

March 27, 2007

Minutes of the City Council Meeting held on Tuesday, March 27, 2007 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, Hata Puriri (arrived later in the meeting), Tracy Wallace and Thomas Whitchurch

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

Others: Jannicke Brewer, Craig Skidmore, Roger Whitby, Will S. Jones, Ula B. Hemingway, Robert Hemingway, Austin Hansen, Alex Hansen, Travis Hawkins, Trevor Hawkins, Caroldean Neves, Curtis Fillmore, Kyle Neill, Kimball Henneman, Robert Eklof, Jeff Brodie and Troop 1150

I. CALL TO ORDER. Mayor Hunt Willoughby called the City Council Meeting to order at 7:00 pm and welcomed those in attendance.

II. PRAYER/OPENING COMMENTS – Kent Hastings

III. PLEDGE OF ALLEGIANCE. Austin Hansen 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.

Alex Hansen, Austin Hansen, Travis Hawkins and Trevor Hawkins presented their Eagle Scout projects. They are 4 separate projects, but connected. They are planning on putting some ground cover to prevent divots between the Pony League diamond and the other fields. It was noted that the Baseball League would be paying for the material.

Rio Branaham completed his Eagle Project by building two signs in Lambert Park and reported this to the Council.

Kent Hastings asked if we have a list of Eagle projects to give out to the Eagle Scouts. Mayor Willoughby said that he gets several calls every week pertaining to this. Ula Hemingway felt it would be helpful to have a list as she has several Scouts looking for projects.

V. CONSENT CALENDAR

Business License:

LaMar Drew – LA MAR'S ELECTRICAL; 277 South 600 East

Randall Warner – WARNER MARKETING; 655 East 100 South

Randall B. Funk – R. B. FUNK CONSULTING; 435 East 426 North

MOTION: Kent Hastings moved to approve the Consent Calendar. Kimberly Bryant seconded. Ayes: Kimberly Bryant, Kent Hastings, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

VI. ACTION ITEMS

A. Cemetery Recommendations –

1. Cemetery Commission appointments – Ted Stillman said that Ula

Hemingway, Catherine Walker and Caroldean Neves's terms on the Cemetery Commission expire April 26, 2007; however, they are all willing to continue to serve on the Commission.

MOTION: Kent Hastings moved to reappoint Ula Hemingway, Caroldean Neves and Catherine Walker to the Cemetery Commission. Thomas Whitchurch seconded. Ayes: Kimberly Bryant, Kent Hastings, Tracy

Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

Hata Puriri arrived at 7:15 pm.

2. Moving Statue – Ted Stillman said the Cemetery Commission recommended that the statue that is located at the top of the Cemetery be moved down to the area where the infant section will be located. Thomas Whitchurch asked if the cost of lots for infants was the same as the other lots and Ted Stillman said that some cities do not charge for infants.

MOTION: Kimberly Bryant moved that the statue located at the top of the Cemetery be moved to the new infant section of the Cemetery. Kent Hastings seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

3. Re-purchasing lots – Ted Stillman said there are about 3500 developed lots in the Cemetery of which 1200 are used. Many families own 10, 20 or even 30 lots that will never be used. The Cemetery Commission has recommended that the City purchase some of these lots if people are willing to sell them. The City would then resell the lots which in the long run will provide more needed Cemetery space. The city would repurchase some of these lots at the current going price of \$800.00 per lot. Tracy Wallace asked how many lots we have that are over 70 years old and Ted Stillman indicated there are not too many. We would have to advertise this in the newspaper and wait to see if the owners respond. If not, we could reclaim them and then resell them.

MOTION: Kent Hastings moved to authorize the repurchase of Cemetery lots. Kimberly Bryant seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

B. CANYON CREST ESTATES – PRELIMINARY REVIEW & FINAL APPROVAL.

Ted Stillman said that the proposed Canyon Crest Estates Subdivision consists of 6 lots on 6.84 acres. The lots range in size from 40,019 to 49,216 square feet. The development is located east of Canyon Crest Road and south of Healey Blvd. There is an existing home on the property that will be removed. The proposed development is in the CR-40,000 zone. Mr. Stillman said an exception for the length of the cul-de-sac has been approved by the City Council.

