

JULY 25, 2006

Minutes of the Public Hearing and City Council Meeting held on Tuesday, July 25, 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, April Riley, David Church and Jay Healey

Others: Jannicke Brewer, Craig Skidmore, Don Watkins, Roger Whitby, Downing Akin, Kay Van Buren, Lew Kofford, Nicholas Pinegar, Bruce Fallon, Carl Pack and Will S. Jones

PUBLIC HEARING – 7:00 pm: FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT REGARDING AMENDMENTS TO THE DEVELOPMENT CODE.

Mayor Hunt Willoughby called the Public Hearing to order at 7:00 pm, welcomed those in attendance and introduced the Public Hearing. Ted Stillman said amendments include parking and setbacks on accessory buildings. Mr. Stillman said that Shane Sorensen has developed a parking diagram that clearly outlines the sizes and spaces.

There were no comments from the public.

The Public Hearing adjourned at 7:06 pm.

CITY COUNCIL MEETING – Immediately following the Public Hearing

- I. **CALL TO ORDER.** Mayor Hunt Willoughby called the City Council to order at 7:06 pm and welcomed those in attendance. Mayor Willoughby introduced the staff and said that Kimberly Bryant will be late.
- II. **PRAYER/OPENING COMMENTS -** Hunt Willoughby
- III. **PLEDGE OF ALLEGIANCE.** Don Watkins 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.

Don Watkins thanked each of the council members for their service and complemented the council and staff on their hard work. Don Watkins said he was at the Planning Commission last week and asked them to put this off moving forward on approving the Box Elder South annexation until he had a chance to talk to other residents about their wishes for Lambert Park. Mr. Watkins said that one of the greatest treasures we have in Alpine is Lambert Park which comprises approximately 270 acres. It has come to his attention that one of the owners of the proposed Box Elder South area has come to the city with an annexation and development request. Mr. Watkins said there is 80 acres much of what is in the heart of Lambert Part and while he was Mayor there were many proposals to develop property in that area such as a golf course and condominiums, etc. and was told to take the money and do many things in the community. Don Watkins reminded the council that when he was the mayor the council at that time put in place a super-majority requiring any activity in the park a majority vote. On the master plan it was stated that if this property was ever annexed this should be a park. Don Watkins hoped the council will entertain the notion that this should not be developed into anything except a park and recommended that the city purchase this property to extend the park. Don Watkins felt we should not talk development and give this developer hope, and that it is stated this is on the master plan to be a park. Mr. Watkins asked that he be given the opportunity to go out in the community and present ideas to them.

Mayor Willoughby said it would be a priority for him to preserve this property as a park. Kent

Hastings asked if we could use some of the property to expand the cemetery and then some money could come from the cemetery. Ted Stillman said there is some Open Space grant money available that could be applied for. It was noted that the Council received a letter from Janis H. Williams, City Recorder not being able to certify the Box Elder South Annexation due to not receiving information back from Utah County.

Kimberly Bryant arrived at the meeting.

V. CONSENT CALENDAR

Business Licenses:

- Kent Partna – SCREAMCHEESE PHOTOGRAPHY; 299 East 300 North
- Trent Hyde – CORRECTIVE SOLUTIONS HEATING & COOLING; 374 North 425 East
- Theodore Christensen–THEODORE CHRISTENSEN CONSULTING; 120 E Himalaya Ct.
- John Ricks – LIGHTHOUSE MARKETING; 196 W. Center
- Lindsay Mitchell – BLACK TAR MARK MUSIC, LLC; 226 Matisse Lane
- Lindsay Mitchell – CROOK RECORDS, LLC; 226 Matisse Lane
- Christy Lee Fenton – FRONTIER FINANCIAL; 656 N. Grove Drive
- Michael Fenton – ALPINE HARDWOOD FLOORING; 656 N. Grove Drive
- Blake Empey – EMPEY ENTERPRISES, INC; 262 Hillside Circle
- Brian Bambl – NUTRITION FIRST FITNESS; 772 S. Blue Ridge Lane
- Gary Bingham – FILE MASTER, LLC; 802 Allegheny Circle
- Paul Newey – CRAZY KIDS INFLATABLE; 855 S. Andes Drive
- Kenneth D. Cordner – MASTERPIECE BUILDERS; 905 W. Hayden Court

