

July 8, 2003

Minutes of the Public Hearing and City Council Meeting held on Tuesday, June 24, 2003 at Alpine City Hall, 20 N. Main, Alpine, Utah as follows:

The following members were present and constituted a quorum:

Mayor Phil Barker

Council Members: David Adams, Mel Clement, Kent Hastings (came later in the meeting), Thomas Whitchurch and Hunt Willoughby

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

Others: Jannicke Brewer, Dale Porter, Rachel McTeer, Diana Mills, *New Utah*, Sharon Haddock, *Deseret News*, Craig Skidmore, Robert Smith, Luana Smith, Dennis Smith, Valoy Smith, Will S. Jones, Dave McAllister, Brock Duncan, Braxton McAllister, Corbett McAllister, Mark Martin, Kim Wilson, Rick Powell, Moana Burgess, Josh Flygare, Adam, Topher Moreno, Amy burgess, Selina Burgess, Michael Porter, A. P. Ostraff, Charles Allen, Diann Conder, Todd Hayes, Mark Hayes, Gary Hayes, Paul Alexander, Jr., Ben Alexander, Paul Alexander, III, Steven Alexander, Deborah Dowd, Brian Dowd, Jacob Dowd, Harvey L. Hutchinson, Robert Rose, John Horton, Brenna, Brian Atkinson and John Gilcrist

PUBLIC HEARING – 7:00 pm - FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT REGARDING THE PROPOSED SKATEBOARD PARK. Mayor Phil Barker called the Public Hearing to order at 7:00 pm, welcomed those in attendance and said the purpose of the Public Hearing was to receive public comment regarding the proposed skateboard park.

Moana Burgess said she has coached soccer in Burgess Park and opposes the location of the proposed skateboard park. Mrs. Burgess doesn't think it belongs there and suggested that the skateboard park be taken up on the hill in the Park in South Pointe.

There were several in attendance whose opposition to the skateboard park concerned the cost and felt that \$100,000 was too much money to spend to construct a facility that would benefit a small number of people. This group felt that \$200,000 should be spent on green space where all residents can use it. Charlie Allen said he called towns in Utah that were about the size of Alpine and asked who had a skateboard park and none of them did. Mr. Allen said these towns said they have not wanted to bear the cost to put one in; however, both Orem and Springville had a windfall as they got a Federal Grant to help fund their skateboard parks. Charlie Allen said that all those town who had a population of 20,000 and more had a swimming pool and suggested that the citizenry help decide how to spend the monies in developing a myriad of recreational facilities.

Gary Hayes said he has lived in Alpine for over 20 years and felt the petition turned in to the City was a very negative document. Mr. Hayes was in support of the skateboard park and said the petition was just set on the counter at The Junction and customers were encouraged to sign it without reading it. Gary Hayes said he doesn't think this sport encourages drugs or an unfavorable atmosphere as he had a half pipe in his front yard and both of his sons, a daughter and now grandchildren use it.

Heather Pepper lives on Ridge Drive and she has hills in her back yard. Many young men and women spend time there every day and Mrs. Pepper thinks this is a good clean sport. Heather Pepper said she hasn't seen the youth behave badly and invited other parents to her house to observe the youth who use the hills. Mrs. Pepper thinks a skateboard park would have a lot less upkeep and maintenance than a swimming pool or library.

Dave McAlister said his son doesn't participate in team sports and enjoys skateboarding. Mr. McAlister said that the skateboard park on 100000 South and 7th East in Sandy was built by a busy street so there are always cars driving by. Sandy City said their only regret was that they didn't build it bigger. Dave McAlister said his son also got a petition signed by the youth and hopes that this is a skateboard/bike park.

Tiffany Conder felt that most skateboarders aren't very nice and said she plays soccer at Burgess Park and the Lone Peak Soccer Club had fundraisers to purchase soccer goals that were donated to the City.

