

## **February 24, 2004**

Minutes of the Public Hearing and City Council Meeting held on Tuesday, February 24, 2004 at 7:00 pm at Alpine City Hall, 20 North Main, Alpine, Utah as follows:

The following members were present and constituted a quorum:

Mayor Pro-Tempore Hunt Willoughby

Council Members: Kimberly Bryant, Kent Hastings, Hata Puriri, and Thomas Whitchurch

Staff: Ted Stillman, Janis H. Williams, Jed Muhlestein, Rachel McTeer, Annette Scott, Charmayne Warnock and Jay Healey

Others: Jannicke Brewer, Dale Porter, Clair Bigler, *New Utah*, Terry Brown, Loretta Stevens, Mark Grant, Richard James, Janey James, Mary Anne Herbst, Jeanne Anderson, Carly Echols, Roger Whitby, Greg Paul, Adele Leavitt, David Lynton, David Fotheringham, Dan VanWoerkom, Michael Porter, Adam Long, Logan Bench, Danny Brown, Jim Tracy, Annette Derrick, Sandra McCoy, Christian Peper, Javen Wood, Kevin Jacobson, Jacob Covey, Chris Dayley, Jamie Johnson, Ashley James, Mary Ann Jenkins, Joei Thomson, Dominic Bria, David Hannemann, Melody Flygare, Grant Flygare, Michael Engberson, Chad Hunter, Kevin Cospser, Sandy Powell, Moana burgess, Richard Warde, Tara Goodrich, Will Goodrich, Stan Larrabee, Deborah Dowd, Sue Stratford, Mary Lou Layton, Ra Puriri, Amy Hartvigsen, Darren Hartvigsen, Carle Davis, Scott Summers, Cody Jones, Spencer Cannon, S. Leonard Hannemann, Landon D. Hannemann, Lisa Hannemann and Austin J. Hannemann

**7:00 pm - PUBLIC HEARING - For the purpose of receiving public comment regarding the Master Trail Plan.** Hunt Willoughby, Mayor Pro-Tempore, welcomed everyone in attendance and called the Public Hearing to order at 7:00 pm. Mayor Pro-Tempore Willoughby immediately started the City Council meeting prior to beginning the Public Hearing to wait for Jannicke Brewer, Chairman of the Planning Commission and Craig Skidmore, Trails Committee Chairman, to arrive. Craig Skidmore went over the process for developing the Trail Master Plan Process as follows:

- **Process for Updating the Trails Master Plan**
  - Trails Committee makes a proposal to Planning Commission after
    - Walking the land (Spring, summer and Fall, 2003)
    - Surveying residents (Alpine Days)
  - Planning Commission makes a recommendation to City Council
    - Reviews the proposal (September – November 2003)
    - Holds a public hearing (November 18, 2003)
    - Makes modifications to plan and sends it on to the City Council
  - City Council
    - Holds a public hearing (February 24, 2004)
    - Will discuss elements of the plan and vote on changes to the plan
  
- **This Update covers Additions, Deletions and alignments**
  - Future updates will cover Signage, Safety, Etiquette, Standards

Mark Grant said his property has been dissected three times and there is a trail that surrounds his home; however, Mr. Grant is an advocate of the trail system. Mark Grant felt that the trail system should be established, but is very opposed to the system that is being proposed on private land. One of the trails goes right beside Mr. Grant's deck and one of the trails is a fire break that was constructed after the a fire that almost took his home. Mr. Grant asked if these trails have been engineered and if a surveyor

has been used. Mark Grant further stated that there are no sanitary facilities on these trails and no provisions to protect the residents from civil lawsuits. A solution to this problem was privatization of the trail system. A corporation could be formed which would control sanitation facilities, civil lawsuits, security, lighting, maintenance, etc. and the people who are the trail users would pay a fee.

Tara Goodrich is a horse rider and lives in the Ranches Subdivision and said the trail in that area is all mud and she has chosen to walk her horse on the asphalt.

