

**March 28, 2006**

Minutes of the Work Session and City Council Meeting held on Tuesday, March 28, 2006 at Alpine City Hall, 20 North Main, Alpine, Utah 84004 as follows:

The following members were present and constituted a quorum:

Mayor Hunt Willoughby

City Council Members: Kimberly Bryant, Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch  
Staff: Ted Stillman, Janis H. Williams, Shane Sorensen, Annette Scott, Jay Healey, Ron Devey and David Church

Others: Jannicke Brewer, Jim Tracy, Bill Devey, Blaine Hudson, Downing Aiken, Kay Van Buren, Janice Ann Brown, Ross Welch, Mark Walker Smith, James Utley, Wade Glathon, Gayle Coverston, Ra Puriri, Stan Adams, Dale Porter, Bonna Hanson, Kent Hanson, Lori Robinson, Clayton Morgan, Dave Hogue, Gary Webb, Allan Hastings and Kip Botkin, *Police Chief*

**WORK SESSION - 6:00 pm on Parliamentary Procedure.** Mayor Hunt Willoughby called the Work Session to order at 6:00 pm and introduced Janet Geyser who conducted the Work Shop on Parliamentary Procedures.

The work session adjourned at 6:58 pm.

**CITY COUNCIL MEETING** – Immediately following the Work Session.

- 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.** Allan Hastings 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.

David Hogue, a Representative in the House for the past 10 years, introduced himself as a candidate running for Senate District #11, in which Alpine belongs.

Kimberly Bryant read a letter addressed to the Mayor, City Council, Planning Commission members, Shane Sorensen, Jay Healey and the staff written by Keith Wilson, a resident of Alpine who lives on 100 South expressing his appreciation for the service rendered regarding the proposed Mountainville Academy. Mr. Wilson's letter stated "Thank you for reminding us that Alpine still is and will continue to be a respected place to live" and "thank you for your courage to serve, especially when these critical matters are shadowed with serious debate."

**V. CONSENT CALENDAR**

Payment Requests:

Highland City for \$15,014.00 – Canyon Crest Widening final payment

Ted Stillman said that five years ago Alpine participated with Highland and Cedar Hills in the widening and paving of Canyon Crest Road. A Federal Grant was received for the project, which was administered by UDOT, with Highland City being the fiscal agent for the project and handling the payment of bills. Mr. Stillman said that UDOT has finally audited the project and is closing it out and the final bill has been sent to Highland City. Alpine's share is \$15,014. We are being assessed \$15,014, Highland \$1,327 and Cedar Hills \$3,546. Highland City originally paid for the whole amount with the Canyon Crest widening project

originally costing over \$2,000,000.

**MOTION:** Tracy Wallace moved to authorize the final payment on the Canyon Crest widening project not to exceed \$15,014.00. Thomas Whitchurch seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

**VI. REPORTS/INFORMATION – FINANCIAL REPORT.** Ted Stillman reviewed the Financial Report through February 2006, which reflected revenues and expenditures for eight months of the fiscal year as follows:

ACTUAL REVENUES

Sales Tax – is up \$72,782 over the same time last year. This figure represents Utah's strong economy.

Motor Vehicle Tax – Continues to lag behind last year.

Franchise Fees – Are up \$99,613 over the same period last year. The reduction in the Telecommunications Tax from 4.0% to 2.1% will take place on April 1, 2006. After this date we should see a reduction in the amount that we are receiving in Telecommunications Franchise Fees. In addition the Legislature has passed a law limiting the growth in energy franchise fees to 10% a year.

Plan Check Fees – Are down \$23,552 from the same period last year. This reflects having less large building projects such as the assisted living center and a church.

Building Permits – Are down \$26,567 from the same period last year.

Class C Road Funds – Are down \$12,928 from the same period last year. The State is taking back funds that they overpaid in 2003-2004.

Ted Stillman reviewed all of the various accounts with the council.

