

**APRIL 26, 2005**

Minutes of the Public Hearings and City Council Meeting held on Tuesday, April 26, 2005 at Alpine City Hall, 20 North Main, Alpine, Utah 84004 as follows:

The following members were present and constituted a quorum:

Mayor Philip D. Barker

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

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

Others: Jannicke Brewer, Dale Porter, Craig Skidmore, Jim Tracy, Ula B. Hemingway, Robert Hemingway, Peggy Spray, Carla Wheadon, Eric Farr, Andra Southwick, Cathy Walker, Scott Summers, Stacey Summers, Becky Myers, Keith Johnson, Can Carlisle, Caroldean Neves, Laura Hobbs, Jessica Hobbs, Heather Hunsaker, Liz Cospers, Kerry Mower, Patricia Barney, John Johnson, Mike DeGroot, Madison Taylor, Grace Taylor, Bill Funke, Chris Culver, Harvey L. Hutchinson, Stephanie Grant, Laura Snyder, Payton Thomas, Annalisa Tomas, Karen Richards, Alison Williams, Alicia Nelson, Lauren Sparks, Hayley Tintle, Josh Hansen, Jessica Hobbs, Elizabeth Cospers, Heather Hunsaker, Karen Richards, Spencer Colemere, Caitlin Anderson and Holly Whitlock

**7:00 pm – PUBLIC HEARINGS.** Mayor Phil Barker called the Public Hearings to order at 7:00 pm and welcomed those in attendance and introduced the Public Hearings as follows:

**1. FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT REGARDING AMENDING THE MASTER TRAIL PLAN AND ABANDONING THE TRAIL BEHIND ALLEGHENY WAY.**

Ted Stillman said the trail in question is on Allegheny Way behind eight homes. This item has been discussed in previous meetings and in order to amend the Master Trail Plan and to abandon this trail there needed to be a Public Hearing. When the South Pointe Subdivision was developed it was the first subdivision in that area to link 800 South residents to a trail system so they could access other trails that led to the mountains. Craig Skidmore said the original reason for the alignment of this trail was because of its alignment with the Bonneville Shoreline Trail system and to Highland's trails. An alternative alignment was proposed; however, Jannicke Brewer said there were a few houses in the way. Kay Rasmussen said she supported the Trails Committee in their efforts in creating and maintaining the trail system in Alpine.

There were no other public comments.

**2. FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT REGARDING AMENDING ALPINE MEADOWS SUBDIVISION, PLAT A (DAN CARLISLE'S PROPERTY).**

Ted Stillman said Dan Carlisle's home is south on Alpine Highway and Mr. Carlisle has proposed to split his lot creating two lots. The power lines are north of the existing house.

There were no other public comments.

The Public Hearings adjourned at 7:10pm.

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

**I. CALL TO ORDER.** Mayor Phil Barker called the City Council Meeting to order at 7:10 pm and welcomed those in attendance.

**II. PRAYER/ OPENING COMMENTS –** Kimberly Bryant

**III. PLEDGE OF ALLEGIANCE.** Ula B. Hemingway 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.

Ula Hemingway asked if the crosswalk by City Hall could be repainted as cars and trucks drive too fast down Main Street and possibly they aren't aware there is a crosswalk in that location. Also, Mrs. Hemingway said this is the walking route for children going to school and safety is the issue. Since this crosswalk is close to the Police Station, Ula Hemingway asked if cars couldn't be ticketed.

Jannicke Brewer commented that the trails in Lambert Park are being abused by jeeps, 4-wheelers and other motorized vehicles by not staying on the designated roads. Mrs. Brewer asked if we couldn't look at this problem.

Laura Hobbs, who lives on 300 East, thanked the City Council and staff for installing the sidewalks, curbs and gutter as part of the Downtown Improvement Project. Mrs. Hobbs said it is now a pleasure to walk downtown.

Mike DeGroot showed pictures of his completed Eagle Project. He had dug out and planted some trees for the arboretum in Peterson Park for his project and felt this helped make the park more beautiful.

Caroldean Neves also thanked the Council for the sidewalks but asked if the crosswalks on the children's walking route to school couldn't be painted.