Bond Releases:

- David Gifford – HUNTER’S RIDGE CIRCLE, PLAT A; 300 N. Main - \$224,551.87
- Roger Whitby – WHITBY WOODLANDS, PLAT C; 300 West 200 North - \$463,185.12
- Ty Rogalski – Burgess Place, Plat A; Corner of 200 North and 200 East - \$7,662.72
- Downing Akin – HERITAGE HILLS, PLAT A; Approximately 900 N. Elkridge Lane including Alpine Blvd. and the Moeller Property -\$807,347.66

Tracy Wallace asked for clarification on the one Business License Application for Kenneth D. Cordner, Masterpiece Builders. Jannicke Brewer said that Mr. Cordner has one office manager and this was clarified at the Planning Commission Meeting.

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

VI. REPORTS - Financial Report. Ted Stillman went over the year-end Financial Report ending June 30, 2006 and reported as follows:

<u>Actual Revenue through June 2006</u>	<u>2004-2005</u>	<u>2005-2006</u>
General Property Taxes	\$535,635	\$543,109
Sales Tax	\$685,858	\$800,556
Motor Vehicle Tax	\$ 81,131	\$ 69,186
Franchise Fee	\$452,082	\$575,345
Plan Check Fee	\$156,589	\$103,677
Building Permits	\$310,745	\$223,563
Traffic Fines	\$ 43,861	\$ 48,200
Storm Drain Utility Charges	\$ 81,615	\$ 84,313
Storm Drain Impact Fees	\$ 60,228	\$ 49,524
Street Impact Fees	\$ 71,924	\$106,254
Park Impact Fees	\$201,925	\$158,164
Class C Road Fund	\$287,247	\$304,548
Culinary Water Sales	\$457,716	\$445,059
Water Impact Fees	\$ 28,399	\$ 15,107

Sewer Sales	\$ 427,996	\$ 470,555
Sewer Impact Fees	\$ 93,096	\$ 51,883
Waste Collection Sales	\$ 305,424	\$ 320,254

Fund Balance through June 2006

General Fund	\$ 456,825	\$ 240,467
Street Impact Fees	\$ 275,154	\$ 371,041
Recreation Facility (Parks) Impact Fees	\$ 319,655	\$ 490,464
Class C Road Fund	\$ 138,941	\$ 287,681
Historic Preservation Fund	\$ 3,023	\$ 2,466
Capital Improvements Fund	\$2,100,109	\$3,089,354
Water Fund	\$2,184,360	\$2,198,928
Water Fund Impact Fees	\$ 133,344	\$ 139,087
Sewer Fund	\$ 435,375	\$ 421,712
Sewer Fund Impact Fees	\$ 862,567	\$ 952,155
Garbage Fund	\$ 28,998	\$ 32,371
Pressurized Irrigation Fund	\$2,852,234	\$2,965,272
Storm Drain Impact Fees	\$ 346,695	\$ 61,367
Storm Drain Utility	-\$ 121,082	-\$ 54,969
Trust and Agency Fund	\$ 285,038	\$ 302,257
Cemetery Perpetual Care Fund	\$ 409,890	\$ 394,871

Ted Stillman went over all funds and said we ended up in very good shape.

VII. ACTION ITEMS

A. ORDINANCE NO. 2006-14; DEVELOPMENT CODE AMNEDMENTS. Mayor Hunt Willoughby said he received a call from a council member asking that we put this off for another two more weeks so he had time to go over the changes. Kimberly Bryant said she will be out of town and Kent Hastings said he didn't mind putting this off until then. There was a discussion on the date and time and the next City Council Meeting as this date is during Alpine Days. Ted Stillman said we have a Truth in Taxation Hearing scheduled for 6:30 pm; however, we can hold City Council Meeting earlier in the evening. Both Tracy Wallace and Thomas Whitchurch said they would appreciate the opportunity to review the changes in this ordinance and said they had a few other comments before adoption. There was more discussion on parking requirements.