**VII. ACTION ITEMS**

**A. HUNTERS RIDGE SUBDIVISION.** Gary Webb asked that this be dealt with later in the meeting as he was waiting for his engineers.

**B. SHEPHERD MINOR SUBDIVISION.** Ted Stillman said the Shepherd Minor Subdivision is located on 100 West between Center Street and 100 North; however, the lot only has 76-feet of frontage on 100 West rather than the 90-feet of frontage required. The Board of Adjustment at their meeting of February 9, 2006 granted a variance of 14 feet on the width of the lot and the Planning Commission recommended approval of the subdivision at their meeting of March 21, 2006 with the following motion:

“Jim Tracy moved to approve the Shepherd Minor Subdivision subject to the following conditions:

1. New water and sewer services be provided for lot 2
2. The City's water policy be met
3. A bond be provided for the required improvements
4. The redlines on the plat be corrected

Steve McArthur seconded. Ayes: 5 Nays: 0. Motion passed”

Kent Hastings asked if our City Attorney was present at the Board of Adjustment meetings and Ted Stillman said he was in attendance at an earlier meeting for training purposes. Hata Puriri asked if we would get to see the house that is planning on being built to see if it meets the set backs so the new owners don't come back to ask for a variance. Ted Stillman said that plans would be looked at during the building permit stage. Thomas Whitchurch asked if we needed to worry about a Boundary Line agreement with the neighbors as the lot is so narrow.

**MOTION:** Kimberly Bryant moved that Final Approval be granted on the Shepherd Minor Subdivision subject to the following:

1. That new water and sewer services be provided for lot 2
2. That the City's water policy be met
3. That a bond be provided for the required improvements
4. That the redlines on the plat be corrected
5. That the Boundary Line adjustment be made as well.

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

**C. MOUNTAINVILLE ACADEMY CHARTER SCHOOL.** Mayor Hunt Willoughby said the Mountainville Academy is a charter school that plans on building their facility on the Dave Taylor property at 300 East and 100 South. This is the same property that the Taylor Meadows Subdivision is located on. Under State Law charter schools are permitted uses in any zone. The State Law governing charter school was then discussed. Stan Adams, who lives at 182 South 400 East, wrote a letter outlining comments that he made to the City Council on March 14 regarding the location of the proposed charter school. Ted Stillman said that at the Planning Commission meeting of March 21, 2006 the traffic study for the Mountainville Academy was discussed and a large number of citizens were in attendance. The Planning Commission discussed whether or not the charter school had coordinated with the City on alternative sites and the Planning Commission passed a motion tabling the Site Plan to obtain a legal opinion as to whether or not the State Law had been met regarding coordination of siting the school was property done. Mayor Hunt Willoughby said that if our attorney, David Church, determined that the charter school has complied with the law, a public hearing would be held.

Thomas Whitchurch declared a perceived Conflict of Interest as the Council dealt with this issue as his wife is the founder of Mountainville Academy.

David Church said that no matter what process the City runs them through they will still build the school. Mr. Church said he didn't think this was the intent of this charter school to keep the City uninformed; however, if they had told us it was their intent to buy that property they should have coordinated the siting of the school with the City. Mr. Church's opinion in the end was that if the charter school people want to push this through, the Planning Commission will have to approve their site plan and hold a public hearing. Kimberly Bryant said the Renaissance School and other charter schools have not had the same challenge as the Mountainville Academy has had and felt it was because this school coordinated with the city it is located in. David Church said the location of the charter school could be coordinated with the Planning Commission members and further stated that when Ted Stillman was first approached by the charter school people Mr. Stillman thought it would be a conditional use and we would have to turn them down. Mr. Church told Ted Stillman that charter schools were a permitted use in all zones. The Mountainville Academy people thought they didn't have to go to the Planning Commission and they were told in the DRC meeting this would not be easy and it would take time to get approvals.