**V. CONSENT CALENDAR –**

- A. Business License:  
 Cheryl Kuhn – HOME BACKYARD GIFT SHOP; 446 W. Lupine Drive  
 Daniel Masterson – STRATEGYWORLD.COM; 15 Sunset Drive  
 Kristen Molen – LAVALIERE PRODUCTS; 497 S. Ranch Drive
- B. Bond Releases:  
 Wayne Patterson – SPRING CREEK, PLAT A - \$127,350.34  
 Wayne Patterson – DAVID'S COURT, PLATS A and B - \$14,433.95

Shane Sorensen explained the Bond Release as requested by Wayne Patterson concerning David's Court, Plats A and B. Mr. Patterson bonded for more money than what was needed on Plat A and he put in the improvements for Plats B and Plat C; however, Plat C will not be recorded at this time. Ten percent will be retained for the warranty period and Shane Sorensen suggested we hold releasing the bond on David's Court until Mr. Patterson pays the \$822.85.

**MOTION:** Kent Hastings moved to approve the Consent Calendar and release the bond for David's Court, Plats A and B after receiving the 10% of \$822.85 from Patterson Construction. Hunt Willoughby seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**VI. SCHEDULED ITEMS**

**A. EAGLE CONDOR HUMANITARIAN AIR.** Jaime Figueroa, Utah Executive Director of Condor Humanitarian of Midvale, detailed the Condor Humanitarian Program. Mr. Figueroa had come at the invitation of Councilman Hata Puriri. This is a private, nonprofit charitable organization and Mr. Figueroa suggested that Alpine become affiliated with Monsefu, a Peruvian coastal city of 29,000 residents. The city could assist in the development of a Monsefu city park as the city has 10,000 children under the age of 15 and there is no park. In addition to helping fund the development of the park, Alpine citizens could visit Monsefu. Jaime Figueroa said that Alpine citizenry could be asked to provide music, handicrafts and other items to the Peruvian city. Councilman Puriri felt this would be a good cause.

- B. ALLEGHENY TRAIL-SIDEWALK.** Mayor Phil Barker said a Public Hearing was

held earlier in the meeting to receive public input on abandoning the trail behind the homes abutting Highland City. It was said the trail currently has a gravel base and is seldom used. The alternatives are:

1. Keep the trail as is (status quo)
2. Keep the trail and pave it. Cost \$5,000
3. Abandon the trail with no replacement anywhere else
4. Abandon the trail and put a 6' sidewalk on the south side of Allegheny Way from the Carlisle Well to Andes Drive. Cost \$27,000
5. Abandon the trail and put in a 4' sidewalk on the south side of Allegheny Way from the Carlisle Well to Cumberland

Hunt Willoughby said he could not separate abandoning the trail and constructing the sidewalk. The eight residents that live there were not the ones petitioning for the sidewalk and Councilman Willoughby felt the city should pave the trail and move the power box so that when the school is built this would be a safe way for the children to walk. Kimberly Bryant said she loves the trails, but her opinion is that trail is very close to the houses and felt there is a better way to align the trail. Thomas Whitchurch said he felt the issues were connected; however, if the council decides to construct the sidewalk then we need to include this in our budget. It was Councilman Whitchurch's preference that if we construct the sidewalk then we put in a 4' sidewalk and take this all the way down to Alpine Highway in anticipation of the road someday going down to the highway. Kent Hastings said he wanted to be sensitive to the people that the trail affects the most as he has talked to many of them. Thomas Whitchurch said that if the city asked him to pay for a sidewalk in front of his house, then he wouldn't want it. Mayor Phil Barker said that he hasn't noticed that much traffic in that area.

Hunt Willoughby said that several weeks ago the Council looked at a sidewalk priority list and constructing this sidewalk at a cost of \$27,000 didn't merit raising this on the priority list. Thomas Whitchurch voiced his concern about what to tell the residents that haven't landscaped their yards and felt we should pave the trail and maintain it. It wasn't known if Utah Power would move their transformer in an easement onto a resident's property. Mayor Barker said that one of the reasons we maintain easements and rights-of-way is because things change and said we need to be sensitive to the residents who live there, but it goes both ways. Residents need to understand they have easements on their property. Kent Hastings felt we need to look at who is impacted the most.