Bryan Dowd said he just spent the past week on vacation visiting skateboard parks and that he spent his youth playing team sports; however, his children aren't inclined to participate in team sports. Mr. Dowd felt that sometimes we don't look at other opportunities for children to participate in and felt that a \$100,000 skateboard park won't be a destination but a facility for our children to have an outlet. Debra Dowd asked if the City Council would look at the area behind the pump house on 300 East, east of Alpine Elementary School. Jannicke Brewer said the Planning Commission felt that site was not the best location as it backed up to a residential area and was too close to Alpine Elementary School.

Diane Auger said she is opposed to the skateboard park at the proposed site.

Vaughn Webster said he moved to Alpine in 1975 and was impressed with the City's concern for their youth; however, he feels the Council should look at having a facility for water sports or even a combined facility with Highland. Mr. Webster felt there is an element with skateboarding and is concerned about that element coming into our town.

Kathy Bailey asked why the Council looked at Burgess Park for the location of the skateboard park as she felt Burgess Park was already full.

Richard Powell lives on West Canyon Crest and said he is totally unopposed to a facility that will keep the youth occupied and keep them out of trouble; however, Mr. Powell has seen that players from outside our town who drive to a baseball tournament are not courteous.

Mrs. McAlister said she is in favor of the skateboard park and felt we shouldn't group skateboarders and bikers as all hooligans. There is a bad element on baseball teams, football teams and soccer teams.

Josh Flygare felt we could find three times as many people who are in favor of the park then are opposed to it, but maybe the skateboard park could be built by the Junction rather than by houses.

Ted Stillman showed on a map where the proposed skateboard park would be located in Burgess Park and Mayor Barker felt we have a lot of facilities for a city of our size.

Mayor Barker thanked all those who made comments and invited the public to stay and participate in the City Council Meeting.

The Public Hearing adjourned at 7:45 pm.

CITY COUNCIL MEETING – Immediately following Public Hearing:

I. **CALL TO ORDER.** Mayor Phil Barker called the City Council Meeting to order at 7:45 pm and welcomed everyone in attendance.

II. **PRAYER** – Shane Sorensen

III. **PLEDGE OF ALLEGIANCE.** Bob Smith, a former City Councilman, 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.

Moana Burgess said she is disappointed with the landscaping on the south side of Burgess Park and Shane Sorensen brought the Council up to date on the progress of the project.

V. **CONSENT CALENDAR** -

A. Business Licenses - Home Occupations:

Richard Powell – POWELL CUSTOM WORK; 193 W. Canyon Crest Road

Amos Burgess – ALPINE HYDROSEEDING; 30 S. Main

B. Bond Release:

- Will S. Jones – QUINCY COURT - \$44,351.58
- C. Payment Requests:
Lone Rock Construction – High Bench Road Improvements
LSL Enterprises – Peterson Arboretum Sprinklers – \$15,921.24
Hills Construction – Healey Well Facilities – \$154,007.61
TruGreen LandCare – Burgess Park Berm Project - \$22,674.35

Ted Stillman said the payment request to Lone Rock Construction for the High Bench Road Improvements was on the Councilmen's desk in the amount of \$72,258.79 and there will be another one for the Rodeo Grounds in the amount of \$8,489.41. Shane Sorensen said there were some pipes and fire hydrants that needed to be replaced that were the old galvanized ones.

MOTION: Hunt Willoughby moved to approve the Consent Calendar including the payment to Lone Rock Construction for the Rodeo Grounds in the amount of \$8,489.41 and to Lone Rock Construction for the High Bench Road improvements in the amount of \$72,258.79. Mel Clement seconded. David Adams, Mel Clement, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

VI. SCHEDULED ITEMS

A. ALPINE JR. MISS. Mary Ann Herbst, representing the Alpine Jr. Miss Program, made a presentation explaining the pageant. Kim Wilson said she is using her scholarship money for housing and believes we should recognize the girls who choose to participate in this pageant. Ms. Wilson suggested that the council give this pageant as much money as they allocate to the Miss Timpanogos Pageant and wished there were ways these girls could be included in service projects for the City and not just ride on a float. Thomas Whitchurch said that Mary Ann Herbst was given an award.

