

MARCH 8, 2005

Minutes of the City Council Meeting held on Tuesday, March 8, 2005 at 7:00 pm at Alpine City Hall, 20 North Main, Alpine, Utah 84004.

The following members were present and constituted a quorum:

Mayor Philip D. Barker

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

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

Others: Jannicke Brewer, Dale Porter, Craig Skidmore, Evertt Williams, *New Utah*, Jim Tracy, Tracy Wallace, Bill Funke, Becky Myers, Ethel Funke, Sue Bromley, Chris Culver, Stacey Summers, Staci Cummings, Linsay Ernst, Bradley Hawkes, Trent Hawkes, Andy Turner, Bryson Moeller, Erik Heras, Bruce Hanks, Darin Edwards, Brenda Edwards, Chynna and Todd, Zack Seipert, Katie Stirland, Brandt Saxey, Robert Nave, Robert Edwards, Jen Edwards, Art Billings, Tyler Christensen, Laura Snyder, Ula B. Hemingway, Bob Hemingway, Edward Howell, Sarah Brimhall, Nancy Brimhall, Lee Ann Gray, Robbie Burgess, Linda Edwards, Shad Edwards, Donald Liechtt and Andrew Eagen

I. CALL TO ORDER. Mayor Phil Barker called the meeting to order at 7:00 pm and welcomed those in attendance.

II. PRAYER/ OPENING COMMENTS – Thomas Whitchurch

III. PLEDGE OF ALLEGIANCE. Trent Hawkes from Troop 1088 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.

Joel Thompson, advisor to the Alpine Jr. Miss, announced the kickoff event which will be held at Lone Peak High School. Mrs. Thompson introduced Katie Stirland who won the interview portion of the competition last year. Both Katie Stirland and Julia Thompson told the council members about their experiences and how valuable the program is and how it has helped to give them confidence and shape their character.

V. CONSENT CALENDAR –

Bond Release:

Rob Clauson – ALPINE COMMONS – \$16,500.00

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

VI. SCHEDULED ITEMS

A. WELL SITE LANDSCAPING AND ALLEGHENY TRAIL. Ted Stillman said a number of residents have petitioned to do away with the trail behind the houses on Allegheny Way because it is unsightly, unused and is not maintained. In 1999 the City Council voted to keep the trail because the residents did not want a sidewalk in the front of their houses. Mr. Stillman said that five of the eight residents do not want a sidewalk because of their landscaping and three residents want the sidewalk. Possible solutions were discussed as follows:

1. Pave the trail to eliminate the maintenance problem and not place a sidewalk in front of the lots. There is a sidewalk on the north side of Allegheny Way.
2. Abandon the trail easement and build a sidewalk in front of the Allegheny lots.
3. Abandon the trail easement and not build a sidewalk in front of the Allegheny lots (there is

an existing sidewalk on the north side of Allegheny Way.

Ted Stillman also said that residents have asked that the Carlisle Well site be landscaped. A landscaping plan was proposed and discussed. The Public Works Dept. would install the sprinkling system and plant grass and trees. The paving would be contracted. Shane Sorensen said we should be able to start on the landscaping soon especially if the weather stays nice. Kent Hastings said he would like to see landscaping on all of the well sites and does not want to see the landscaping done piecemealed. Councilman Hastings felt that we might spend all of the appropriated money on this well-site landscaping when landscaping on all of the well sites should be put on a schedule and done according to the schedule. Ted Stillman said this particular well-site was the only one that was going to have sod and was big enough to have a playground constructed and this particular well-site is now bothering the neighbors. Thomas Whitchurch said the issue was that dump trucks have been dumping cement on this lot and it has become quite unsightly. Hunt Willoughby said that he lives across the street from a pump-house site and when the weeds get too long and it becomes unsightly he goes over and mows them down.

MOTION: Thomas Whitchurch moved that we go ahead and landscape the Carlisle Well house, authorize staff to spend up to \$15,000 and proceed as soon as possible, bring back plans for the landscaping of the other well-house sites and that these be brought back at the next City Council Meeting. Kimberly Bryant seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

Mayor Phil Barker said that at the last meeting the trail easement was discussed as it hasn't been maintained very well or taken care of. Thomas Whitchurch said that if we did a curb, gutter and sidewalk then we would have to move nine trees, some bushes and sprinklers; however, if we moved the sidewalk back and put in a park strip, then we would only have to move six small trees. Councilman Whitchurch said that with the development of Alpine Commons and in the future this road will go down to Alpine Highway and become quite busy. Thomas Whitchurch was concerned that there was no sidewalk on the south side of Allegheny Way and felt that in ten years this will be a real safety issue. Kimberly Bryant was concerned about the money quoting a value on the established landscaping. Becky Meyers, who lives on Allegheny Way said her home was the one with all the landscaping and said she went down to Utah County and found out the easement is a Public Utility Easement, and said the City did not own that easement. Shane Sorensen explained that the City does own 54', with the measurement starting 10' behind the curb going across the street to 10' behind the other curb. The Public Utility Easement is not included in this measurement and is behind the 54'. Mayor Barker said he was on the council six years ago and this issue was a problem then. The decision made by the council at the time did not clear this up.