Greg Paul said the most valuable piece of real estate in New York City is Central Park because open space is scarce. Mr. Paul is a trail user and wanted his family to take advantage of the open space and applauded the efforts that are being made to develop a trail system. Once we lose the open space to developers, we will lose access to the mountains – the reason why we all moved here, Mr. Paul said.

Newell Whitney lives in the Ranches Subdivision said the trail that was proposed at the back of his lot is supposed to go all the way down to Utah Lake and is opposed to that trail. Jannicke Brewer said the trail shown was not correct and is not the one that was recommended by the Planning Commission.

Roger Whitby said there are two trails going through his undeveloped property and said he has an aversion to trails in the central part of the city and felt trails should be on the outskirts of town. In the central part of the city there should be sidewalks. Mr. Whitby made several suggestions pertaining to the trails on his property and felt the trail that goes through the Deerfield Subdivision should be deleted.

Annette Derrick lives on Ranch Circle and said she bought the property because it was private and secluded and felt the property values would go down if the additional trail were put there. There are a lot of wild animals there and Mrs. Derrick asked why would want a trail there to take children to the elementary and Junior High School.

Sue Stratford, PTA President of Westfield Elementary School, stated that she is for the bridge across Dry Creek, which would allow the children on 800 South to get to school but is opposed to the parking lot and the trailhead at the end of Ranches Drive. Mrs. Stratford voiced her concern about the trail that goes north on Ranches Drive with sanitation, etc. and informed the council that once these trails are constructed that possibly the children would lose the opportunity to ride a school bus as they would have a safe way to walk to school. Sue Stratford felt the Trails Committee should give out maps and information to residents in the areas where trails would go.

Amy Hartvigsen said there were a couple of issues she had and felt that if the trail over the aqueduct is widened it would invite teenagers to ride their 4-wheelers. Residents on adjacent lots could maintain the trail if they are asphalted; however, if there is a gravel trail there will be no maintenance by the city.

Sandy Powell lives on Ranch Drive and voiced her concerns about safety. The paved trails have been efficient and asked why the city wanted to expand the trail width. Mrs. Powell has noticed many horses on the pavement and the soft trail that is being proposed would go closer to the houses. Sandy Powell is also against the parking lot that is hidden by the trees. Mrs. Powell was also concerned that sidewalk on Long Drive is being considered for widening and doesn't understand the need for this. Sandy Powell turned over a petition that other residents in the area have signed who don't want this sidewalk widened.

Doug Vance lives off of 200 North and said that he had asked that the trail on his property be taken off the trail map. Originally the trail was along Dry Creek and now it has

been moved over to the west. Craig Skidmore explained that this was an important corridor for the children to get to school and the trail would match up with the one already established. Mr. Vance asked that the trail on his property be permanently taken off the map as he would never develop his property and added that the adjacent property owner did not want the trail at the rear of his property either.

Richard James noted that the residents in the Ranches Subdivision were concerned about the additional trail that is being proposed. Mr. James showed some slides of horses that have used the trail and tracked mud on driveways and said this situation would not be any different in the spring and summer. Mr. James said that the developer, Park Roney proposed to the city that they maintain the trail and this proposal was declined. This trail is the widest in the city and he bought his land because of the trail as he thought it was great. Mr. James summarized his remarks as follows:

1. Another trail is unsafe
2. Destroys landscaping
3. Poor use of taxpayers money
4. Additional trail will benefit very few if any
5. No demand for additional trail by the residents in the area
6. Homeowners rely on city to keep them informed

Charmayne Warnock said she has lived in Alpine for 24 years and was frustrated about the lack of trail access for residents on 800 South. She and others had been working for years to get legal access to the trail system but continued to be blocked. She said she had wanted a second trail along Ranches Drive for equestrians because she felt that it was safer to separate the horses from the children. But if the residents on Ranches Drive said they wanted horses to use the asphalt trail rather than creating a second trail, she was okay with that. She asked the council to make a motion stating that the paved trail was also for equestrian use so that years down the road the people did not come back and say they didn't want horses on the trail. Charmayne Warnock said she agreed with the residents on Ranch Drive that a parking area in the gully could be an invitation to problems.

