phil Barker's recommendation to serve on the Planning Commission. Hata Puriri seconded.

Hata Puriri asked Brian Baxter how he felt about the direction Alpine is growing. Mr. Baxter said he feels that the growth should be controlled and that he would like to preserve this community for his grandchildren. Councilman Puriri asked Brian Baxter to tell the rest of the council members a little about himself and his family. Kent Hastings asked Brian Baxter how he felt about density. Mr. Baxter said his personal preference is two homes per acre. Kent Hastings asked Mr. Baxter how he felt about granting variances to the ordinances as requested by developers and Brian Baxter said he would like to place the burden on the developer. Councilman Hastings asked if we should enact ordinances to handle every complaint and Mr. Baxter said no. Brian Baxter said we should listen to them, but we need to stay true to the vision of Alpine. Mr. Baxter said he needs to become more familiar with the ordinances and understand why they were adopted. Kent Hastings asked how Mr. Baxter feels about property rights and Brian Baxter said that even though the neighbors might be in agreement with the homeowner, they may not be the home owner in two or three years. Brian Baxter said he feels that what is best for the City and City ordinances must be adhered to.

Hata Puriri said he was not aware that the council was going to vote on Brian Baxter's name tonight and said he would like to take a little more time before acting on this nomination. Kent Hastings agreed with Councilman Puriri and said he would like this item to come back at the next City Council Meeting to be acted on. Hunt Willoughby said he was ready to act on Brian Baxter's nomination as he has known him for the full time he has lived in Alpine.

Ayes: Kimberly Bryant and Hunt Willoughby. Nays: 2. Kent Hastings and Hata Puriri voted nay. Mayor Phil Barker voted Aye to break the tie. Motion passed.

**B. Ordinance No. 2005-21 – Conditional Use Ordinance.** Jannicke Brewer attended a session at the Utah League of Cities and Towns Conference that addressed the Conditional Uses and how a Conditional Use Ordinance could be administered. Ted Stillman said that what this ordinance does is to bring our City Ordinance in line with the requirements of the State Law.

**MOTION:** Hunt Willoughby moved to adopt Ordinance NO. 2005-21, Conditional Use Ordinance. Hata Puriri seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri and Hunt Willoughby. Nays: 0. Motion passed.

**C. FINANCIAL REPORT.** Ted Stillman said this Financial Report is through

November and reflects revenues and expenditures for the first five months of the fiscal year. Mr. Stillman said the sales tax is finally running ahead of the 2004/2005 year; however, the motor vehicle tax is down \$5,986 from the same period last year. The franchise fees are up \$72,253 over the same period last year, but this amount will go down as Qwest begins deducting their overpayment and the reduction of the Franchise Tax from 4.0% to 2.1% takes place. This reduction should begin in January 2006. The Plan Check Fees are down \$17,478 from the same period last year and this reflects having less large building projects such as the assisted living center and a church. Building Permits are down \$15,312 from the same quarter last year. Our building permit fees are based on 10-year old building costs. Ted Stillman felt that Alpine needs to take a look at a similar adjustment. Traffic Fines are down \$11,875; however, it is interesting to note that traffic fines are down from 2004-2005 but are in line with the previous years. Pare Impact Fees are up due to the recordation of several subdivisions.

Ted Stillman said the Sewer Fund balance is on a gradual decline. It is down \$25,328 from the same time a year ago. Mr. Stillman is planning to bring a proposed sewer rate increase to the City Council in January.

## VII. COMMUNICATION

**Hata Puriri** - Thanked Phil Barker for serving as Mayor for the past 4 years and said he has enjoyed working with him for the last two years.

**Hunt Willoughby** - The sewer Board voted to increase their fees by 4%. Hunt Willoughby said he wished he had known earlier that the Ambassador from Mali was here for an open house on Sunday evening to meet residents from Alpine. This open house was in Marilou Moser's house on 600 North.

**Kent Hastings** – Said we are going to do another article in the Newline about Family First Week. The web page for this event is Familyfirstweek.com. Kent Hastings asked the other council members to read about this event and give him some feed back. There will be a Public Safety District meeting in January. Kent Hastings also thanked Mayor Barker for serving as Mayor. They have worked together for the past six years.

**Kimberly Bryant** - Thanked the Mayor and his family for allowing him to serve and said she appreciated his hard work.

**Mayor Phil Barker** – Thanked his wife, Jeanine for her support and taking on the responsibility of raising their 10 children while he was attending to City duties. Mayor Barker also thanked the staff for their hard work.

Hunt Willoughby, the Mayor starting in January 2006, presented Phil Barker with a Plaque for his dedicated service and gave him a picture of the current City Council. Hunt Willoughby invited everyone to attend a small reception afterwards.

VIII. **EXECUTIVE SESSION** to discuss Litigation, Property Acquisition and Personnel. There was not an Executive Session.

## IX. APPROVAL OF MINUTES

City Council Meeting of November 22, 2005

**MOTION:** Hata Puriri moved to approve the minutes of the City Council Meeting of November 22, 2005 and adjourn. Kent Hastings seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri and Hunt Willoughby. Nays: 0. Motion passed.

The meeting adjourned at 7:45 pm.