

**April 24, 2007**

Minutes of the Budget Work Session and City Council Meeting held on Tuesday, April 24, 2007 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, David Church, Shane Sorensen, April Riley, Janis H. Williams, Kip Botkin, *Police Chief*, and Jay Healey

Others: Jannicke Brewer, Jacob Montadon, Craig Skidmore, Ula B. Hemingway, Bob Hemingway, Laura Snyder, Chris Culver, Chris Bowerbank, Danny Oaks, Mackay Jones, Matt Gowdy, Scott Carey, Brian Carey, Madison Gardner, Chris Perkins, Shelli McPherson, Curtis Hutchinson, Jaren Devey, Jay Hafen, Taylor Seeley, Austin Arnette, Callin Farrell, Joshua Wright, Luke, Scott Gowdy, Ron Mika, Aaron Hironoka, Monty Montandon, Tyson Clarke, Storry Burnham, Jake Peterson, Susan Montandon Ham, Will S. Jones and Nathan Davis

**BUDGET WORK SESSION – 6:00:** Mayor Hunt Willoughby called the Budget Work Session to order at 6:00 pm. Ted Stillman went over all the items in the new budget.

The Budget Work Session adjourned at 6:59 pm

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

**I. CALL TO ORDER.** Mayor Hunt Willoughby called the City Council meeting to order at 7:04 pm and welcomed those in attendance.

**II. PRAYER/OPENING COMMENTS** – Tracy Wallace

**III. PLEDGE OF ALLEGIANCE.** Jacob Montadon 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.

**V. CONSENT CALENDAR**

Business License:

Dawn Stark – PARTYDOLL BOUTIQUE, 287 N. Pfeifferhorn

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

**VI. ACTION ITEMS**

**A. Ordinance No. 2007-02 – Sign Ordinance.** Ted Stillman said that Timberline Middle School applied for a sign permit to install a reader board on their existing monument sign (the idea was to have a sign similar to what is located at Freedom Elementary in Highland City). The current monument sign at the school does not comply with the City's sign ordinance, but the school has agreed to bring the sign into compliance when they add the reader board.

The Planning Commission has had several discussions regarding these changes and ultimately recommended that no electronic signs be permitted in the City. In addition to this, staff has worked to clarify and organize the ordinance to provide more understanding and consistency. The Planning Commission held a public hearing on January 23, 2007 and made a recommendation to the City Council to adopt the Ordinance as amended.

The City Council has discussed the proposed changes and the most updated draft of all the proposed changes was included in the Council Member's packets. Tracy Wallace suggested that the placement of signs on a residential mailbox be limited to the side and not be allowed on the top of the mailbox and wanted this put in the ordinance. Thomas Whitchurch said he didn't want to see a sign advertising a home occupation be allowed on a mailbox as we cannot legislate the content of the sign. It was noted that mailboxes were in the park strip which is in the utility easement. Thomas Whitchurch felt this would not be in keeping with the residential neighborhood atmosphere and the residents he talked to did not want to see these signs allowed. Councilman Whitchurch suggested that the verbiage on the electronic display signs be changed to read: "electronic message display signs are allowed for Government organizations that receive their primary operational funding from the State." Mr. Whitchurch felt this would do away with businesses asking to use electronic signs. David Church felt this was not the way to solve the problem under the definition as schools get their funding from property taxes as well as the City. We do not receive funds from the State. Other suggestions for changes include:

Under 3.25.7.2 – Add; Electronic message display lumens shall not create a shadow at a distance greater than thirty (30) feet.

Jannicke Brewer had questions about A-frame signs being allowed by businesses. It was discussed that we take out section 3.25.9 – A-Frame Signs. April Riley asked if we were going to add something about anchoring the A-frame signs so they don't blow away.

April Riley asked the Council if they wanted to add verbiage under Temporary Signs regarding banners and the application for a sign permit was discussed. It was noted that this is taken care of in the application.

Kent Hastings said his big issue with this ordinance is the electronic signs we are allowing in town and Thomas Whitchurch said felt more strongly with Home Occupations being able to display a sign on their mailbox and turning a residential neighborhood into a commercial-looking zones than he did with an electronic sign being lit between the hours of 6:00 to 8:00 in front of schools.