Craig Skidmore said that if this is the direction we are going then it would be nice to pave the trail around the detention basin. Peggy Spray said she is against the sidewalk and asked what was wrong with installing speed bumps to slow down the traffic. Mayor Barker said the council has discussed speed bumps and said there are many problems with them. Becky Meyers indicated that the resident who petitioned for the sidewalk are not even here and said her children walk across the street to use the sidewalk on the north side of Allegheny Way. Mrs. Meyers felt safety was a non-issue. Becky Meyers said she had come into City Hall prior to buying her home and was given information that the homeowner owned property all the way to the street.

**MOTION:** Hunt Willoughby moved to pave the trail on the south side of the resident's property, allow the residents to construct an open fence along the trail in accordance with the Fence Ordinance, move the power box and make a definitive statement that the council does not want to construct a sidewalk on the south side of Allegheny Way. Kent Hastings seconded. Ayes: Kent Hastings and Hunt Willoughby. Nays: Kimberly Bryant, Hata Puriri and Thomas Whitchurch voted nay. Motion failed.

Hata Puriri said safety was an issue and was opposed to having trails in backyards. His opinion has changed with the construction of the sidewalks in the Downtown Improvement Project as Sherman Bennett, who lives on 200 East didn't want a sidewalk prior to the construction, but now thinks it is a good thing. Stacie Summers said she respected Hunt Willoughby and his opinion, but she has six children and no sidewalks. Mrs. Summers said she wants one in front of her house as her children have to ride their tricycles in circles as they won't ride on the grass or in the street. Kent Hastings said this council wasn't the one who approved that subdivision and things change and said it was his opinion that this area needed a sidewalk, but it needed to be on the priority list. Thomas Whitchurch felt there will be a day when Allegheny Way goes all the way through to the highway and this Council will wish they had approved sidewalks.

**MOTION:** Hata Puriri moved to eliminate the trail behind the eight homes on Allegheny Way, to install a sidewalk at some future date to be determined by the City Council based on priority and that a 4' sidewalk with

a 5' planter strip would be constructed along Allegheny Way (corner lot on west end would be 5' combo) that would connect to the park and that the City would do our best to work with the homeowners to fix their landscaping. Thomas Whitchurch seconded. Ayes: Kimberly Bryant, Hata Puriri and Thomas Whitchurch. Nays: Kent Hastings, Hunt Willoughby. Motion passed.

**MOTION:** Thomas Whitchurch moved that we retain 10' past the Alpine School District line behind the Spray home for a trail easement. Hata Puriri seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**C. ALPINE MEADOWS MINOR SUBDIVISION (CARLISLE).** Ted Stillman said the proposed Alpine Meadows Plat F Minor Subdivision consisted of 2 lots with a single access on 2.44 acres. The property is in the CR-40,000 zone and there is an existing home on lot 101, which was previously processed and approved as the Dan Carlisle site Plan. The development is located at approximately 700 S. Alpine Highway. Since the proposed development fronts on a major arterial street the Planning Commission and City Council need to approve the lots sharing a driveway.

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

**D. CARLISLE ZONE CHANGE.** Ted Stillman said that Mr. Carlisle is proposing a zone change from approximately 476 South to 702 South on Alpine Highway with a depth of 300 ft. The proposed zone change would affect six different properties. The current zoning for the proposed area is CR-40,000 and the applicant is requesting that the zoning be changed to Business/Commercial. Mr. Stillman said to grant this zone change would be a departure from the current general plan. Previously the city has tried to keep commercial uses in the downtown area to draw people to the center to the city and by changing the zoning, the city would be advancing a corridor approach to the Business/Commercial zone, similar to the streets that exit on/off of the freeway. Alpine Highway is an arterial street and may not be the best place for residential homes. On the other hand the area is surrounded to the south, east, and west with low density residential. Jannicke Brewer said the Planning Commission recommended denial of the zone Change at their meeting of April 19, 2005.