Janey James said that Ranch Drive is a very busy street and is not good for horses. There are buses and cars going too fast. Mrs. James said that Ranches Drive has changed from the old days when there was a dirt trail and a big open field. Janey James suggested that the money be put in constructing a sidewalk by the Bangarter property.

Hunt Willoughby said the council should now have a good feel for what is wanted on Ranch Drive and unless someone has a new comment, Mayor Pro-Tempore Willoughby asked for the Public Hearing to move on.

Lisa Hanneman expressed her general overall concern about the planning and approval process as plans come to the City Council for adoption.

Stan Larraby said he runs on the trails in the summer and winter and said it is safer to run on a wide trail rather than on the road. Mr. Larraby appreciated the foresight the Trails Committee and Planning Commission have had in developing a trail system.

Loretta Stevens addressed the residents in the Ranches Subdivision and said she thought she was doing something good when she made the motion in the Planning Commission for the additional trail and that she thought this is what was wanted. Mrs. Stevens asked why some resident's desire to have the trail removed on their property was honored and then why a request by another resident is not honored. Loretta Stevens felt that there should be more signage on the trails and that they be maintained.

Ra Puriri said he is a horse lover, but doesn't appreciate the mess horses leave in the middle of his driveway.

Moana Burgess, PTA President of Timberline Middle School, said she was against the trail that goes through the Vance property as most of the students come from the east side of town. Mrs. Burgess noted that there is no sidewalk on 200 North for the children to walk on.

Chad Hunter said he is a mountain bike trail user and lives in Highland and is mainly concerned about the public land and wilderness areas that borders Alpine. Mr. Hunter urged the Council to keep some access to these areas open for the responsible trail users and said his group would work with Craig Skidmore to maintain these trails, if needed.

Michael Porter said he appreciated what Craig Skidmore and the Trails Committee have done for the city and wanted the council to keep to the commitment to develop these trails. Mr. Porter felt the reason the trail from 200 North down to the school is not used was because there is no sidewalk on that road, but knew that this project is in the works.

The Public Hearing adjourned at 9:07 pm.

**CITY COUNCIL MEETING** – Immediately following the Public Hearing.

I. **CALL TO ORDER.** Hunt Willoughby, Mayor Pro-Tempore, called the City Council to order and excused Mayor Phil Barker who was out of town. Councilman Willoughby recognized Carly Echols, who is the Youth City Council Mayor.

II. **PRAYER** - Hata Puriri

III. **PLEDGE OF ALLEGIANCE.** Scouts from Troop 1113 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.

Mary Ann Herbst, Director of the Alpine Jr. Miss, introduced Jenny Ballard, Charmayne Stucki and Karen Hughes who are getting ready to go to the State competition. Mayor Pro-Tempore Willoughby and Councilman Whitchurch presented the representatives with a rose. Joey Thompson was introduced as the director for 2004.

Carl Danis who lives on 200 East was concerned about the cougar tracks he has seen in his back yard. Mr. Danis said that possibly this cougar is living in the cemetery and he hoped the city would do something to trap the cat before a person was attacked. Mr. Danis said dogs have been attacked that have sustained deep wounds and a deer was killed at the north end of the cemetery. Cougars have a chirping noise and attacks happen during the day. Carl Danis has contacted the police department and they felt the Wildlife Preserve Department was not doing enough to trap the cougar and Mr. Danis has set up a web site to alert residents of the danger. Carl Danis' phone number is 756-9613 and Kimberly Bryant suggested that the PTA Presidents be contacted.

Christen Pepper said he would like to hear an update on the Skateboard Park. Hunt Willoughby said this has been tabled for the time being and the council is looking for

an acceptable location and is getting bids on the equipment.

Lisa Hanneman lives in the Ranches Subdivision and said that pipe bombs have been put in mailboxes. Mrs. Hanneman asked the council to investigate this.