B. ALPINE DAYS GRAND MARSHALL. Michael Porter presented the name of Dennis and Valoy Smith to be the Grand Marshall for this year's Alpine Days Parade. Dennis Smith is the son of Bob and Luana Smith and came to Alpine when he was six-months old and is the founder of the Alpine Art Center. Michael Porter read a history of Dennis Smith and Mayor Barker recognized and presented a plaque to him as the Grand Marshall of the Alpine Days Parade.

C. SKATEBOARD PARK. Mayor Barker said that a Public Hearing was held earlier in the evening on the skateboard park. Ted Stillman felt we needed to consider two items, the proposed location of the skateboard park being in the center of Burgess Park and the estimated cost of \$100,000. Mel Clement said he had talked to both the University of Utah and BYU's grounds people and they both said there are some problems with skaters - anything that has a cement surface is fair game to them. Councilman Clement talked to the Recreation people in Canada and they said to grow with your park. Mel Clement said we have spent lots of money on baseball and soccer and doesn't feel it is unreasonable to spend this money on a skateboard park or a facility that will benefit our youth. Councilman Clement said he is in favor of the park and thinks the facility will fit in Burgess Park even though it will be a tight fit. Hunt Willoughby said he was not in favor of the location as proposed but was in favor of the skateboard park. David Adams was in favor of the skateboard park.

Thomas Whitchurch said the park facilities that were built in Wasatch was built with used ramps and the parents only raised \$300.00 to put towards the \$20,000 cost. The kids were going to customize the ramps and then ended up customizing the bathrooms and parking lots, etc. Councilman Whitchurch said he was in favor of the park but feels we should do it right. Thomas Whitchurch said a lot of people have talked to him about putting in a pool and recreation center; however, the Mayor of Highland said they are looking at constructing a facility by Lone Peak High School and combining with Cedar Hills. Mayor Barker asked Ted Stillman to talk with Barry Edwards to see about building a Tri-City facility.

MOTION: Mel Clement moved that we establish a Skateboard Park in Alpine to be located in the center of Burgess Park as indicated on the diagram and to commit to establish one. David Adams seconded. Ayes: David Adams, Mel Clement and Thomas Whitchurch. Nays: 1. Hunt Willoughby voted nay because of the location. Motion passed.

Mel Clement suggested we could phase the skateboard park and David Adams felt that if we do this

we should do this right. If we spend \$50,000 now and \$50,000 in two years then we have still spent \$100,000. Councilman Adams said he liked the location in Burgess Park, as there are many people in that area at all times and it would be easy for the police to patrol. Mel Clement said that if we move forward we might consider forming a citizen's committee to come up with rules and regulations.

MOTION: David Adams moved to construct a Skateboard Park not to exceed \$80,000. Thomas Whitchurch seconded. Ayes: David Adams, Mel Clement, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

David Church explained why the liability is manageable and said the state legislature put skateboard parks in the same category as skiing facilities, etc. Mr. Church said that insurance companies have said that the skateboard parks haven't been high risk and there are more claims that involve swimming pools and cars being hit by baseballs. Kathy Bailey asked if we have considered the maintenance of the skateboard park and said she didn't want to see it look like the tennis courts, etc.

D. ROUNDABOUT UPDATE. Ted Stillman said that Horrocks Engineers has completed the roundabout design and reviewed it with the City Council. The design and construction schedule was discussed and Shane Sorensen had met with UDOT to finalize the Agreement for the City to take over Main Street. Ted Stillman said the Agreement will be sent to UDOT for their review and this will be on the City Council agenda on August 12, 2003.