Tracy Wallace's suggested that the charter school people meet with city staff and get some of the issues taken care of first prior to them going to the Planning Commission. Tracy Wallace said that Lincoln Watkin's contention was that the charter school people have not followed the letter of the law and if we asked them to do this it would only set them back a couple of weeks. Lincoln Watkins' motion in the Planning Commission was as follows:

"Lincoln Watkins moved to table the Mountainville Academy site plan until the school complied with the Utah Municipal Code which required coordinating the location of the site with the municipality pursuant to David Church's agreement. If David Church determined that the charter school had complied with the law, a public hearing would be held on April 4, 2006. The coordination should include a comparison with other lots in Alpine and other parts of north Utah County. Jim Tracy seconded. Ayes: 4 Nays: 1. Jannicke Brewer voted nay. Motion passed."

Thomas Whitchurch said that he saw where the law states "the charter school people or their representatives we considered the applicant" and David Church agreed. David Church stated that applicants for anything have the right to receive a decision in a timely fashion and this is the reason that cities are getting

kicked around in the legislature by the development community. Mayor Willoughby said it looks like we have been notified of this and Ted Stillman explained that the Planning Commission still has to approve the site plan. If the Planning Commission denies the site plan for the charter school, then the City Council will have to deal with it. Jannicke Brewer asked if the charter school is a permitted use then on what grounds can approval be denied. David Church said that a site plan is different than the use. Kimberly Bryant asked if it was fair for the developer to come in to ask for approvals when they don't know about the traffic concerns and how can we avoid this in the future.

**MOTION:** Tracy Wallace moved that based on David Church's opinion that the definition of a Charter School may include the charter school, their representative, or the charter school developer and that the charter school under this definition did coordinate with the City to give proper notification of their intent to build and that we go ahead and set a Public Hearing for April 4, 2006. Hata Puriri seconded. Ayes: Tracy Wallace Nays: Hata Puriri, Kent Hastings and Kimberly Bryant voted nay. Thomas Whitchurch abstained for obvious reasons. Motion failed.

David Church said that when this issue was presented in the legislature it was hoped the charter school people would come to the cities involved and talk to the Planning Commissions to look at various locations. The law was written for the School Districts and then charter school tagged on. Mr. Church said there are no ramifications if the charter school people do not coordinate with the city. Thomas Whitchurch said the land is being purchased by the charter school and not the city.

Thomas Whitchurch reread Lincoln Watkins' motion and was confused with the wording. David Church said he felt the charter school people did not coordinate with the city and there are no ramifications for the lack of coordination. Hata Puriri agreed with David Church and asked that this be sent back to the Planning Commission. Mayor Willoughby felt that if we move to set a Public Hearing this would give the Planning Commission the chance to approve the site plan and take comment from the public. Again, Hata Puriri said it was his opinion that the charter school people did not coordinate with the City. Thomas Whitchurch asked what the process was when the charter school people came to the DRC meeting. Ted Stillman said if we don't make a motion to go forward, then it is tabled. David Church said that if the Planning Commission thinks this is a bad site and are not going to approve this site plan, then do this quick as he doesn't think the charter school people are going to come up with another site. Kimberly Bryant asked if we want to say to the charter school people to bring in another site for consideration. David Church assumed that everyone knows how the Council feels about this issue, or are we going to do what the legislature has told us to do, but again he said he doesn't think the charter school people coordinate with the city their intentions. Mr. Church felt we should set the public hearing and move forward.

Kent Hastings felt we could work on other options. Hata Puriri said it was his intention that the Planning Commission hold the Public Hearing and this item be brought back to the City Council for us to make a decision.

**MOTION:** Hata Puriri moved to recommend this be sent to the Planning Commission and set a Public Hearing for April 4, 2006 with the comments from legal counsel that the intent to coordinate with the city was not met; however, but that they hold a public hearing to go through the process. Thomas Whitchurch seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

Mayor Willoughby said we haven't yet coordinated with a school in our town for an exact location to hold this Public Hearing, but suggested that everyone watch the City's web page which is [www.alpinecity.org](http://www.alpinecity.org) for this to be advertised. It will be held at 7:00 next Tuesday, April 4, 2006.

