

**February 12, 2008**

Minutes of the City Council Meeting held on Tuesday, February 12, 2008 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, Jim Tracy, Tracy Wallace and Thomas Whitchurch  
Staff: David Church, Shane Sorensen, Janis H. Williams, Jay Healey, Ron Devey, April Riley and Kip Botkin,  
*Police Chief*

Others: Jannicke Brewer, Brian Gwilliam, Craig Skidmore, Ian Hansen, Della Don Janjua, Sam Monson, Conner Christenson, Logan Ketch, Cole Moriarty, Dylan Anderson, Jaren Waters, Matthew Walker, Angela Spaulding and Bonnie Cooper

**I. CALL TO ORDER.** Mayor Hunt Willoughby called the City Council Meeting to order at 7:00 pm and welcomed those in attendance. Ted Stillman, City Administrator was excused.

**II. PRAYER/OPENING COMMENTS** – Hunt Willoughby said the Opening Prayer.

**III. PLEDGE OF ALLEGIANCE.** Logan Ketch led the audience in the Pledge of Allegiance.

Mayor Willoughby introduced Kimberly Bryant, a newly elected City Council Member, and said we will now swear her in.

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

Kent Hastings complimented the scouts that were in attendance on their appearance and complimented them on wearing their uniforms along with their bandanas.

**V. CONSENT CALENDAR**

Payment Request:

Salt Lake Valley GMC for purchase of a 2008 GMC Truck - \$24,091.00

Salt Lake Valley GMC for purchase of a 2008 GMC 1-Ton Truck - \$22,400.20

**MOTION:** Jim Tracy moved that the payment requests to Salt Lake Valley GMC for the purchase of the two trucks listed above in the amount of \$46,491.00 be approved. Thomas Whitchurch seconded. Ayes: Kimberly Bryant, Kent Hastings, Jim Tracy, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

**VI. ACTION ITEMS**

**A. SWEARING IN KIMBERLY BRYANT, A CITY COUNCIL MEMBER.** This action was accomplished earlier in the meeting.

**B. WADSWORTH SPRINGS.** Mayor Hunt Willoughby said that Patterson Construction Company has asked if the City is interested in becoming part of an application for a Special-Use Permit to develop the Wadsworth Spring Water. Shane Sorensen said that Wayne Patterson bought the portion of water of Wadsworth Spring that the City does not already own. Part of the pipe is not in very good shape and Mr. Patterson approached the City asking if we will help him secure a special-use permit from the Forest Service to improve this spring. All that would be required is for the City to sign a letter saying they own some water shares. Shane Sorensen said this spring is about half way up the mountain and currently there is an old line that goes to the Moyle Park area. Mr. Sorensen felt that Wayne Patterson's intention would be to get this water over to the property he owns south of Lambert Park. Shane Sorensen said the City owns about one-third of the water and Mr. Patterson owns the rest. Right now our portion of the water spills out in Lambert Park.

Kent Hastings asked David Church if Wayne Patterson has been corporative in settling the lawsuits he has against the City since he wants us to cooperate with him in getting this special-use permit with the Forest Service. Mayor Willoughby said we would protest the development of this spring as there are reasons to do that as anytime you disturb nature that slows debris flow, then you have problems.. Mayor Willoughby said that wilderness area is sacred with the Forest Service and Kent Hastings asked if there was a benefit to the City if we participated in the improvement of this

spring. Shane Sorensen said if we ranked all of our sources in importance, this spring would be very low on our priority list. The Patterson's have already submitted their paper work and it is going through the process and we will get our split.

**MOTION:** Tracy Wallace moved that we as a City Council choose not to team with Patterson Construction to become a partner for an application on a special-use permit to develop the Wadsworth Springs water. Thomas Whitchurch seconded. Ayes: Kimberly Bryant, Kent Hastings, Jim Tracy, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

**C. OPEN SPACE AGREEMENT – CARY ELDER; 798 South 840 East.** Shane Sorensen said that Cary Elder has an aviary and part of it is on what is now City open space. As it is partially on City open space, an open space agreement would be required. As part of the agreement, Mr. Elder would like to be able to put up a fence that follows the old fence line. The Planning Commission discussed this item at its last meeting and made the following recommendation:

“Steve Cosper moved to recommend that the City Council approve the attached Open Space Agreement with Cary Elder for his property at 840 East 490 South with the change that item #4 of the Agreement state that the property owner shall abandon the grass on the west side of the old barbed wire fence as opposed to the grass between his property line and the fence, and the item #6 be amended as it relates to item #4. Brad Reneer seconded. Ayes: 4 Nays: 1. Jannicke Brewer, Troy Stout, Steve Cosper and Brad Reneer voted aye. Jason Thelin said he voted nay because he felt the property being used by Mr. Elder”

Kent Hastings felt we should not set precedence by dealing with so many of these Open Space Agreements and Thomas Whitchurch said the moment Carey Elder constructs a 6-ft fence; we have lost our open space. At the front of the Stonehedge Subdivision there is a grass area where we could trade some property for an easement so the trail would be all on our property. Shane Sorensen said we have a recorded easement for the trail and recommended that the City not spend the money to amend and record two plats. Mayor Willoughby felt there was no precedence as this situation predates the use. Jim Tracy said the Stonehedge Homeowners Association may not have an interest in a land swap. Tracy Wallace said that item No. 6 in the Open Space Agreement contradicts some of the items of the agreement and said he would like to see it read “maintenance of the area is subject to 3.16.9.”

**MOTION:** Kimberly Bryant moved to approve the Open Space Agreement with Cary Elder at 798 South 840 East on recommendation from the Planning Commission because of the past history of the property and how it has been used and that item No. 6 in the agreement be changed to read “except as noted above maintenance of the area is subject to 3.16.9.” Jim Tracy seconded. Ayes: Kimberly Bryant, Jim Tracy, Tracy Wallace and Thomas Whitchurch. Nays: 1. Kent Hastings voted nay. Motion passed.

**D. ARBORETUM TREES.** Mayor Hunt Willoughby said the City has been approached by Lake Mountain Tree Movers to buy the spruce trees on the east side of the Arboretum for \$20.00 each. Mayor Willoughby said this company would also be willing to dig five trees for the City to use in other parks and the removal of these trees would assist in the maintenance of the Arboretum. Jim Tracy asked if Harvey Hutchinson and the Arboretum Committee are aware of this and in the loop and he was told yes.

**MOTION:** Kent Hastings moved that the City sell the spruce trees in the Arboretum for \$20.00 a piece to Lake Mountain Tree Movers, that they have these trees removed by May 31, 2008, that they dig five trees for the City to use in other parks, that no flagged trees be removed and that top soil be put back in the holes that are left after removing the trees. Kimberly Bryant seconded. Ayes: Kimberly Bryant, Kent Hastings, Jim Tracy, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

**E. CEMETERY IMPROVEMENT PRIORITIES.** Mayor Hunt Willoughby said the Cemetery improvement priorities were approved by the Cemetery Commission Meeting held on February 26, 2008. The proposed priorities are as follows:

1. Restroom and drinking fountain
2. Locate missing graves
3. Bench and tree placement throughout the cemetery
4. Finish the fence enclosure, starting with the areas of the cemetery that are already developed.
5. Widen or make turn out on road to the top of the hill

Ongoing: Maintaining the road to the top of the hill, i.e. fix potholes, grading, etc.

ASAP: Curbing for the parking area at the bottom of the hill by the gazebo, so cars do not park too close to the hill.

Mayor Willoughby said that once we decide to grade the land then BYU students would be ready and willing to locate graves. Thomas Whitchurch asked if we could incorporate restrooms in the City Shops rather than going to the expense of putting up restroom facilities. Shane Sorensen asked if there is a strong demand for restrooms there and Jim

Tracy said he doesn't see people lingering where a restroom facility would become necessary. Tracy Wallace said he looks at the above list as the Cemetery Commission's wish list. Jim Tracy suggested that we put a port-a-potty up there for the summer months and see how much it is used.