Hunt Willoughby said the County has asked him to be on the Committee to see whether we should divide the Alpine School District.

**V. CONSENT CALENDAR –**

Bond Releases –

Grant Gifford – PHEASANT RIDGE SUBDIVISION - \$20,044.80

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

**VI. SCHEDULED ITEMS**

**A. LIBRARY UPDATE.** David Adams introduced Joel Kester and Brent Israelsen, other library committee members, and brought the council up to date on the concept plan for the library. Mr. Adams said the committee has settled on a location for the building, which will be by the Alpine Art Center. The committee is committed to raise the funds to purchase the building and land and then the books. The committee wants this to be a gift to the citizens of Alpine. Brent Israelsen said that with the 501C Corporation in place and they are now going into a strong fund raising mode and Mr. Israelsen explained the different groups contributors would be placed in depending on the amount of their donation. Joel Kester said the annual operation of the library needed to be discussed with the city along with Highland and Cedar Hills to determine how much each city is comfortable in providing so the committee can set and present their budget. The Library Committee's efforts for the next six months will be raising money. Thomas Whitchurch asked what the city can do to support the efforts and Brent Israelsen said it is important that the city write letters in support of donors and under the State Laws there is a Charter that needs to come from the city. Hata Puriri is the City Council representative to the library committee.

**B. MASTER TRAIL PLAN.** Ted Stillman said the Trail Committee has been working diligently on updating the Master Trail Plan. The Planning Commission held a Public Hearing on November 18, 2003 and discussed it further at three subsequent meetings. At their meeting of January 20, 2004 the Planning Commission recommended the Master Trail Plan to the City Council. A Public Hearing was held earlier in the evening and can be adopted with any changes the council would like to make. Hunt Willoughby said there was significant discussion to not adopt the trail plan tonight and felt that Mayor Barker should be involved. Hunt Willoughby had some questions about the second trail proposed in the Ranches Subdivision. Richard James said that at the Planning Commission Public Hearing the second trail was not proposed and the residents did not make a presentation because the trail was not there. It was after that Public Hearing the second trail was added. Thomas Whitchurch explained his position as he attended both the Public Hearing and Planning Commission meetings.

Hata Puriri said he has been concerned about trails and read a statement, which is attached to the minutes.

Thomas Whitchurch said he appreciated Councilman Puriri's opinion and explained that

the Master Trail Plan is only a guide for a developer or a property owner. The Master Trail Plan will only serve as a guide for future Planning Commissioners and Councilmen. Whitchurch and Puriri exchanged their viewpoints. Kimberly Bryant asked if there was an ordinance in place that stated, "a trail will not be constructed until the land is sold or developed." Jannicke Brewer indicated that David Church said the city has the right to put lines on a map and that is only what they are, lines on a map. Loretta Stevens said that what bothers her is that she would like to determine what could be done on her property rather than having the city telling her what she can do because of lines drawn on a map. Craig Skidmore said that Loretta Stevens would get compensated one way or the other. Both Craig Skidmore and David Fotheringham explained why it is important to have these trails on the map. Recently a developer developed some property in the County adjacent to Alpine and did not construct a trail so an historical trail has not been connected. Kimberly Bryant said that property owners have a fear and do not want the trails shown on the Master Trail Plan as going through their property. Hunt Willoughby said that when he moved here there was an alley by his house and now there is a street there. This was all developed with the ordinances that were in place at the time and Hunt Willoughby felt that we needed to have a Master Trail Plan to allow for future planning.

Thomas Whitchurch recommended that the trail along Ranch Drive be made a single trail and that the council also look at the trail behind the lots in the Ranches Subdivision. Craig Skidmore said that Mountainland Association of Governments have a map showing the trail going from Main Street in Alpine all the way down to Utah Lake and this trail is not just an Alpine thing but also a multi-regional thing. Jannicke Brewer explained that some of the trails are for safety reasons so the Forest Service can access the mountains in case of fire to protect homes. Kent Hastings asked about the 800 South trail and Craig Skidmore felt the trail for children and horses should be two different trails and further stated the trails do not favor the joggers. Ted Stillman said the city had the option in 1999 to purchase some property behind the lots on Ranch Drive and at that time Highland had a subdivision that did not continue the trail; however, this has now changed because of the County Map, which now continues this trail.