**MOTION:** Thomas Whitchurch moved to adopt Ordinance No. 2007-02, An Ordinance Amending the Sign Ordinance as amended with removing all of section 3.25.12.1 Home Occupation Signs (remove lone (1) sign, not larger in area than one (1) square foot fastened to the mailbox) and all other amendments as noted. Kimberly Bryant seconded. Ayes: Kimberly Bryant, and Thomas Whitchurch. Nays: 3. Kent Hastings, Hata Puriri and Tracy Wallace voted nay. Motion failed. Tracy Wallace said the reason he voted nay was because he felt this would give Home Occupations to advertise and keep the sales money here in Alpine.

**MOTION:** Tracy Wallace moved that the City Council adopt Ordinance No. 2007-02 as amended as follows:

1. Under 3.25.7.2 – Add: not to create a shadow greater than 30 feet
2. Remove entire section 3.25.9 – A-frame signs
3. Under 3.25.12.1 – Add: fasten to the side of the mailbox structure at or below the mailbox
4. Under 3.25.15 – Placement and size shall apply to 3.25.8 under Temporary Signs
5. Under 3.25.15.2 under G adding the word "placement"
6. Under 3.25.17 under Enforcement add the words "operation between construction"

Hata Puriri seconded. Ayes: Kimberly Bryant, Hata Puriri and Tracy Wallace. Nays: 2. Kent Hastings and Thomas Whitchurch voted nay. Motion passed. Kent Hastings voted nay because the electronic signs were allowed.

Kimberly Bryant left the meeting.

**B. TIMPANOGOS HALF MARATHON.** Ted Stillman said that Summit Event Management LLC is hosting the Timpanogos Half Marathon which is to benefit the Lone Peak High School Cross-Country and Track Programs. Chris Bowerbank said the Half Marathon will be held on June 16, 2007 at 7:00 am. This will be an out and back course and stay away from the downtown area. Chief Kip Botkin and Mr. Bowerbank have met and agreed on the police coverage that will be necessary and said the police will not direct traffic but people only. They will be insured through USA Track and Field. There will be sag vehicles that follow the last runners that will also pick up any refuse that falls on the course along the courses. They have a medical coordinator that will be responsible for coordinating with the Brad Freeman and Craig Carlisle. Hata Puriri suggested that Chris Bowerbank check with Annalisa Thomas about baseball games scheduled in

Burgess Park on that date and at Timberline Middle School their food service brings a big semi-truck to deliver the food for the following week.

**MOTION:** Kent Hastings moved to approve the Timpanogos Half Marathon and 5-miler as outlined in the document presented in the Councilman's packet. Hata Puriri seconded. Ayes: Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

**C. ORDINANCE NO. 2007-07 – CEMETERY COMMISSION ALTERNATE**

**APPOINTMENT.** Ted Stillman said that Ula Hemingway, Chairperson of the Cemetery Commission, has requested that the Ordinance creating the Cemetery Commission be amended to allow for the appointment of two alternate members. Several Cemetery Commission Meetings have had to be cancelled because other Cemetery Commission members have not been able to attend. Ula Hemingway recommended that Bob Hemingway and Elizabeth Romney be appointed to the Cemetery Commission.

**MOTION:** Kent Hastings moved to adopt Ordinance No. 2007-07 allowing for the appointment of alternates to the Cemetery Commission. Tracy Wallace seconded. Ayes: Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

Thomas Whitchurch said that if these commissions are created by ordinance then according to the Open Public Meetings Act it is required that these meetings be recorded. The PRO Committee would also have to keep minutes and record their meetings. David Church

**MOTION:** Hata Puriri moved to appoint Bob Hemingway and Elizabeth Romney as alternates to the Cemetery Commission. Tracy Wallace seconded. Ayes: Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed. Kent Hastings was not present during this motion.