Mayor Barker said the primary purpose is of this zone change request is for Dan Carlisle's business.

**MOTION:** Kent Hastings moved to deny the Carlisle zone change as recommended by the Planning Commission and Board of Adjustment. Kimberly Bryant seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**E. BARNEY ACRES MINOR SUBDIVISION.** Ted Stillman said that Keith Barney owns a lot on 700 East and 100 South which they would like to split into two parcels. The Planning Commission recommended approval of the Subdivision at their meeting of April 19, 2005.

**MOTION:** Hata Puriri moved to approve the Barney Subdivision subject to the Engineer's recommendations and the Barney's meeting the water policy requirement. Kent Hastings seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**F. MAIN STREET VILLAGE PLAT AMENDMENT.** Ted Stillman said the owners of the lots in Main Street Village have found that Utah Power requires a 10' easement on each side of the power lines that run through the Subdivision. Amendment three of Main Street Village adjusts the building pads so they meet the requirements of Utah Power.

**MOTION:** Hunt Willoughby moved to approve the third amendment of Main Street Village Plat. Thomas Whitchurch seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**G. ORDINANCE NO. 2005-11 – CEMETERY COMMISSION.** Ted Stillman said the Cemetery Commission has been meeting regularly since being appointed by the City Council and they would like to report on their activities and make several changes in the Ordinance creating the Cemetery Commission. Ula Hemingway introduced the Cemetery Commission and said that Della Don Janjua has asked to be replaced as she has had a family crisis. Eric Farr's name was recommended to be Mrs. Janjua's replacement. Ula Hemingway invited the council to attend the Memorial Day Celebration. Eric Farr went over the suggested changes in the Ordinance establishing the Cemetery Commission as follows:

The term of the office of Commission members is two years. In the beginning, two members will serve for a term of one year. Terms will be staggered terms to permit the appointment or reappointment of two commission member per year.

Item 2. To read: At least 3 members of the Commission must be present to constitute a quorum. Voting on measures shall be majority rule.

Item 4. Change: The Commission ~~City Council~~ shall elect a chair and the Commission shall adopt rules for its activities.

It was discussed and agreed upon that the Commission shall elect a chair.

Item 6. Add: A Commission member cannot miss more than three (3) consecutive meetings. Failure to do so will result in being replaced.

**MOTION:** Kimberly Bryant moved to adopt Ordinance No. 2005-11 with the changes as listed above. Kent Hastings seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**H. ORDINANCE NO. 2005-12 – CEMETERY RULES AND REGULATIONS.** Eric Farr went over the rules as proposed by the Cemetery Commission as follows:

1. A section should be created to address the cemetery closure time. The Commission suggests that this closing time is 9P00 pm each evening.
2. Section 8-222 (16) currently reads as follows:

Removing or causing to be removed, without notice, floral pieces or displays left on any grave as deemed necessary to the appearance of the cemetery, provided that such floral pieces or displays shall not be removed sooner than seven (7) days after their original placement.

This should be amended to read as follows:

Removing or causing to be removed, without notice, floral pieces or displays left on any grave as deemed necessary to the appearance of the cemetery or those left on any grave after each Thursday at closing, provided that such floral pieces or displays were not placed during a recent interment or during Memorial Day in which said floral pieces or displays can be removed after the 2<sup>nd</sup> Thursday following these events.

3. Section 8-295 (2) currently reads as follows:

"No person shall drive or move any vehicle within the cemetery except over a roadway open for vehicular traffic"

This should be amended to read as follows:

"No person shall drive, move, or park any vehicle within the cemetery except over a roadway open for vehicular traffic."