The following trails were discussed:

Grant property – show on the map a correct alignment and show Dr. Grant the new alignment.

Ranch Drive – That we remove the second trail.

800 South – extend the trail down Alpine Highway to 800 South

Whitby property – Hunt Willoughby explained that we need to make a global plan rather than taking into consideration personalities and certain property owners. If the red-line trail stays along the road or future road Roger Whitby and Loretta Stevens said they would be O.K. with that alignment if the blue-line trail be taken off.

Vance property – Hunt said that if we keep the red-line alignment on the Whitby property, then it would be poor planning to get rid of the blue-line trail alignment. Hata Puriri disagreed. Kent Hastings felt we should not over plan with multiple trails and was leaning to deleting this trail. Jannicke Brewer said that most of the trails are there to make it safer for the children to get to school. Thomas Whitchurch felt it is a mistake not to have a Master Plan to follow as property is developed or changes ownership.

Hunt Willoughby said he did want to vote without a clear map and felt that property owners should be contacted. Ted Stillman was asked to put this on a future agenda.

### **C. RIVER MEADOWS ASSISTED LIVING EXCEPTIONS AND**

**PRELIMINARY REVIEW.** Ted Stillman said the Planning Commission approved the River Meadows Assisted Living Plat at their meeting of February 17, 2004 and recommended two exceptions that had been recommended to them by the Gateway-Historic Architectural Review Board as follows:

1. That an exception be granted to allow the Assisted Living Center to be set back 20' from the front property line
2. That an exception be granted to allow parking in the 30' setback area

The Gateway-Historic Architectural Review Board also recommended that Red Pine Drive be extended to the eastern property line of the Patterson property. Dan VanWoerkom showed a color rendering of the proposed development.

**MOTION:** Hata Puriri moved to grant an exception to the River Meadows Assisted Living project as follows:

1. To allow the Assisted Living Center be set back 20' from the front property line
2. To allow parking in the 30' front setback area

Thomas Whitchurch seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**D. LONG DRIVE SUBDIVISION TRAIL.** Ted Stillman said the Long Drive Subdivision has a trail running along the rear of the lots along Fort Creek. A portion of the alignment goes near oak brush and a portion is close to the stream bank. The developer would like to install a gravel trail south of the bridge, which would preserve the oak brush and would also like to adjust several lot lines to improve the trail alignment. The Planning Commission at their meeting of February 17, 2004 reviewed the proposal and recommended that the Long Drive Subdivision trail south of the bridge be gravel. Jannicke Brewer explained the need to adjust some lot lines to facilitate the trail alignment.

**MOTION:** Thomas Whitchurch moved to approve that road base be on the trail along Ft. Creek south of the bridge in the Long Drive Subdivision. Kimberly Bryant seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**MOTION:** Thomas Whitchurch moved to extend the meeting to 11:30 pm. Hata Puriri seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**E. MOON SUBDIVISION EXCEPTIONS.** Jed Muhlestein showed the proposed 2-lot Moon Subdivision, which is located at the end of Village Way. Ted Stillman said the Development Review Committee reviewed the proposed subdivision, which has centerline radii that is less than the minimum centerline radius requirement of 150 feet. The Development Review Committee's recommendation is based on the following:

1. The 450 South street extension cannot be designed to meet city standards and fit within the deeded right-of-way. The developer for the proposed alignment of the street is providing additional right-of-way.
2. There are two existing rights-of-way that need to be connected. The proximity of the two connecting points does not allow for centerline

radii of 150' to be incorporated into the design. Centerline radii of approximately 77' have been provided for the two horizontal curves on 450 South. The proposed alignment provides a sufficient horizontal alignment under the existing circumstances and anticipated traffic volumes.