Brian Atkinson and John Gilcrist from Horrocks Engineering made their presentation on the roundabout design and said it was designed to accommodate large trucks. Hunt Willoughby asked about the possibility of adding several feet to the width of the roundabout so he would be able to ride his bicycle next to a car and it was noted that the wider the roundabout, the higher the speed. Brian Atkinson said the chocking affect will slow the traffic down. Lon Nield asked why not consider putting two lanes in the roundabout and again Brian Atkinson said that two lanes would increase the speed. Hunt Willoughby said that during all Public Hearings pedestrian safety was the No. 1 concern expressed and David Adams said this design as presented could accommodate two lanes in the future. Shane Sorensen said that an elaborate design would be to bid the construction with different options. Mr. Sorensen talked about a landscaping design on the roundabout. In Shane Sorensen's research he found that some people liked the idea of not being able to see across the roundabout as this also slowed the traffic and some liked to be able to see across the roundabout. Shane Sorensen suggested that we use the low to medium maintenance design.

MOTION: Thomas Whitchurch moved to authorize staff to bid the roundabout construction. David Adams seconded. Ayes: David Adams, Mel Clement, Thomas Whitchurch and Hunt Willoughby. Nays: 1. Kent Hastings voted nay. Motion passed.

E. ARBORETUM BRIDGE. Harvey Hutchinson said he would like to purchase a lowboy bed for a bridge for the Arboretum from Rodger Graham for \$2,500 and use another \$2,500 for bridge abutments. Mr. Hutchinson said he has a commitment from Rodger Graham to construct a covered bridge; however, if the bridge doesn't cost the full \$5,000, Mr. Hutchinson asked for permission to use the left over monies for other improvements in the arboretum. Mr. Stillman said there is \$5,000 in the Capital Improvement Budget for the Arboretum.

MOTION: Thomas Whitchurch moved to approve the \$5,000 allocation for the Arboretum Bridge and other improvements in the arboretum. Mel Clement seconded. David Adams, Mel Clement, Kent Hastings, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

F. DRY CREEK ORCHARDS SUBDIVISION – PRELIMINARY REVIEW. Ted Stillman said the Planning Commission at their meeting on July 1, 2003 approved a revised Preliminary Plat for the Dry Creek Orchards Subdivision. The Planning Commission also recommended a 10-foot offset in 200 North, which would allow lot No. 4 to be near the same size as the lots previously approved in the Applewood Subdivision, with the following motion:

"Mike Mickelson moved to recommend approval of a 10-foot offset on 200 North based on the finding that it would make the lot sizes compatible with surrounding neighborhoods, and

grant preliminary approval to Dry Creek Orchards Subdivision subject to the following recommendations from the engineer:

1. Submit plans and profiles for the streets, sewer lines and storm drains
2. Secure an easement for the offsite sewer line
3. Submit detailed plans for the box culvert prior to construction
4. Provide a bond for the required improvements
5. Meet the City's water policy

Steve McArthur seconded. Ayes: 4 Nays: 1. Motion passed. Dale Porter voted nay saying it was hard to support the exception because it was created by two property owners unable to come to an agreement."

Jannicke Brewer said the Planning Commission felt that to make the one lot so much smaller than the other ones would be doing a disservice to neighboring lots. Kent Hastings asked if to grant the exception would benefit the City more than to leave it as is and Shane Sorensen said that in this case the size of a house that could be built on the smaller lot was what was concerning the neighbors.

MOTION: Hunt Willoughby moved to grant a 10-foot offset exception for 200 North in the Dry Creek Orchards Subdivision based on the recommendation that the 10-feet does not create a safety issue and this will provide a smooth transition between the zoning to the east and the zoning in the Planned Residential Development. Thomas Whitchurch seconded. Ayes: Mel Clement, Kent Hastings, Thomas Whitchurch and Hunt Willoughby. Nays: 1. David Adams voted nay. Motion passed.

David Adams suggested that we look at the Whitby and Taylor property that is south of Dry Creek Orchards Subdivision and is in the flood plain and that we look at possibly securing the property to build ball fields. Will S. Jones said the Whitby's do not think their property is in the flood plain.