Ted Stillman said the Planning Commission approved Preliminary and Final approvals with the following motion:

“Jason Thelin moved to grant preliminary approval and recommend final approval to Canyon Crest Estates subject to the following conditions:

1. The fire chief approves the location of the fire hydrants.
2. A letter of approval be provided from the Lehi Irrigation Company for the ditch piping design.
3. The City’s water policy be met.
4. A 5-foot trail easement be granted to the City along the south side of lot 6.
5. A UPDES permit be obtained prior to construction.
6. The minor redlines be corrected on the construction drawings.
7. The develop construct a pre-cast concrete fence or vinyl fence with cement pillars along Healey Blvd. and Canyon Crest
8. A bond be provided for 120% of the cost of improvements.

Jannicke Brewer seconded. Ayes: 6. Nays: 0. Motion passed unanimously.”

Shane Sorensen indicated the developer asked if they could pay money in place of providing water and stated the value of one Primary Share of water was approximately \$5,000. Mr. Sorensen said our ordinance specified the value of water was based on market value.

Brooks Casper complimented the Planning Commission and said they have been very helpful in helping them as developers.

MOTION: Tracy Wallace moved to grant Final Approval to the proposed Canyon Crest Estates based on the Planning Commission’s recommendation and that the City accept cash in lieu of the required water based on

market value and subject to the following:

1. The Fire Chief approve the location of the fire hydrants
2. A letter of approval be provided from Lehi Irrigation Company for the ditch piping design
3. The City's water policy be met
4. A 5-foot trail easement be granted to the City along the south side of lot 6
5. A UPDES permit be obtained prior to construction
6. The developer construct a pre-cast concrete fence or vinyl fence with cement pillars along Healey Blvd. and Canyon Crest Roads
7. A bond be provided for 120% of the cost of the improvements

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

C. WHITBY WOODLANDS:

PLAT D – FINAL APPROVAL. Ted Stillman said the proposed plat D is located west of Whitby Woodlands Plat C and is in the CR-20,000 zone. The plat consists of 5 lots on 3.6839 acres, including 0.8983 acres of open space which is about 24.4% of the total area of this plat. Overall for the development, there is over 26% of area being dedicated to open space. Lot sizes range from 14,161 to 18,455 sq. ft. The Planning Commission granted Final Approval at their meeting on March 20, 2007 with the following motion:

"Jannicke Brewer moved recommend final approval to Whitby Woodlands, Plat D subject to the following conditions:

1. The City and developer enter into a development agreement indicating that this plat cannot be recorded until an agreement has been reached with the property owner adjacent to the cul-de-sac to allow the cul-de-sac to be constructed as planned, or an alternate street design be provided that will allow the cul-de-sac to be constructed entirely on the Whitby property
2. Flared end sections be provided on the pipe at the crossing on Westfield Ditch.
3. The redlines on the plat and construction drawings be corrected.
4. A bond be provided for the required improvements.
5. The water policy be met for the development.
6. A UPDES permit be obtained prior to construction.

Steve McArthur seconded. Ayes: 4 Nays: 2. Motion passed. Steve McArthur, Jannicke Brewer, Jim Tracy, Kevin Cospers voted aye. Jason Thelin and Lincoln Watkins voted nay. They disagreed with the designation of the open space as private open space. "

Tracy Wallace said he was against private open space and felt that when the adjacent property came in for future development there might be public open space adjacent to the private open space in this development. Shane Sorensen said the adjacent property was flat in that location and would be lots. Tracy Wallace said since this development has gone through the Planning Commission and the process for development that is the only reason to accept the private open space.