**MOTION:** Kent Hastings moved to accept and approve the Cemetery improvement priorities from the Cemetery Commission and consider them during the preparation of next year's and future year's budget as listed above with the request that we be given a little more background reasoning so they can be placed in the priority list. Jim Tracy seconded. Ayes: Kimberly Bryant, Kent Hastings, Jim Tracy, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

**F. CEMETERY MORATORIUM.** Mayor Hunt Willoughby said that for the past year we have had a moratorium on the sale of lots at the Cemetery. Two new sections of the Cemetery have been completed and we are now ready to begin the sale of lots. The Cemetery Commission at their meeting of January 24<sup>th</sup>, 2008 recommended that the moratorium be lifted and they recommended that the number of lots sold to a family be limited to three with the City holding a reserve of 175 lots. A list of proposed Cemetery lots available are as follows:

Current lots unsold	133
Plat G	356
Plat H	45
Reserve	-175
Total available	359
Waiting list	-216
Remaining	143

Kent Hastings asked if we couldn't specify that when we have only 100 lots left that there be an automatic moratorium. Price of the reserved lots was discussed. Shane Sorensen showed a map of existing lots that have been sold and then the lots that will be in the new sections.

**MOTION:** Jim Tracy moved that the Cemetery moratorium be lifted and that we have a reserve of 175 lots. Tracy Wallace seconded. Ayes: Kimberly Bryant, Kent Hastings, Jim Tracy, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

**G. MAIN STREET TRAFFIC STUDY.** Shane Sorensen said that Mountainville Academy has requested that flashing lights be installed on Main Street at 100 South to slow down traffic and provide a warning to motorists of the school crossing. They would also like the school crossing to be moved from 120 South to 100 South. Shane Sorensen said that before these changes are made, a traffic study be accomplished to evaluate the traffic situation on Main Street. A proposal from WCEC Engineers agreeing to do the traffic study for \$2,200.00 was included in the City Councilmember's packets.

Jim Tracy asked if this study couldn't include all of Main Street from the Roundabout to 200 North. Tracy Wallace indicated that if we just do a traffic study in front of Mountainville Academy then they should pay for this service and Thomas Whitchurch said we have done traffic studies by the other schools and the School District was not approached to share in the cost.

**MOTION:** Jim Tracy moved to approve an Agreement with WCEC Engineers for a traffic study of Main Street traffic from the Roundabout to 200 North. Tracy Wallace seconded. Ayes: Kimberly Bryant, Kent Hastings, Jim Tracy, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

**H. STORM WATER MASTER PLAN.** Shane Sorensen said it has been several years since the City has updated the Storm Drain Master Plan and there are several storm drain projects that need to get moving. These include the 100 South Storm Drain and the Main Street Storm Drain. Shane Sorensen said we would like to do this by invitation.

**MOTION:** Thomas Whitchurch moved to authorize the obtaining of proposals to accomplish the Storm Drain Master Plan. Kent Hastings seconded. Ayes: Kent Hastings, Jim Tracy, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed. Kimberly Bryant was absent during this motion.

**I. PRESSURIZED IRRIGATION TANK IN LAMBERT PARK.** Shane Sorensen said that at the last City Council Meeting the need for a pressurized irrigation tank in the Middle Zone was discussed. Converting the existing tank in Lambert Park would solve this problem; however, we would have to secure an easement from Roger Bennett. Shane Sorensen presented the cost to convert the tank to be between \$33,000 and \$35,000 and said this could be up and running when we turn on the PI system.

**MOTION:** Tracy Wallace moved to approve the conversion of the Lambert Park Culinary Water Tank to a Pressurized

Irrigation Tank at a cost not to exceed \$40,000 with the money coming out of the PI budget. Kent Hastings seconded. Ayes: Kimberly Bryant, Kent Hastings, Jim Tracy, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

**J. CUP AGREEMENT.** Shane Sorensen said in 1998 the City signed a 10-year Agreement with the Central Utah Water Conservancy District to allow Alpine's share of CUP water to be used to augment in stream flows in the Provo River for the June suckers. It would cost Alpine approximately \$110,000 per year to use the CUP water and we do not yet need this water. The proposed Agreement gives the City five additional years to begin using the CUP water.

**MOTION:** Thomas Whitchurch moved to authorize the Agreement between Alpine City and the Central Utah Water Project to allow the City an additional five years before it begins to use the CUP water. Kent Hastings seconded. Ayes: Kimberly Bryant, Kent Hastings, Jim Tracy, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

**K. SOLID WASTE CONTRACT.** Mayor Hunt Willoughby said our five-year Solid Waste Contract (including recycling) with ACE Disposal expires on June 30, 2008. Copies of the contracts were in the City Councilmember's packets for review. There were several items that were discussed as the City considers the Solid Waste Contract as follows:

1. Do we want to bid the Solid Waste Contract? ACE would like to negotiate a five-year extension. Allied Waste did not want us to bid five years ago and we ended up with a great price from ACE. Waste Management and Allied would both like to bid the Solid Waste Contract.
2. Cost of Living Increase – The current cost-of-living increase has been based on the Wells Fargo Salt Lake index. This index has not been consistent. Should we use the national CPI?
3. Fuel Surcharge – The current contract does not include a provision for fuel surcharges. This has been difficult for ACE as fuel costs have risen dramatically over the past few years. One thing we did to assist ACE with this problem was to allow them to pick up garbage five days a week rather than just on Friday.
4. Tipping Fees – The City currently pays the tipping fees so that the City is paying the actual cost of tipping. The Contract designates North Pointe as the only place that Alpine's garbage can go (without the City's permission). There is a bill in the legislature that would allow the solid waste contractor to take the waste to any landfill.

Kimberly Bryant said she has been pleased with the service we have received from ACE. Jim Tracy said ACE hasn't done anything wrong to make him not want to extend their service and did not think it is fair that other companies can come in and look at what we are currently paying ACE. Thomas Whitchurch didn't think it would hurt anything to put this out to bid as we got an exceptional price from ACE when we put this out to bid before. Tracy Wallace asked if the five-year extension pertains only to the contract as written or if this would also include the recycling contract. If we extend the contract with ACE and they are not able to go with the proposal, we will go out to bid anyway.

**MOTION:** Thomas Whitchurch moved that we send the Solid Waste Contract out to bid and not extend the contracts with Ace. Kent Hastings seconded. Ayes: Kimberly Bryant, Kent Hastings and Thomas Whitchurch. Nays: 2. Jim Tracy and Tracy Wallace voted nay. Motion passed.

**VII. REPORTS.** There were no reports

**VIII. COMMUNICATION**

**MAYOR HUNT WILLOUGHBY –**

1. Raced and reported on the Frozen Hog Race which was held on February 2, 2008. There was a great turnout and Daryl Devey was the overall winner.
2. The State of Utah sponsored a luncheon at the Salt Palace and Mayor Willoughby along with Janis Williams attended. The luncheon honored families from all walks of life living in the State. Mayor Willoughby had nominated Lynn and Linda Higgins representing a military family and they were honored.
3. Gave Chief Botkin kudos for helping a 17-year old teenage girl (Mayor Willoughby's daughter) who was stuck.

**KIMBERLY BRYANT –** Asked why the trees in Legacy Park were cut down. It was noted they were old, diseased and falling over; however, about three years ago new ones were planted.

**JIM TRACY –**

1. Felt there was room for improvement concerning the web site and would like to put out a letter to our citizens for suggestions to see what they would like or if they are content. Thomas Whitchurch suggested that we talk to

other companies and possibly go back to our former provider and then spread out the maintenance between staff personnel. Kent Hastings made suggestions as to what he would like to see. April Riley said that input had been asked for and none had been received. Ms. Riley said that in order to do what is asked here, we have to hire a professional. Jim Tracy suggested that we talk and get suggestions from citizens.

2. Pedestrian safety – On West Canyon Crest Road there is a bridge where the snow has not been plowed. Students are required to walk in the street and there is no escape for the children because of the cement barrier.

3. Westfield Road was such a high priority and expanded to provide a safe walking route for the children to walk to school. Not one home on that road has shoveled the snow.

**TRACY WALLACE** – Asked Chief Botkin if it was possible to set up officers at intersections where residents run stop signs.

**THOMAS WHITCHURCH** – Said he was excited to be on the Solid Waste District Boards.

**SHANE SORENSEN** –

1. Said some new street lights on Main Street are working. Each light has its own sensor and the company worked on the lights on Friday.

2. The pay phone over in Legacy Park is going to be removed.

**DAVID CHURCH** – Said this is the first meeting he has been in where there are no developers present.

**IX. EXECUTIVE SESSION** to discuss Litigation, Property Acquisition and Personnel. There was no Executive Session. An Executive Session was not held.

**X. APPROVAL OF MINUTES**

City Council Meeting of January 29, 2008

**MOTION:** Kent Hastings moved to approve the minutes of the City Council Meeting of January 29, 2008 and adjourn. Kimberly Bryant seconded. Ayes: Kimberly Bryant, Kent Hastings, Jim Tracy, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

The meeting adjourned at 9:20 pm.