Mayor Hunt Willoughby read to the audience the Certificate of Authenticity that accompanied a U.S. flag sent by Lynn Higgins, an Alpine resident, who is serving in Iraq as follows:

"To certify that this American Flag was flown aboard UH-60 helicopters during combat air assault operations throughout Iraq by the Rum Runners of Alpha Company, 2-211<sup>th</sup> Aviation Regiment staging from LSA Anaconda, an American base used in the Global War on Terrorism. When this flag was flown, it symbolized the sovereign power of the United States of America and the unshakeable resolve to keep our country safe."

Along with the flag, CW5 Lynn S. Higgins wrote a note stating:

"Please accept this flag, a combat veteran proven under fire, as a small token of my thanks for your support of my family while I am deployed. Alpine is my home and I thank you for all you do for it."

**D. CANYON BROOK SUBDIVISION PRELIMINARY REVIEW.** Ted Stillman said the proposed Canyon Brook PRD Subdivision consists of 3 lots and is located on the east and west sides of Ft. Canyon in the CE-5 Zone. The lots range in size from 1.37 to 6.02 acres. The total acreage is about 51.95 acres including 42.04 of open space. The area along Fort Creek is shown in the conservation easement with a minimum width of 50 feet. The Planning Commission in their meeting on April 17, 2007 included in the motion that all of the open space be recorded as a conservation easement with their motion reading as follows:

Jannicke Brewer moved to grant preliminary approval to Canyon Brook Estates subject to the following conditions:

1. A legal description be provided for the 50-foot wide conservation area along Fort Creek that can be recorded as a conservation easement
2. Funds be escrowed with the City in an acceptable form for construction of the portion of Ft. Canyon Road that falls within the development
3. An agreement be made between the City and the developer to insure that the necessary right-of-way and slope easements be provided to the City after the Ft. Canyon Road design is finalized

4. Plans be provided to the City for the box culvert prior to construction
5. A stream alteration permit be obtained for construction of the box culvert and the utilities crossing Fort Creek
6. Homes being built in the development prior to replacement of the water lines in Ft. Canyon Road be required to install automatic fire sprinkler systems
7. The fire chief approve the location of the fire hydrant and there be another one between lots 2 and 3
8. An easement for the storm drain line be provided in the private lane between Ft. Canyon Road and Fort Creek
9. A storm water pollution prevention plan be provided prior to final approval
10. Typical details need to be provided for the proposed berms and channels prior to final approval
11. The details of the trail easements through the property be finalized
12. A note be placed on the final plat stating that the excavation for foundations be checked by qualified engineers for faults and landslide hazards
13. The CC&Rs, as last discussed, would be part of the final approval
14. The parcels of open space be recorded as a Conservation Easement.

Kevin Cosper seconded. Ayes: 4 Nays: 0. Motion passed unanimously.

Ted Stillman said this plat was on the agenda only for information only and no action is needed. Craig Skidmore explained the placement of the trail easement.

**E. SHENNUM BOUNDARY LINE ADJUSTMENT.** Ted Stillman said that Robert Shennum has applied for a lot-line adjustment between lots 15 and 18 of the Oak Knoll Subdivision, Plat B. Mr. Shennum owns lot 15 and Les Pardew owns lot 18. Mr. Shennum proposes to acquire the back part of Mr. Pardew's lot. Lot 15 would increase from 35,418 sq. ft. to 42,894 sq. ft. Lot 18 would decrease from 32,052 sq. ft. to 24,844 sq. ft. Both would still meet the minimum square footage of the CR-20,000 zone. Plat maps were included in the Council Member's packets showing the existing lots and then what the two lots would look like after the lot line adjustment.

**MOTION:** Tracy Wallace moved that the City Council approve the proposed lot line adjustment between lots 15 and 18 of the Oak Knoll Subdivision, Plat B. Kent Hastings seconded. Ayes: Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

**F. UTAH COUNTY RECREATION GRANT.** Ted Stillman said that Utah County has made available \$279,697 for Municipal Recreation Grants and Alpine's share will be \$5,738.13 to go towards recreation programs. It is proposed that these funds be used for the Southpointe play equipment which is in need of replacement. Mr. Stillman said that we have included approximately \$15,000 in the new budget for playground equipment in the South Pointe park and if we get this grant, this will free up \$5,738.13