MOTION: Kent Hastings moved to grant final approval to Whitby Woodlands, Plat D based on the Planning Commission's recommendation and subject to the following:

1. The City and developer enter into a development agreement indicating that this plat cannot be recorded until an agreement has been reached with the property owner adjacent to the cul-de-sac to allow the cul-de-sac to be constructed as planned, or an alternate street design be provided that will allow the cul-de-sac to be constructed entirely on the Whitby property
2. Flared end sections be provided on the pipe at the crossing on Westfield Ditch.
3. The redlines on the plat and construction drawings be corrected.
4. A bond be provided for the required improvements.
5. The water policy be met for the development.
6. A UPDES permit be obtained prior to construction.

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

PLAT F – FINAL APPROVAL – Ted Stillman said the proposed plat F of Whitby Woodlands is located at the intersection of 200 North, 400 West and Westfield Roads and is in the CR-20,000 zone. The plat consists of 15 lots on 10.79 acres, including 2.84 acres of private open space which is about 26.3% of the total area of this plat. Overall in the entire development there is over 26% of the area that is being dedicated to open space. Lot sizes range from 15,619 to 24,789 sq. ft. on this plat. The Planning Commission granted Final Approval to Whitby Woodlands, Plat F at their meeting on March 20, 2007 with the following motion:

“Steve McArthur moved to recommend final approval on Whitby Woodlands, Plat F subject the following conditions.

1. The redlines on the final plat and the construction drawings be addressed.
2. A bond be provided for the required improvements.
3. The water policy be met for the development.
4. There be a sidewalk around the southwest corner of lot 1.

Jannicke Brewer seconded. Ayes: 4 Nays: 2. Motion passed. Steve McArthur, Jannicke Brewer, Jim Tracy, Kevin Cosper voted aye. Jason Thelin and Lincoln Watkins voted nay. They disagreed with the designation of the open space as private open space.”

Shane Sorensen said if a sidewalk was installed on this plat, it would require extensive grading and then retaining walls and Kent Hastings asked if we couldn't have the developer put a sidewalk somewhere else in the city. Kent Hastings asked if the proposed private open space couldn't be public open space and Tracy Wallace said this parcel was difficult to access to get to the top of the hill without going through residential lots. Roger Whitby said the reason they didn't want that property to be public open space was to keep people from accessing the top of the hill and being able to look in the residential backyards. Tracy Wallace had questions with that parcel being public open space. Thomas Whitchurch said when this came to the City Council earlier for review, we instructed the Planning Commission that this be handled as private open space. Jannicke Brewer said there were no trails going either north, south, east or west that would connect to a trail on that parcel.

MOTION: Kent Hastings moved to grant Final Approval to Whitby Woodlands, Plat F based on the Planning Commission's recommendation and subject to the following:

1. The redlines on the final plat and the construction drawings be addressed.
2. A bond be provided for the required improvements.
3. The water policy be met for the development.
4. There be a sidewalk around the southwest corner of lot 1 to the handicap ramp going to the crosswalk

Add: 5. That we designate parcel 101F as public open space

Tracy Wallace seconded. Ayes: Kent Hastings. Nays: 4. Kimberly Bryant, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Motion failed.

MOTION: Tracy Wallace moved to grant Final Approval to Whitby Woodlands, Plat F based on the Planning Commission's recommendation and subject to the following:

1. The redlines on the final plat and the construction drawings be addressed.
2. A bond be provided for the required improvements.
3. The water policy be met for the development.
4. There be a sidewalk around the southwest corner of lot 1 to the handicap ramp going to the crosswalk

Kimberly Bryant seconded. Ayes: Kimberly Bryant, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 1. Kent Hastings voted nay. Motion passed.

PLAT G – FINAL APPROVAL – Ted Stillman said the proposed plat G of Whitby Woodlands is located at the intersection of 200 North and Deerfield Drive and is in the CR-20,000 zone. The plat consists of 3 lots on 1.7339 acres, including 0.0301 acres of private open space along Fort Creek, which is about 17% of the total area of this plat. Other plats that have been recorded or approved meet or exceed the 15% open space requirement. Overall, there is more that 26% of the area that is being

dedicated to open space. Lot sizes range from 20,340 to 21,420 sq. ft. The Planning Commission recommended Final Approval at their meeting on March 20, 2007 with the following motion:

“Jannicke Brewer moved to recommend final approval to Whitby Woodlands, Plat G subject to the following conditions:

1. A bond be provided for the required improvements.
2. The water policy be met for the development.
3. The sidewalk be a combination sidewalk.