**D. MARK WALKER SMITH SITE PLAN.** Ted Stillman said that Mark Walker Smith would like to open his photography studio in the old building on South Main Street where Authentique was located (next to Spazazz). The Planning Commission approved the Mark Walker Smith Site Plan at their meeting of March 21, 2006 with the following motion:

"Jim Tracy moved to approve the Mark Walker Smith Photography Site Plan at 242 South Main with the condition that the parking lot be lit, paved and striped with 4 parking stalls, and the storm drainage be contained on site. Steve McArthur seconded. Ayes: 5 Nays: 0. Motion passed."

**MOTION:** Kimberly Bryant moved to approve the Mark Walker Smith Photography Site Plan at 242 South Main subject to:

1. Provide 4 parking spaces
2. Provide parking lot lighting
3. That the storm drain be contained on site.

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

#### **E. HERITAGE HILLS – ANNEXATION and SUBDIVISION**

1. **PLAT A AMENDMENT**
2. **ORDINANCE NO. 2006-04, HERITAGE HILLS ANNEXATION**

Ted Stillman said that Heritage Hills Plat A received Final Approval on March 22, 2005 and now the developers would like to rearrange the Open Space on Plat A. The Planning Commission recommended approval of the revised plat at their meeting of March 21, 2006. Ted Stillman recommended that we hold off approving the Annexation as there are several items that need to be completed such as obtaining rights-of way for the Church, but that we deal with only approving revised Plat A tonight. Shane Sorensen provided a memo listing items that needed to be dealt with as follows:

1. Construction of the south portion of Elk Ridge Lane be addressed in the development agreement
2. Deeds be provided for right-of-way extensions through future phases of the development
3. Temporary turnaround easements be provided
4. A copy of the UPDES permit be submitted to the City
5. The geologic engineering consultant review the on-site construction
6. The water policy be met for the development
7. Letters be provided from the utility companies stating that they can and will serve the development
8. A construction cost estimate for both on and off-site improvements be provided
9. A determination be made of which trails will be constructed with this phase of the development
10. The redlines be addressed on the plat
11. That we require them to bond for the trail in Plat A and that we put the money in an escrow account.

**MOTION:** Kimberly Bryant moved to approve the revised Plat A of Heritage Hills. Thomas Whitchurch seconded. Kimberly Bryant, Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

**A. HUNTERS RIDGE SUBDIVISION.** Ted Stillman said the Hunter's Ridge (formerly Allison Court) Subdivision is located at approximately 300 North Main and consists of 13 lots. A Public Hearing was held by the Planning Commission on the Subdivision on February 7, 2006 and was granted final approval on March 7, 2006. The Planning Commission recommended Final Approval at their meeting of March 21, 2006 with the following motion:

"Steve McArthur moved to grant final approval to Hunter's Ridge Circle subdivision subject to the following conditions:

1. The City and the developer work out the costs of the storm drain extension
2. A UPDES permit be obtained and provided to the City prior to construction
3. A Boundary line agreement be entered into with the City.

Brian Baxter seconded. Ayes: 5 Nays: 0. Motion passed"

Shane Sorensen said the City has a storm drain going into a retention basin which only serves city property. Mr. Sorensen said there are many overlaps; however, the established boundary lines are the fences. Gary Webb said that Ed Gifford was the surveyor who surveyed the Paskett property and said he would clean up all the boundary line disputes as a service to the city.