Mayor Barker asked for comments about the trail. Hata Puriri said he has never felt comfortable having a trail going behind resident's homes. Stacey Summers indicated they would keep the corner part of their back yard open to allow for foot traffic so the kids can get to the proposed elementary school and they would even maintain it. Jannicke Brewer said this portion of the trail is designated as part of the Bonneville Shoreline Trail and is on the Master Trail Plan. According to the ordinance there would have to be a Public Hearing before removing this trail. Bill Funke said he has quite a bit of cement in the front of his home and was concerned about having any of his driveway torn up.

MOTION: Thomas Whitchurch moved to instruct the Planning Commission to give the City Council a recommendation about abandoning the trail behind the homes on Allegheny Way. Councilman Whitchurch withdrew his motion.

MOTION: Thomas Whitchurch moved to set a Public Hearing for April 26, 2005 and instruct the Planning Commission to consider the abandonment of the trail on Allegheny Way. Hata Puriri seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

Construction of the sidewalk and the cost was discussed. Hunt Willoughby said he was not a big sidewalk fan and felt the City should not change. Kimberly Bryant said she doesn't see this becoming a road with a lot of traffic other than traffic generated from the subdivision and asked if we couldn't put in a designated crosswalk. Hunt Willoughby asked if we could put in a solid white line 3' from the curb for bicycle riders. Brenda Edwards lives farther east on Allegheny Way and said she has a sidewalk in front of her home. Her children would have to cross the street five times to get to the new park whereas if there was a sidewalk then

they could walk straight down the street. Steve Curtis concurred with Brenda Edwards and felt the best decision was made several years ago with the knowledge they had at the time, but now with the development of the subdivision and the new subdivision this has changed. Julie Petit felt the City Council could find the funds to construct the sidewalk as this has become a safety issue. Sue Bromley said not every house has children and suggested that the council take the money and put in a small park at the pump house site. It was noted that this has caused quite a bit of contention in the neighborhood. Mayor Barker said City Staff and Council have learned quite a bit about trails from decisions made in the past. Brenda Edwards said the older residents do have teenage children that drive fast on Allegheny Way. There are 24 children that live on that side of the road. Hata Puriri addressed the residents by relating experiences he has had with the downtown improvement project and said the safety of the children is the bigger issue. Robert Nave observed the speed on Allegheny Way and asked if the Police couldn't increase their patrol on this street. Mr. Nave said that not only do the teenagers speed, but so do the cement trucks and complemented Councilman Puriri on his remarks. Hata Puriri said that he now has 450' of sidewalk and planter strips to maintain and take care of because of the downtown improvement project. Kent Hastings said he was concerned because we have limited money to build sidewalks in the city and felt there were more dangerous areas and said he would like to see a priority list to see if this sidewalk is on that list.

MOTION: Hata Puriri moved that the city put in a sidewalk on Allegheny Way in the amount of \$27,000 and instruct staff to decide where a planter strip is needed. Thomas Whitchurch seconded. Ayes: Hata Puriri and Thomas Whitchurch. Nays: Kimberly Bryant, Kent Hastings and Hunt Willoughby voted nay. Motion failed.

Kimberly Bryant said she cannot vote positively on this tonight without knowing if we have taken into consideration the value of landscaping and the removal of the cement. Shane Sorensen said the cost of the downtown area was a hard one to average because city staff did some of the work. Mr. Sorensen said we would have to look at the trees and there could be no guarantee the trees would survive. There are only eight homes affected and we would have to deal with their landscaping. David Church made a statement and gave his opinion saying the city does own 10' behind the curb and if we wanted to we could install the sidewalk. Thomas Whitchurch suggested the city put in the sidewalk and make the landscaping go up to the sidewalk, if there is a berm with landscaping this would be moved. Mr. Whitchurch said he wasn't in favor of reimbursing residents but felt this could make it right. Mayor Barker suggested that we leave the landscaping so it is finished. Kimberly said she needed some more time before she would be ready to vote.