The Planning Commission reviewed this subdivision at their meeting of February 17, 2004 and recommended approval of the exception for the 77' radii at centerline for the two horizontal curves.

**MOTION:** Kimberly Bryant moved to grant the exception for the 77-foot radii at centerline for the two horizontal curves in the 2-lot Moon Subdivision. Kent Hastings seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**F. MASTER PARK PLAN.** The Master Park Plan and Park Capital Facilities Plan was discussed and forms the basis for Park Impact Fees. The Planning Commission held a Public Hearing on the Master Park Plan on February 17, 2004 and recommended the Master Park Plan to the City Council. Ted Stillman said the next step would be for the City Council to hold a Public Hearing on the Master Park Plan. Kent Hastings said he would like to see what the Master Park Plan was and what is now being proposed.

**MOTION:** Thomas Whitchurch moved to set a Public Hearing on March 23, 2004 on the Master Park Plan. Hata Puriri seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**G. UTAH COUNTY 911 AGREEMENT.** Ted Stillman said that a portion of the tax on telephones goes to support the 911 system. The tax is transmitted electronically to the cities that then must pass it on to Utah County who administers the 911 system. This agreement allows the State to send the money directly to the County. Sgt. Cannon from the County Sheriff's office explained why the collection of these fees was changed and said it is being proposed that the calls be increased to \$.65 per phone. Thomas Whitchurch noted the proposed contract states that we would pay \$.53 under the 10-year contract and asked if we would have the option of paying the decreased amount and Sgt. Cannon said that we would pay based on the contract.

**MOTION:** Kent Hastings moved to approve the 911 Agreement with Utah County and authorize the Mayor to sign the agreement. Thomas Whitchurch seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**H. FINANCIAL REPORT/PROJECT SCHEDULE.** Ted Stillman suggested the council review the financial report and said the fiscal year is seven months over and we are in excellent condition.

**I. WILLOW CANYON DEBRIS BASIN – NOTICE OF INTENT TO FORM A SPECIAL IMPROVEMENT DISTRICT.** Ted Stillman said that Joel Kester has been working with Neff Engineering on the design of the Willow and Preston Canyon debris basins. The design is complete and it has received approval from the State of Utah Dam Safety Dept. The cost estimate for construction is \$400,000 and the estimate for engineering is \$24,000 with a \$26,000 contingency. The city has committed \$250,000

toward the project, which will leave \$150,000 to be financed by the Special Improvement District.

**MOTION:** Thomas Whitchurch moved to approve the Notice of Intent to create the Willow Canyon Special Improvement District and authorize the bidding of the construction of the Willow Canyon debris basins. Kent Hastings seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

## **VII. COMMUNICATION**

Hunt Willoughby asked about the engineering on Westfield Road and the Downtown Improvement Project and Ted Stillman said this is being engineered right now.

Kimberly Bryant – Dimitri's Pizzeria asked about the Sign Ordinance and their A-frame sign that was asked to be removed. It was discussed about allowing the A-frame to remain during the Grand Opening clause; however Rachel McTeer said she would work with the owners and suggested they get a banner to attach to the building, which would conform to the ordinance.

Kent Hastings – would like to advertise Family Focus Days again in next month's Newslite.

Thomas Whitchurch – Youth Council actively involved in their upcoming Food Drive on Saturday, February 28, 2004 and will be here at City Hall for collections. The Youth Council is looking for other ideas to discuss.

Hata Puriri thanked the city crew for their quick response in fixing a road hazard in the roundabout.

**VIII. EXECUTIVE SESSION** – Litigation, Property Acquisition and Personnel. There was no Executive Session as the Mayor was out of town.

## **IX. APPROVAL OF MINUTES:**

City Council Meeting of February 10, 2004

**MOTION:** Kent Hastings moved to approve the minutes of the City Council Meeting of February 10, 2004 and adjourn. Kimberly Bryant seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

The meeting adjourned at 11:24 pm.