**MOTION:** Thomas Whitchurch moved that Hunter's Ridge Subdivision be granted Final Approval subject to the following:

1. That the 2-inch pressurized irrigation lateral be capped at the main line
2. That the City and developer work out the costs for the storm drain extension
3. That a boundary line agreement be entered into with the City
4. That the UPDES permit be obtained and provided to the City prior to construction

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

**F. LUMINARIES AGREEMENT.** Mayor Hunt Willoughby said the City has worked with Joni Wootton for a number of years on the Luminaries project. Five years ago the City signed a 5-year agreement, which expired in the spring of 2005. For the Christmas 2005 season the Luminaries organization used one bay of the City Shops for sale of the luminaries and to provide sand. The city contributed \$30.00 toward the cost of sand and the new agreement continues that arrangement except that the city would pay \$50.00 toward the cost of sand. Ted Stillman said this draft agreement was prepared by Joni Wootton and item #4 was added to allow the luminaries in the Cemetery on the major roads and then up to the top of the hill. Mrs. Wootton stated that she finds it odd that other cemeteries put luminaries in their cemeteries and they are not allowed to. Joni Wootton said that last year the money went to the Chamber Choir and they just got back from New York. She would like to use them again as they were good hard workers.

Jim Tracy suggested we put in the contract the number of days and exactly when they can use the City Shop. Thomas Whitchurch said the Youth Council is looking for a fund raiser and has considered doing luminaries for Halloween. Joni Wootton said she would be happy to coordinate the project with the Youth Council as she has the system down pat. Kent Hastings asked David Church if we enter into an agreement with another agency should we ask for an audit. David Church said we are not giving them a grant, but if we wanted them to open their books to us we could put this in the contract. Tracy Wallace suggested that we ask for a financial report instead of an audit. It was noted that this would clear both the city and Joni Wootton or the Luminaries Committee from any wrong doings. Mayor Willoughby said we will get a final draft of the agreement with the following changes:

1. Fix the typos
2. Under A(iv) remove along major access roads inside the Alpine City Cemetery
3. That we remove, "but not limited to" on I.A
4. That they use only 1 bay in the City Shops
5. That we get a financial report

Mayor Hunt Willoughby asked Ted Stillman to provide a final agreement with the revisions as mentioned above and bring this back in two weeks.

**G. NORTH GROVE SEWER LINE.** Ted Stillman said that Wayne Patterson has asked the City to provide sewer service to the North Grove Drive area aka Pine Grove. In 1996 Mr. Patterson asked the City to sewer the area and drafted an Agreement, which was signed by Mr. Patterson but was never signed by the City. The City currently serves Alpine Cove with sewer so there is a precedent for serving sewer outside the city limits. Currently Mr. Patterson has applied for a zone change in the County. Staff has prepared a draft Agreement for Sewer Service which provides the following:

1. Service to three (3) lots (these lots have been approved by the County)
2. The City would accept for maintenance the trunk line but not the laterals serving the homes
3. The City would not reimburse Mr. Patterson for others who connect to the line

Ted Stillman said he isn't sure we are ready for an agreement yet, but suggested that we wait and have Dan VanWoerkum and David Church sit down and come to an agreement. Mayor Willoughby said the sewer service would only serve the three existing houses that are there now. Hata Puriri said he was concerned that if we put a line up there then Mr. Patterson might ask to extend the service. Thomas Whitchurch asked if there wasn't a motion made earlier to sewer all of the Cove.

David Church said there has been a question pertaining to a reimbursement and doesn't see why Mr. Patterson was asking to be reimbursed for the sewer system within his own development. The city has provided sewer service for others outside our city boundaries, and we need to treat all applications the same. Craig Skidmore said that in the case of Alpine Cove the city receives culinary water used and then they use this information to determine the sewer fees. Other revisions were made to the agreement and it was recommended that Dan Van Woerkum and David Church work together to put this agreement in final form. Mr. Van Woerkum said the language used in their agreement submitted was mostly the same as in the Cove Agreement and the Patterson's want the same treatment. David Church said the city shouldn't make money off these connections. Mr. Church said the County will send other developers who want to develop in that area and the county will approach the city to us and ask us if we have capacity to provide service to the development.

**MOTION:** Thomas Whitchurch moved to authorize the Mayor to sign the Sewer Agreement providing sewer service to the Pine Grove area after review by David Church, Dan Van Woerkum and the City Council. Tracy Wallace seconded. Ayes: Kimberly Bryant, Tracy Wallace and Thomas Whitchurch. Nays: 2. Kent Hastings and Hata Puriri voted nay. Motion passed.