MOTION: Thomas Whitchurch moved that we construct a 4' sidewalk and instruct staff to come back with hard numbers for landscaping. Hata Puriri seconded. Ayes: Hata Puriri and Thomas Whitchurch. Nays: 3. Kimberly Bryant, Hunt Willoughby and Kent Hastings voted nay. Motion failed.

B. PRO COMMITTEE. Mayor Phil Barker said the City Council passed an ordinance creating a Parks, Recreation and Open Space (PRO) Committee and proposed the following names to serve on this committee:

Chairman	David Fotheringham
Members	Larry Brown
	Evertt Williams
	April Cooper
	Lincoln Watkins

Mayor Barker explained the duties of the PRO Committee and said they would have monthly meetings. It would be up to the PRO Committee to see if they wanted to have a separate Rodeo Committee.

MOTION: Hunt Willoughby moved to appoint the members of the PRO Committee as follows:

Chairman	David Fotheringham
Members	Larry Brown
	Evertt Williams
	April Cooper
	Lincoln Watkins

Based on the Mayor's recommendation. Kent Hastings seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

C. CEMETERY COMMISSION. Mayor Phil Barker said the City Council previously created the Cemetery Commission and proposed the following names to serve on this commission:

Chairperson	Ula Hemingway
Members	Catherine Walker
	Carla Wheadon
	Caroldean Neves
	Della Don Janjua

Ula Hemingway said she has some concerns about what is going on in the cemetery and Kimberly Bryant said she would like to also be an advisor to this commission. Kent Hastings will be the City Council advisor.

MOTION: Kent Hastings moved to approve the Mayor's recommendations and appoint the members of the Cemetery Commission as follows:

Chairperson	Ula Hemingway
Members	Catherine Walker
	Carla Wheadon
	Caroldean Neves
	Della Don Janjua

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

D. PERSONNEL RULE CHANGES. Ted Stillman said the City's current Personnel Rules allow for the City to reimburse employees for stays in motels while at conferences, etc, but does not allow for reimbursement for the employee if he (or she) chooses to stay at another location such as a campground, parents' home, etc. The State of Utah has a policy of paying \$20.00 per night if an employee chooses to stay somewhere other than a motel. Thomas Whitchurch asked if we have adopted other personnel rules and felt this was more of an administrative issue and should not be placed before the council. Mayor Barker felt he didn't want to put the City Administrator in that position. David Church said this was a decision that needed to be made by the council and maybe the current Policy and Procedure Manual needed to be looked at and updated.

MOTION: Hunt Willoughby moved to adopt Resolution No. R2005-04, A Resolution amending Personnel Policies and Procedures for the Employees and Officers of Alpine City Corporation to allow for a reimbursement of \$20.00 per night if they choose to stay somewhere else other than a motel. Thomas Whitchurch seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

E. SIGNS – ALPINE PLAYHOUSE AND ARTS COUNCIL. Rachel McTeer said the Alpine Playhouse is requesting an exception for their signs for twelve (12) months, 30 to 31 days a month, and would like their three locations to be Westfield Road, Canyon Crest and Ridge Drive and Legacy Park. Alpine Community Theater is requesting a sign extension for seventeen (17) days, from March 8 to March 25 for the "On Broadway" Gala. The ordinance allowing temporary signs reads as follows:

3.25.12.2: Temporary community signs shall require a permit as outlined in Section 3.25.3. Temporary signs advertising community events through the use of banners, A-frames, or other means that are not in conflict with this ordinance may be erected for a maximum of ten (10) days, no more than once a month, and no more than 6 times a year. Such signs shall be in accordance with the following: size – see section 3.25.4.1: Location – maximum of three (3) off-site sign locations and to be placed on approved city-owned land. Alpine City Council may approve an exception of time, size, and location.

Thomas Whitchurch said he has an issue with the fact that we have a sign ordinance and not one of the signs have changed. Also, Mr. Whitchurch continued, when the Playhouse came before the Planning Commission it was presented to be a 9-month season and now it is a full 12-month season. David Church

said that what the council would create if they allowed community signs, they would have to allow all signs to be put up. The city can control time, place and manner, but not content. Shane Sorensen said that now we are mowing lawns, the signs are creating a problem as they have to be moved. Robert Brown felt the Playhouse has complied with the Sign Ordinance, but felt the A-frame signs were unsightly. These signs have now been replaced with signs that are more professional looking. Mr. Brown said the Playhouse is just looking for some support from the community and asked the council to give feedback as to what they did not like about the signs. Thomas Whitchurch said it was the look of the signs and Mayor Barker said he was concerned about the number in one location. Ula Hemingway asked what had happened with plans for an electric marquee that had been discussed earlier. Thomas Whitchurch said the Youth Council has discussed this as the Highland Youth Council did fund raising to pay for the sign there. Thomas Whitchurch felt the Playhouse is requesting a permanent off-site location and said that when we start advertising for Alpine Days there will be some conflict. Chris Culver said she was not comfortable with the number of signs that are in the park now and said they are polluting the park.