B. WESTFIELD ROAD. Ted Stillman said that Shane Sorensen had prepared an RFP for the final design of the Westfield Road project. Mr. Sorensen anticipated the bid schedule to be as follows:

August 8, 2006	-	RFP Due to City
August 22, 2006	-	Award Design Contract at City Council
November 30, 2006	-	Completion of Bid Package for City Review
December 20, 2006	-	Final Bid Package Complete
January 2, 2007	-	Begin Advertising for Bid
January 16, 2007	-	Pre-Bid Meeting
January 24, 2007	-	Bid Opening
February 13, 2007	-	Award Construction Contract at City Council
Spring 2007	-	Begin Construction

Kent Hastings asked Shane Sorensen if there was going to be a sidewalk on one side of the road and if a small roundabout would work at the intersection of Westfield Road and 400 West and if this would be expensive. Shane Sorensen said this road is going to tie in by the Chatfield's and then again at Sunrise Drive. Shane Sorensen said there are grade issues at the intersection of Westfield Road and 400 West and a roundabout would add cost to the project and recommended that we stick with our original plans. The developers of Whitby Woodlands have planned their development around a 4-way stop and Kent Hastings

suggested that if it doesn't add additional cost we look at other options.

MOTION: Kent Hastings moved to approve the RFP as presented for the Westfield Road project. Thomas Whitchurch seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Ayes: 0. Nays: 0.

C. RESTROOM/PAVILION/GAZEBO. Ted Stillman said that Ensign Engineering has completed the conceptual design of the Legacy Park restrooms, gazebo and pavilion. Mr. Stillman said the Concept Design Phase is essentially complete, the Design Phase is anticipated to take 45 days to complete and the Bidding Phase typically takes 21 days to complete. Bid Opening could be scheduled for Wednesday, November 1, 2006 at the earliest. The fee schedule is based on the scope of work presented and all subsequent tasks, the fee structure was developed and is as follows:

Restroom/Pavilion Building	\$19,500.00
Gazebo Building	<u>\$ 6,400.00</u>
	\$25,900.00

The City Council had a problem with the amounts listed above and thought it was too high. Shane Sorensen said that Ensign Engineering had done a project in the Tooele/Grantsville area and used that design to come up with the square footage cost of the project. Shane Sorensen said there is a fine line with over design and under design and there were some inadequacies on the previous plans. Ted Stillman said we did not need a motion to not accept the bid package, but that we would get other bids.

D. ALPINE MARKET SITE PLAN. Ted Stillman said the owners of Alpine Market propose to build a new office building at approximately 58 South Main, behind the existing building which had been remodeled recently. The side setback on the west side is proposed at 5 feet, while the rear setback is proposed at 5'6". The adjacent property to the south is a residential property and the adjacent property to the west is a commercial property. City ordinance states that where a commercial property is adjacent to a residential zone or another commercial area, the side and rear setbacks shall not be less than 20 feet, unless a lesser setback is recommended by the Planning Commission and approved by the City Council. The Planning Commission asked the developers to get written feedback from the affected adjacent property owners regarding reduced setbacks. Ted Stillman indicated that they had received letters from Andrew Burgess and Diana Mills saying they did not object to the layout of the proposed office building.

Bruce Fallon sent a memo regarding the parking ordinance and their interpretation of it. Mr. Fallon indicated that he did not feel they should have to meet the one parking stall per clinic employee per shift regulation since the owner does not plan to lease to medical or dental practices. The architect's calculations show that 30 stalls are required for the two buildings, which equates to 4.5 stalls per 1,000 sq. ft. of office space (the proposed plan included 2 ADA accessible stalls).

Andrew Burgess owns a 20-foot easement along the north side of the property that provides access to his driveway and they have worked out right-of-way issues with the owners of Alpine Market. It was asked in the Planning Commission if the Burgesses would have hard-surface access to their property and it was stated they would be cobblestones laid in soil and that area would provide access to the property and would also be included in the 20% landscaping requirement.

The developers indicated they had met with the Historic Gateway Architectural Review Committee when they brought in their original two-story plan with the basic design which is still in place. Ted Stillman had told them they did not have to go back to the Committee.