**MOTION:** Kent Hastings moved to authorize staff to apply to Utah County for Alpine's portion of a Municipal Recreation Grant in the amount of \$5,738.13 which will be used for play equipment in the Southpointe Subdivision. Hata Puriri seconded. Ayes: Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

**G. TWIN RIVERS BRIDGE GRANT APPLICATION.** Ted Stillman said that several years ago the Twin Rivers Bridge across Dry Creek washed out during high water. The City was contacted by the State Parks Department who suggested that the City apply for State Park Trail funds to replace the Twin Rivers Bridge. Shane Sorensen's estimate for improvements to the bridge was \$89,528.00 which included costs for the design as well as construction for the bridge. It was noted that a horse could safely cross this bridge and the money would come from the Capitol Improvement Fund.

**MOTION:** Thomas Whitchurch moved to authorize staff to apply for State Trail Funds to replace the Twin Rivers Bridge. Tracy Wallace seconded. Ayes: Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

**H. WESTFIELD ROAD CONSTRUCTION CHANGE ORDER.** Ted Stillman said the Westfield Road reconstruction is underway. Wilding Engineers is providing construction staking and testing for the project. One item that needs to be added to their contract is additional construction staking in the amount of \$7,100. The costs are detailed as follows:

1.	Mark where 30 driveways need to be saw cut	\$ 360.00
2.	Slope stake Westfield Road	\$2,900.00
3.	Centerline red-heads subgrade	\$1,920.00
4.	Centerline roadbase redheads	<u>\$1,920.00</u>
	Change Order #1 Total	\$7,100.00

**MOTION:** Kent Hastings moved to authorize the additional construction staking on the Wilding Engineer's contract in the amount of \$7,100.00. Thomas Whitchurch seconded. Ayes: Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

## VII. REPORTS

**A. FINANCIAL REPORT.** Ted Stillman went over the Financial Report and brought the Council up to date.

**B. NORTH GROVE DRIVE SEWER CONNECTION.** Shane Sorensen said that in March of 2006 the City approved an Agreement allowing Mr. Patterson to connect 3 lots on North Grove Drive to the sewer system and Mr. Patterson is now ready to connect to the City sewer line. David Church said the Agreement contained some typographical errors that would need to be corrected and the Timpanogos Special Service District's Impact Fee also needs to be updated.

## VIII. COMMUNICATION – FUTURE BUSINESS

### Mayor Hunt Willoughby –

1. Asked if staff and other council members have had issues with the change of garbage collection dates. A few isolated cases were reported along with the recycling cans not being picked up.
2. We have received an invitation for the Ribbon Cutting Ceremony at the River Meadows Senior Center on Red Pine Drive on May 4 at 4:00 pm. A meal will be provided. The Council was encouraged to attend.

### Hata Puriri –

1. We approved a sculpture of John Rowe Moyle to be in Moyle Park and it is going to be bronzed. Hata Puriri was impressed and would like to see the City Council attend the unveiling.
2. We are creating some new guidelines for Eagle Scout projects. Hata Puriri met with Ted Stillman and Ron Devey. Will inform the Scouts of the process which would be to fill out an application first then come to the council. Councilman Puriri felt that labor was inferior on some other Eagle Scout projects.

**Thomas Whitchurch** – Thanked staff and the Mayor and staff for providing the trip to St. George. He learned a lot.

**Ted Stillman** – Distributed a survey for a Recreation facility. The next step will be a feasibility study and this is with the other cities.

**Shane Sorensen** – Said the Westfield Road project is progressing along with the Filter Building.

**Janis H. Williams** – Election filing dates have changed and are now from July 1, 2007 to July 15, 2007. This is due to Early Voting. There will be no more satellite registration. The Primary Election has been changed to September 11, 2007 with early voting beginning on August 28, 2007.

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

**X. APPROVAL OF MINUTES**

City Council Meeting of April 10, 2007

**MOTION:** Kent Hastings moved to approve the City Council Meeting minutes of April 10, 2007 and adjourn. Tracy Wallace seconded. Ayes: Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

The meeting adjourned at 9:10 pm.