MOTION: Kent Hastings moved to grant an exception for two months to the Alpine Playhouse and the Arts Council. Hunt Willoughby seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

F. HIGHLAND CITY REQUEST FOR EMERGENCY WATER SERVICE.

Ted Stillman said that Highland City has approved a subdivision called View Pointe, which is located south of Smooth Canyon and is requesting that Alpine City provide emergency water to the subdivision. A draft Agreement with Highland City and the Highland Water Company was discussed along with a payment of \$200,000 to Alpine City for allowing the use of the water. Mr. Stillman said the Highland Water Company is sticking with their offer of \$150,000 for the use of the water as \$200,000 is their break even amount. Mayor Barker asked if we have a definition of emergency included in the agreement and Ted Stillman said this was defined as for fire need or for pump failure. David Church said that as he understands it this is for a theoretical fire flow. Hunt Willoughby asked for clarification on several items and suggested that several items be changed in the agreement to make it clearer. The amendments suggested were as follows:

Change the amount under item F to \$175,000.

Add L - Prior to entering this agreement reimbursement issues for irrigation water provided to Highland City by Alpine City shall be resolved to Alpine City's satisfaction

MOTION: Hunt Willoughby moved to approve the Interlocal Agreement with Highland City regarding emergency water service from Alpine City to serve the View Point Subdivision as amended as follows:

Change the amount under item F to \$175,000.

Add L - Prior to entering this agreement reimbursement issues for irrigation water provided to Highland City by Alpine City shall be resolved to Alpine City's satisfaction. Kimberly Bryant seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

G. MAIN STREET LIGHTING AND BRIDGE.

Shane Sorensen said the City applied for a Transportation Enhancement Grant for construction of the Main Street Bridge and the Street Lighting. Mr. Sorensen said we did not receive the grant so we must do the project ourselves. We have \$90,000 in the 2004-2005 budget for the project and there is a possibility that we may receive another \$20,000 from the State of Utah to go towards the street lights. There might be \$110,000 available for the project. Shane Sorensen said we would like to bid the Main Street Bridge first and that will tell us how much money we will have available for the Street Lights.

MOTION: Hunt Willoughby moved to authorize bidding of the Main Street Bridge project. Thomas Whitchurch seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

H. CITY HALL OUTDOOR RESTROOMS.

Ted Stillman said that Ula Hemingway has asked that outdoor restrooms be constructed on the City Park grounds for use by the Daughters of Utah Pioneers and other individuals who use the park facilities including participants at Alpine Days and by

joggers, etc. Mr. Stillman said the estimated cost of the restrooms is \$46,000 and the design and bid documents would cost \$3,000; however, there is \$28,000 in the budget for the project. Thomas Whitchurch suggested that we add a stall to each bathroom and add another drinking fountain and this would satisfy Utah County Health Department when we have Alpine Days. Hata Puriri asked if we couldn't install a high/low drinking fountain. It was noted that John Vincent designed the outdoor restroom facility as he had designed the remodel of City Hall.

MOTION: Thomas Whitchurch moved that we spend \$3,000 on the design of the downtown restrooms. Hata Puriri seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

VII. COMMUNICATION

Kimberly Bryant asked David Church if the Legislature passed any laws pertaining to pocket bikes. David Church they didn't act on this, but the city could pass an ordinance outlawing them. Hunt Willoughby felt this was a parent's job to restrict them, not the city's job. Mayor Barker asked Ted Stillman to get a copy of the City Ordinance and State Law concerning pocket bikes and bring this back to the Council for their review.

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

MOTION: Hunt Willoughby moved to go to Executive Session for the purpose of discussing land acquisition. Thomas Whitchurch seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

IX. APPROVAL OF MINUTES:

City Council Meeting of February 22, 2005

MOTION: Hunt Willoughby moved to go back to Open Session, approve the minutes of the City Council Meeting of February 22, 2005 as amended 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 9:55 pm.