Hata Puriri said he was against approving a variance for setbacks on commercial buildings and felt the City Council would be setting a precedent. Tracy Wallace felt that the cobblestone bricks should not be considered landscaping. Kent Hastings said that David Church said the council does not set precedence, but you look at each situation and see what looks best for each property. Councilman Hastings was also concerned about security for adjacent property owners. Jim Tracy gave his reasoning for voting "No" when they came to the Planning Commission and said with the square footage they had and they did not meet the setbacks nor the parking requirements. They reduced the building almost in half and at that time they had the

opportunity to reduce the footprint and they knew what our setback was before they did that. They came back to the Planning Commission.

MOTION: Hata Puriri moved to deny the Alpine Market Office Building Site Plan based on their need for a set back variance. Tracy Wallace seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Ayes: 0. Nays: 0.

E. HERITAGE HILLS, PLAT B. Ted Stillman said the proposed Heritage Hills, Plat B Subdivision consists of 20 lots on 12.97 acres in the CR-40,000 zone. The development is located north and east of Plat A of the same development. The lots range in size from 20,001 to 65,392 sq. ft. and all appear to meet the minimum frontage and area requirements. The plat did not show any open space being dedicated with this plat and in discussing this with the developers, it was their understanding that they would have to convey the open space to the City by deed since the remaining open space in the development, outside of that provided with Plat A, is not contiguous to the proposed plat. Staff recommended that the open space be included on the plat, including a second boundary description since the open space will not be contiguous. The developers agreed with this concept and have prepared the plat with the open space included. The open space area will meet or exceed the 25% minimum requirement.

The construction of the trail was also discussed and Downing Akin proposed that the trail be constructed with Plat C, but indicated that Plat C could not be built until they had access to the sewer. They would not have that access until North Pointe was developed. Mr. Akin did indicate, however, that he had discussed an alternative way of doing the sewer with Jay Healey and Shane Sorensen and if the City agreed to another method, they could do it sooner. The discussion of the trail included comments from Craig Skidmore and Mr. Skidmore said the reason this trail would be built with Plat C was because this trail didn't go anywhere. Downing Akin felt it would be better to build the trail system all at once.

Shane Sorensen said the developers were short 9.83 acre feet in satisfying the water policy on the annexation and the developer asked that they be allowed to give cash in lieu of water. Mr. Sorensen said they would be required to pay the rate of an Alpine Irrigation share plus 25% and this would amount to approximately \$2,083.33 per acre foot.

MOTION: Thomas Whitchurch moved to grant Final Approval to Heritage Hills, Plat B subject to the following conditions:

1. A bond be provided for the required improvements
2. The trail located in the natural open space be attached to Plat C
3. The minor redlines be corrected in the plat
4. The geologic engineering consultant review the on-site construction
5. That we accept cash in lieu of water to make up the difference in meeting the water policy

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

F. KOFFORD BOUNDARY LINE ADJUSTMENT. Ted Stillman said that Lew Kofford requested to adjust his property line to include a parcel that he purchased from Don Watkins and David Church had indicated there are new requirements in the State Code for these types of exchanges. It was noted the City Recorder will not record a transaction of this type without approval from the appropriate land use authority. The boundary adjustments can be done with either deeds or an amended plat and the Kofford's have proposed to use deeds.

MOTION: Kimberly Bryant moved to approve the Kofford boundary line adjustment. Thomas Whitchurch seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Ayes: 0. Nays: 0.

G. KIEFFER BOUNDARY LINE ADJUSTMENT. Ted Stillman said the Server's, who own the Kieffer Annexation property and lots 27 and 28 of the Alpine Estate, Plat A have requested to adjust their property lines to rearrange lots. Two of the lots would be reduced in size and the third lot would be made larger. All lots were still large lots and would meet lot size, frontage and setback requirements for the CR-

40,000 zone.

MOTION: Kimberly Bryant moved to approve the Kieffer boundary line adjustment. Thomas Whitchurch seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Ayes: 0. Nays: 0.