Jason Thelin seconded. Ayes: 5 Nays: 1. Motion passed. Steve McArthur, Jannicke Brewer, Jim Tracy, Kevin Cosper and Jason Thelin voted aye. Lincoln Watkins voted nay. Jason Thelin said the open space in Plat G made more sense as private open space.”

MOTION: Hata Puriri moved to grant Final Approval to Whitby Woodlands, Plat G per the Planning Commission’s recommendation and subject to the following:

1. A bond be provided for the required improvements.
2. The water policy be met for the development.
3. The sidewalk be a combination sidewalk as necessary to protect the existing trees

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

D. WHITBY WOODLANDS RIGHT-OF-WAY AGREEMENT. Ted Stillman said that in order to complete the reconstruction of Westfield Road a right-of-way needs to be secured from Roger Whitby. In addition, Mr. Whitby has agreed to pay the City \$103,000 for his share of the improvements on Westfield Road. In addition, Mr. Whitby would like the Agreement to memorialize the previous approvals for the Whitby Woodlands Subdivision.

MOTION: Kent Hastings moved to approve the Right-Of-Way Agreement for Whitby Woodlands Subdivision. Kimberly Bryant seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

E. BOARD OF ADJUSTMENT APPOINTMENT. Mayor Hunt Willoughby said the Board of Adjustment is a 5-member body (with two alternates) that hears appeals for exceptions to the Zoning Ordinance. They meet on an as-needed basis. Mayor Hunt Willoughby said that Regina Andrus has left the country to serve a mission with her husband and Bill Conley was recently appointed as an alternate member to the Board of Adjustment. Mayor Willoughby proposed that Bill Conley be appointed as a regular member to the Board of Adjustment. Mayor Willoughby said he was informed tonight there was another pending resignation so the council would be dealing with several more names to serve as alternates.

MOTION: Thomas Whitchurch moved that Bill Conley be appointed to serve on the Board of Adjustment. Hata Puriri seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

F. RODEO GROUND ELECTRICAL COSTS. Ted Stillman said that at the City Council Meeting of February 27 the lighting of the Rodeo Grounds was discussed. City Staff was asked to prepare cost estimates to bring power to the Rodeo Grounds. Shane Sorensen contacted Rocky Mountain Power for an estimate on the cost to run power from Grove Drive to the Rodeo Grounds. Ted Stillman said their recommendation to the PRO Committee would be for them to give a recommendation to the Planning Commission for their next meeting.

G. RECREATION FACILITY USE AGREEMENTS. Ted Stillman said that in the past the City has allowed sports groups to use City facilities without the benefit of an agreement that outlines who is responsible for what. In the past two weeks we have sent draft agreements to baseball, football, rugby, soccer and lacrosse. Mr. Stillman said the baseball agreement is probably the one closest to completion. Ted Stillman said the Baseball League is struggling with the \$20.00 per field per day. Thomas Whitchurch asked if the \$20.00 per field per day covers our cost and Ted Stillman said that other cities are charging \$50.00 per field per day. Thomas Whitchurch asked about the audit being supplied to “anyone” and was concerned who anyone was. Ted Stillman said that anyone is the public or the newspaper or whoever wanted the information.

Scheduling the fields was discussed and David Church indicated he was concerned about the various sporting groups not scheduling the field but playing on them. It was noted the soccer groups were the biggest offenders.

H. SCADIA SYSTEM. Shane Sorensen said we have obtained a quote from APCO, Inc, who maintains our SCADIA system for all of our water and sewer facilities, to equip the 300 East Well and the Lambert Park Pressurized Irrigation Filter Building with SCADIA equipment and to program our SCADIA computer for these facilities. On all of the facilities that we have constructed for the last ten years or so, we have had the engineer designing the facility provide a point of connection for the SCADIA outputs and then have contracted with our SCADIA maintenance company to provide and install the SCADIA equipment. By doing this, we have been able to standardize our equipment and have been able to borrow parts from a less used site in the event of an equipment failure until the failed equipment can be repaired or replaced. Shane Sorensen said the SCADIA system is invaluable for monitoring the water systems and allowing the systems to be operated smoothly.