**H. RESOLUTION NO. R2006-01 – CEMETERY RATES.** Ted Stillman said that at the City Council meeting of August 23, 2006 the Cemetery Commission made a report and one of the suggestions was that the cost of Cemetery lots be increased to allow for maintenance and expansion of the cemetery. Resolution No. 2006-01 makes those changes as follows:

		<u>Fee</u>
1.	Aboveground marker or monument fee (upright)	\$ 75.00
2.	Single Burial Lot or Space	
	a. Resident	\$ 800.00
	b. Ex-resident	\$1,000.00
	c. Non-resident	\$1,300.00
3.	Opening and Closing Graves	
	a. Resident	\$ 150.00
	b. Ex-resident	\$ 200.00
	c. Non-Resident	\$ 250.00
	d. Resident Infant (under one year)	\$ 125.00
	e. Non-Resident Infant (under one year)	\$ 175.00
4.	Saturday and Holidays – Opening and Closing Graves	
	a. Resident	\$ 375.00
	b. Ex-Resident	\$ 400.00
	c. Non-Resident	\$ 450.00
	d. Resident Infant (under one year)	\$ 350.00
	e. Non-Resident Infant (under one year)	\$ 400.00
5.	Disinterring Bodies from graves	
	a. City will remove all earth and obstacles from casket leaving casket exposed	
6.	Cremation	
	a. Burial of ashes – Resident	\$ 125.00
	b. Burial of ashes – Ex-resident	\$ 150.00
	c. Burial of ashes – Non-resident	\$ 175.00

**MOTION:** Kent Hastings moved to adopt Resolution No. R2006-01, A Resolution Amending the Cemetery Rates. Hata Puriri seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

**I. ORDINANCE NO. 2006-05 – CITY COUNCIL SALARIES.** Ted Stillman said that Councilman Hastings asked that we have David Church prepare an ordinance addressing a procedure for increasing the salary for City Council members and the Mayor. Thomas Whitchurch said this ordinance would

take out the awkwardness to vote for a salary increase and with each election this could allow for a raise. Tracy Wallace felt this ordinance does not take the compassion out of the public, but takes the outcry out of the public.

**MOTION:** Kent Hastings moved to adopt Ordinance No. 2006-05, An Ordinance Establishing That Any Raise in Salary or Compensation for Members of the Alpine City Council and amended to include Mayor in the title and in the third Whereas paragraph. Kimberly Bryant seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri and Tracy Wallace. Nays: 1. Thomas Whitchurch voted nay. Motion passed.

Kent Hastings asked to be excused and he went home as he wasn't feeling well.

**J. SUNRISE ENGINEERING CONTRACT.** Ted Stillman said the city has had Sunrise Engineering do our Building Inspections for the last five years. The hourly rate for our Building Inspector has been \$43.00 per hour and Sunrise Engineering would like to go to \$56.00 per hour. The rate has not increased for 5 years. Tracy Wallace asked if the Building Inspector is authorized to write citations for code violations. Ted Stillman said we can get hard-nosed if it is wanted; however, we have taken the course of writing letters and stopping inspections. Hata Puriri asked if we see any kind of violation trends and noted that he would like to see some kind of report of violations. Shane Sorensen said that one thing we see is where a contractor drive on the adjoining property and breaks the sidewalk. Sunrise Engineering has been asked to watch for this and could be more aggressive in inspecting this.

**MOTION:** Thomas Whitchurch moved to approve the contract with Sunrise Engineering for Building Inspection Services as presented. Tracy Wallace seconded. Ayes: Kimberly Bryant, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

**K. LAMBERT PARK RESTROOMS.** Ted Stillman said the grant that the city received from Energy Solutions Environmental Foundation included \$25,000 to construct two vault-type restrooms at Lambert Park. One of the restrooms would be near the Rodeo Grounds and the other would be near the bowery with the cost being approximately \$14,000.00 each. Thomas Whitchurch asked if the toilets would be porcelain or stainless steel and Shane Sorensen said there was an option for plastic toilets. Ron Devey said it takes 60 days to just get the bathrooms here.