Nicholas Pinegar presented his proposed Eagle Scout project and said he would like to paint house numbers on curbs in the downtown area. Mr. Pinegar said he had talked to Craig Carlisle, Fire Chief, to get his input and Chief Carlisle said he would like the downtown area done to serve as a model for other scouts who want to do this type of project in other areas. The Mayor felt we should get some clarification from Chief Carlisle as to whether the numbers be white on a black background or black on a white background. Also, Mayor Willoughby asked Nicholas Pinegar to talk to Ted Stillman to have him coordinate with other scouts.

H. RECYCLING AT CITY SHOP. Ted Stillman said that for a number of years Allied Waste has had 10 bins at the City Shops for recycling. There have been approximately 10 bins (collecting cardboard, aluminum and newspaper) and it has cost the City about \$650 per month. Allied Waste has notified the City that effective August 1, 2006 they are requesting one or two options:

1. Increase the current rate to \$1,527 per month for the service and discontinue aluminum service
2. Discontinue all service and remove containers

Ted Stillman said the biggest concern with discontinuing service is people will continue dumping cardboard at the City Shops. Ace Disposal proposed that we put in two 25-yard recycle containers with metal tops and sliding side doors at a cost of \$110.00 per haul per container. All recyclables can be commingled and delivered to DCD in Orem where they will be sorted. Ace recommended starting this service on an on-call basis and DCD will accept this material at no charge.

It was recommended that we put an article in the Newline encouraging Alpine residents to sign up for recycling. Jim Tracy suggested that the gates be locked on the weekends and Jay Healey said that both roads into the cemetery, the one off Main Street and the one off Grove Drive are now asphalted.

MOTION: Thomas Whitchurch moved that we remove the recycling containing that are at the City Shops as of September 1, 2006 due to the cost of the recycling. Tracy Wallace seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Ayes: 0. Nays: 0.

Thomas Whitchurch had other obligations and left the meeting.

I. CHIPPER PURCHASE. Ted Stillman said there is a need for a chipper and in the past the City has stored brush at the cemetery and then burned it in the spring time. The Cemetery expansion has taken away this area and it is also unsightly. The Lambert Park cleaning project requires the disposal of a large amount of brush and logs and to solve both of these problems it is proposed that a chipper be purchased in the amount of \$23,000. A portion of the cost will be charged to the Lambert Park Cleanup Grant and the funds would come from the City's Equipment Replacement Fund. Renting a chipper vs buying one was discussed. Ron Devey explained that brush and trees will be chipped and left on site; however, some chips will be taken to TSSD. There will be a use for some of the chips to be on trails and other places.

MOTION: Kimberly Bryant moved to approve the purchase of a chipper not to exceed \$24,000. Tracy Wallace seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Ayes: 0. Nays: 0.

VIII. COMMUNICATION

Kimberly Bryant – Read a letter from a resident concerning the tennis courts at Timberline Middle

School. Tracy Wallace explained the situation that Timberline Middle School gave permission for an organized Soccer Camp.

Kent Hastings – Asked if anybody has thought further about the relevancy of PRD's. Hunt Willoughby said there are some benefits and asked that this be put on a future agenda for further discussion.

Hata Puriri – Asked if the water leak on Center Street and Main Streets was secondary or culinary water. Jay Healey said it was culinary water but was an old line. It was quickly fixed.

Tracy Wallace –

1. Asked about the lights on our tennis court and need to be turned on. Ted Stillman said there was a lot of vandalism, but they can be turned on for Alpine Days. Alpine Days is less than two weeks away.

2. Asked if we can come up with a definition for landscape design that can be put in the Development Code.

Thomas Whitchurch – Has tickets for each Council Member to attend a performance of the Music Man.

IX. EXECUTIVE SESSION to discuss Litigation, Property Acquisition and Personnel. An Executive Session was not needed.

X. APPROVAL OF MINUTES

City Council Meeting of July 11, 2006

MOTION: Hata Puriri moved to approve the minutes of the City Council Meeting of July 11, 2006 and adjourn. Kent Hastings seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Tracy Wallace and Thomas Whitchurch. Ayes: 0. Nays: 0.

The meeting adjourned at 9:10 pm.