4. A section should be created to address the decoration policy of the graves within the cemetery. The Commission suggests that the following policies be incorporated into this section.
  - a. Between April 1 and October 31, floral pieces, decoration and displays left on any grave must be removed on Thursday by cemetery closing and may be returned on Saturday morning to facilitate mowing except after interment and Memorial Day in which said items must be removed before the 2<sup>nd</sup> Thursday after these events.
  - b. Flowers and similar decoration should be placed in an approved container. Glass ornaments, vases, jars, etc. are prohibited and should not be used to decorate any gravesite.
  - c. The Cemetery superintendent has the authority to enter upon any lot or plot to remove anything objectionable that may have been placed there contrary to the rules and regulations.
  - d. No rocks, bark, chips, statues, bird baths, benches, etc. shall be permitted on grave sites and will be removed and disposed of without prior notice.
  - e. Shepherds hooks and wire and wire trellises are prohibited from April 1 to October 31.

A sign or signs with all or some of these policies will be placed within the cemetery.

In addition to the suggested amendments and additions above, the Commission suggested that signs, which outline some of the policies within the Revised Ordinances of Alpine City, are made and placed at each Cemetery entrance. The Commission suggested that the policies be publicized.

**MOTION:** Kent Hastings moved to agree in concept to the proposed changes in the Cemetery Rules and Regulations and instructed staff to put this in Ordinance form and bring back a clean copy of the Ordinance for action 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.

**I. ARBORETUM PARKING LOT.** Harvey Hutchinson proposed the design of the Arboretum parking lot which is located just off of Ridge Drive with landscaping. Some of the trees have been donated by Dr. Johnson and Harvey Hutchinson said there is enough money in their budget to do this.

**MOTION:** Thomas Whitchurch moved to approve the design of the parking lot in the Arboretum and that we instruct staff to verify the placement of the tree in the parking lot. Hata Puriri seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**J. ALPINE DRIVE STORM DRAIN.** Ted Stillman said the City Council previously approved the design of the storm drain line in Alpine Drive, the storm drain behind the homes on Alpine Drive and the detention basin at Preston and Canyon Crest. The design is complete and bids were opened on the project as follows:

Carlton, Inc.	\$322,816.51
Dwight Peterson	\$323,446.07
Condie	\$366,236.95
Johnston and Phillips	\$379,780.50
Vancon	\$398,26.50
S & L	\$469,785.49

**MOTION:** Hunt Willoughby moved to award the Alpine Drive Storm Drain Project to Carlton, Inc. in the amount of \$322,816.51. Thomas Whitchurch seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**K. MAIN STREET BRIDGE BID.** Ted Stillman said we received two bids for the Main Street Bridge concrete work. Shane Sorensen said staff would do some of the work. The bids received were as follows:

With Non-Epoxy

		Coated Rebar
Ken Gordon Concrete	\$47,021.00	\$34,421.00
DG Concrete	\$54,260.00	\$41,660.00
Engineer's Estimate	\$59,889.00	\$47,289.00

**MOTION:** Hata Puriri moved to award the Main Street Bridge Project to Ken Gordon Concrete in the amount of 34,421.00. Thomas Whitchurch seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**L. WESTFIELD ROAD AND 2005 STREET OVERLAYS.** Mayor Phil Barker said that last City Council Meeting we discussed the possibility of not doing the overlays so that Westfield Road could be reconstructed. Ted Stillman said the problem with that is that Westfield Road has not been designed and the timing is critical. Westfield Road is a major road to be completed and Mr. Stillman said that with the Whitby Woodlands Subdivision coming in, they would be constructing a portion of the road. Next year the City is looking at receiving \$400,000.00 in Street Impact Fees, \$181,900.00 in Class C Road Funds and grants in the amount of \$174,044.00. Kent Hastings said he was OK with putting this off for one year. Ted Stillman explained to him that this road would have to be put on the Street Impact Fee schedule. Mayor Barker suggested that we budget this in next year's budget and then save all of our money to put towards this project. It was noted that Plats B and C of Whitby Woodlands has now been submitted.

**MOTION:** Thomas Whitchurch moved to award the bid for the 2005 Street Overlay Project to Staker Paving in the amount of \$217,846.00. Hata Puriri seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**M. LEGACY PARK PARKING LOT LIGHTING.** Ted Stillman said that several City Council meetings ago Jannicke Brewer brought up the need for parking lot lighting in the parking lot adjacent to Legacy Park across from City Hall. Shane Sorensen obtained costs to install two parking lot lights and a cost estimate and the design for the parking lot lights. Each light pole assembly would cost approximately \$2,000.00 and an additional \$1,000.00 to \$1,500.00 would be required for installation. The total estimated cost to install the two pole assemblies is \$5,000.00 to \$5,500.00.