The quote from APCO, Inc, to equip the two sites is \$19,577. The 300 East Well is less expensive than the filter building due to the well previously being equipped allowing us to salvage some equipment.

MOTION: Kimberly Bryant moved to approve the contract with APCO, Inc. in the amount of \$19,577 to equip the 300 East Well and the Lambert Park Filter Building with SCADIA equipment. Tracy Wallace seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

I. ORDINANCE NO. 2007-03 – BUILDING CODE ADOPTION. Ted Stillman said the City has been operating under the 2003 edition of the International Building Code. The Code has been updated and the changes. One of the major changes in the Code is that it allows for red tagging (stopping work) for construction that is violating City Ordinances. This includes the Clean Streets Ordinance.

MOTION: Hata Puriri moved to adopt Ordinance No. 2007-03, An Ordinance adopting the 2006 Edition of the International Building Code and the 2005 Edition of the Electrical Code. Kent Hastings seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

J. 2007-2008 TENTATIVE BUDGET.

Ted Stillman introduced the new tentative budget and told the council they will adopt the budget in June. The schedule for adopting the budget is as follows:

March 27, 2007	Presentation of Tentative 2007-2008 Budget to the City Council
April 10, 2007	City Council Work Session on the Tentative Budget
April 24, 2007	City Council Work Session on the Tentative Budget
May 8, 2007	City Council adoption of the Tentative Budget
May 25, 2007	City Council Public Hearing on the Tentatively adopted Budget
June 12, 2007	Adoption of the Final Budget

VII. REPORTS - FINANCIAL REPORT. Ted Stillman went over the Financial Report outlining how revenues are doing and also listing the Fund Balances as follows:

Property Tax—Is up \$182,908 over the same time last year. This reflects the reassessment of Alpine as well as the decision to leave the Tax Rate the same.

Sales Tax—Is up \$175,067,433 over the same time last year. This reflects Utah's strong economy.

Franchise Fees—Are behind last year by \$55,513. 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 slightly because of slow residential development. In 2006, 48 building permits were issued for new homes where we would normally have 80 building permits for new homes.

Building Permits—Also continue to lag because a slow down in residential permits.

VIII. COMMUNICATION

Future Business – There was none discussed.

Kimberly Bryant – Thanked Shane Sorensen for getting the lights on the bridge. Shane Sorensen explained about putting Christmas lights on the bridges and said we could be in to paying for meter bases. Mr. Sorensen recommended that we leave the plugs and if we decide to put the meters in at a later date, the plugs would be there.

Thomas Whitchurch –

1. The PRO Committee Meeting on Thursday night will be an interesting one. They will be discussing the Rodeo Grounds Master Plan and residents who want to change the designation for the Smooth Canyon and Healey Parks will also be in attendance.
2. We should recognize our Youth Council Members.

Kent Hastings –

1. Commented on the park improvements and noticed that more people use the parks.
2. Asked when we will know the Public Safety Budget.

Hata Puriri - Asked if the restrooms in the parks are now working and Ron Devey said the one in Smooth Canyon does not have electricity yet. The one in Legacy Park is up and running.

Tracy Wallace – The theme for Alpine Days is “PROUD TO BE AN AMERICAN IN ALPINE.”

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

MOTION: Kent Hastings moved to go to Executive Session to discuss litigation and property acquisition. Tracy Wallace seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

X. APPROVAL OF MINUTES

City Council Meeting of March 13, 2007

MOTION: Kent Hastings moved to go back to Open Session, approve the minutes of the City Council Meeting of March 13, 2007 as amended and adjourn. Kimberly Bryant seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

The meeting adjourned at 9:15 pm.