**MOTION:** Thomas Whitchurch moved to authorize the city to purchase and install vault-type restrooms in Lambert Park at a cost not to exceed \$14,758 each. Tracy Wallace seconded. Ayes: Kimberly Bryant, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

**L. WEED CONTROL CONTRACT.** Shane Sorensen said the city asked for bids for weed control services for the City Parks and the bids were received as follows:

1.	TruGreen ChemLawn	\$3,702.82
2.	Elite Grounds	\$4,740.00

Shane Sorensen said that all of the parks would receive two applications for the year and both firms have completed this type of work for the City in the past.

**MOTION:** Kimberly Bryant moved to award the bid for Park Herbicide Services to TruGreen ChemLawn in the amount of \$3,702.82. Thomas Whitchurch seconded. Ayes: Kimberly Bryant, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

**M. BOOKMOBILE AGREEMENT.** Ted Stillman said the city participates in the Utah County Bookmobile Program at an annual cost of \$13,507.52. This is an increase of \$1,507.52 from what was budgeted this year for the Bookmobile.

**MOTION:** Thomas Whitchurch moved to approve the Bookmobile Agreement. Kimberly Bryant seconded.

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

**N. RESTAURANT TAX,** Ted Stillman said that Utah County collects a Restaurant Tax which they occasionally distribute to cities for recreational facility projects. There is a total of \$150,000 available of which \$5,993.41 has been allocated to Alpine based on population. The deadline for submitting an application for the funds is March 31, 2005. It was suggested we apply for funds for the Legacy Park restrooms and pavilion.

**MOTION:** Kimberly Bryant moved to approve the application to Utah County for \$5,993.41 of Restaurant Tax Funds for the Legacy Park restroom and pavilion project. Tracy Wallace seconded. Ayes: Kimberly Bryant, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

### VIII. COMMUNICATION

**A. Fort Canyon Sewer and Road Rights-of-Way.** Ted Stillman said that Three Falls Subdivision has received Concept Approval and the developer is in the process of preparing the Preliminary Plat. The subdivision will require off-site water and sewer improvements. The city may need to be involved in assisting the developer with the acquisition of right-of-way for the sewer and road. Ted Stillman briefed the council on these rights-of-way issues.

**B. SHOP FURNITURE.** Ted Stillman said the renovation of the City Shop is progressing well. The heating system has been installed and insulation is in and the building has now been painted. The carpet should be in this week. Mr. Stillman said we are obtaining prices on furniture. Hata Puriri said he would like to see other bids; however, he wanted to see the furniture be of good quality.

**MOTION:** Hata Puriri moved to approve up to \$15,000 for the City Shop furniture. Tracy Wallace seconded. Ayes: Kimberly Bryant, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

**Thomas Whitchurch –** Made staff aware that the ADA ramp on the southwest corner of 200 North and Main was lost and the flag socket was filled in. Shane Sorensen said that a new ramp has been constructed and staff will check the flag socket.

**Jannicke Brewer–** Said that last week the Planning Commission was held on the same night as the Caucus meetings and wondered if the city couldn't set a policy to handle this. Mayor Willoughby said that we set the meetings at the first of the year, but with a motion a meeting can be rescheduled. Ted Stillman said we didn't receive the Caucus dates early enough, and there was already a Public Hearing scheduled for the same evening.

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

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

### X. APPROVAL OF MINUTES

Public Hearing and City Council Meeting of March 14, 2006

**MOTION:** Hata Puriri moved to go back to Open Session, approve the Public Hearing and City Council Meeting minutes of March 14, 2006 and adjourn. Tracy Wallace seconded. Ayes: Kimberly Bryant, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

The meeting adjourned at 10:40 pm.