Kimberly Bryant said she understands the historical aspect in this type of fixtures, but was not in favor of installing these as they are not very pretty. Mrs. Bryant felt we have put in a lot of money to beautify the downtown area and install the roundabout and this type of light fixture was not very attractive. Thomas Whitchurch said he would be comfortable if there was a favorable recommendation from the Gateway/Historical Committee. Ted Stillman said this committee liked this type of lighting fixture. It was noted that this was the same type of fixture that will be installed down Main Street.

**MOTION:** Kent Hastings moved that we have Kimberly Bryant bring back some designs of other lighting fixtures. Hata Puriri seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**N. 2005-2006 BUDGET WORK SESSION.** There was a Budget Work Session scheduled for 6:00 pm on May 10, 2005 prior to the next City Council Meeting.

**O. FINANCIAL REPORT.** Ted Stillman said there is nothing that needs to be dealt with tonight.

## VII. COMMUNICATION

**Ted Stillman** - Said that David Fotheringham is the chairman of the PRO Committee and they are meeting regularly. Larry Brown is chairman of the Recreation Sub-Committee of the PRO Committee.

**Hata Puriri** - Said he has talked to many downtown residents and they are very appreciative for the

sidewalks that were installed. Councilman Puriri said he even heard comments that the roundabout is beautiful.

**Thomas Whitchurch** – The Planning Commission is beginning work on the Land Use and there will be a joint meeting to work on this. Jannicke Brewer said that Rachel McTeer felt there has been so much growth that we want to see if needs to be changes to the Land Use. David Church advised the City Council that they might want to consider the latest Legislative Changes to the law prior to adopting any new changes.

**Hunt Willoughby** - Is meeting with the Architectural Committee and there are three things on the agenda.

**Kent Hastings** – Said there is a meeting scheduled with ecclesiastical leaders, the PSD and other agencies concerning potential hazards. Councilman Hastings asked if the Council could be notified if there are people with special events in their life.

**Kimberly Bryant –**

1. The price of the Memorial Day breakfast was discussed and they are just doing pancakes, sausage and orange juice. There will be a donation cup at the first of the line. Mrs. Bryant asked for help as her husband is having back surgery.
2. Kimberly Bryant asked if we could use the 1850 logo and Thomas Whitchurch showed the logo and said it was colorized by the people who did our Website.
3. Said that Lon Nield's condos in Heber are gorgeous and suggested that all the councilmen take a trip up there to see them.
4. Said the suicide prevention class in St. George and was very informative.

**Mayor Barker –**

1. Said this is the time to clean out our streams and asked if we needed to appropriate some funds. Mayor Barker asked if we should to fill in some abandoned ditches. Shane Sorensen said there have been two High Priest groups who have asked for maps of ditches to help clean them out. The Public Works Department has put water down the High Bench ditch to help clean this one out. Kent Hastings asked if we couldn't put something in the Newsline about preparing for potential flooding and looking at your insurance policy.
2. Mayor Barker asked about Infrastructure Protection Bonds questioning when a builder builds a spec home can the bond be transferred to the new owner. Ted Stillman replied that this could be done.

**VIII. EXECUTIVE SESSION** to discuss Litigation, Property Acquisition and Personnel. There was no Executive Session.

David Church said we are going to court on May 13, 2005 and let the judge decide on the purchase price of the Whitby property as the Whitby's have reneged on the price agreed upon. Mr. Church said we still have a condemnation order filed in the courts and we get the value of the land when our application was filed and we offered them the appraised value. The Whitby's have put the property on the market again; however, it is unfortunate the land values have risen so fast.

**IX. APPROVAL OF MINUTES:**

City Council Meeting of April 12, 2005

**MOTION:** Thomas Whitchurch moved to approve the minutes of the City Council Meeting of April 12, 2005 and adjourn. Kimberly seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

The meeting adjourned at 10:20 pm.