MOTION: Kent Hastings moved to start the condemnation process for the 150-foot sewer easement on the Whitby property. David Adams seconded. Ayes: David Adams, Mel Clement, Kent Hastings, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

G. WEB SITE UPDATE. Thomas Whitchurch said that the City's new web site as developed by Loretta Gale of Infobytes is not quite ready for a demonstration. Councilman Whitchurch said that Rachel McTeer, the City's intern, has done a very good job in putting information and by the next City Council meeting we will be ready for a live demonstration. Councilman Whitchurch said our website is easy to use and Rachel McTeer will be doing the training of staff. Kent Hastings asked if we could spend 10 minutes at the first of each Council Meeting to see if staff is doing their jobs and this is brought up to date.

H. RECREATION ORDINANCE NO. 2003-05. Ted Stillman said the draft Recreation Ordinance allows the City to schedule the use of athletic fields. Rachel McTeer and Councilman Clement have met with the School District and they are interested in letting us schedule their fields, also. Ted Stillman said there have been scheduling wars between the soccer leagues and baseball teams and there has been overuse on all the fields. Mr. Stillman said the school is excited to have the City schedule their fields and said we will have to get in the scheduling business. Hunt Willoughby made some corrections on typographical errors and Ted Stillman asked the Council to review the ordinance and come back with more questions and comments. Mel Clement said he had talked to the Chief Kip Botkin who suggested we give him an ordinance that his officers can enforce. Ted Stillman said the baseball league will have to give the City their schedule so they can be put on the field schedules.

I. FT. CANYON SEWER EASEMENT. Ted Stillman said the City Council had previously authorized the construction of the sewer up Ft. Canyon to serve the Bill Crockett home that has a failing septic tank. Colin Grant, a neighbor to the south, has refused to grant an easement for the sewer and staff would like authorization to appraise the sewer easement across Mr. Grant's property and condemn if necessary.

MOTION: David Adams moved to extend the meeting to 10:45 pm and approve Resolution No. R2003-08, A Resolution authorizing either condemnation or appraisal of the Colin Grant property. Mel Clement seconded. David Adams, Mel Clement, Kent Hastings, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

VII. COMMUNICATION

Kent Hastings –

1. Asked if the problem with the sprinklers hitting the Veterans Memorial has been corrected. Ted Stillman said that it has.
2. Asked about a list for Eagle Scout projects
3. Said the culinary water that was used to fill his pool was very dirty. The water came from a fire hydrant and asked what we can do to look at our water quality. Shane Sorensen said we are testing on the State of Utah schedule.

Hunt Willoughby – He and Ted Stillman met with the financial agency that we have our Pressurized Irrigation Water Bond with and everything is O.K.

Thomas Whitchurch –

1. Alpine Days is going along well and you will be getting your flyer in a few days. We need to make a decision on what the Council is going to be doing for the parade. Mr. Whitchurch said we have had an offer from Thanksgiving Point to use one of their flatbed trailers and then the Council members can take all their families. We are using a different company for the fireworks display. Kent Hastings asked how much money does the City actually spend on Alpine Days and it was noted that every event has been given a budget. Hunt Willoughby suggested there only be two entrances to the Youth Dance and that they collect the money. The Golf Tournament has been moved to Wednesday.
2. Asked the Council to support the Jr. Miss Pageant as they were given tickets for reserved seating to the event..

Mayor Barker – Said he authorized Michael Porter to schedule Jericho Road to perform at a concert between the Family Dinner and the Fireworks Display.

Shane Sorensen –

1. Said he talked to the School District about bussing the children who live on 800 South and was told those children will be bussed.
2. We just started our first well on Sunday for the pressurized irrigation, so we are in good shape. We started this well three weeks later that last year.

VIII. EXECUTIVE SESSION – Litigation, Property Acquisition and Personnel – This was not needed

IX. REVIEW ACTION ITEMS

X. APPROVAL OF MINUTES

City Council Meeting of June 24, 2003

MOTION: Hunt Willoughby moved to extend the meeting to 11:05 pm and approve the minutes of the City Council Meeting of June 24, 2003 and adjourn. Mel Clement. Seconded. Ayes: Mel Clement, Kent Hastings, Thomas Whitchurch and Hunt Willoughby. Nays: 0. David Adams abstained. Motion passed.

The meeting adjourned at 11:05pm.