

**August 23, 2005**

Minutes of the City Council Meeting held on Tuesday, August 23, 2005 at Alpine City Hall, 20 North Main, Alpine, Utah 84004 at 7:00 pm as follows:

The following members were present and constituted a quorum:

Mayor – Philip D. Barker

City Council Members: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby  
Staff: Ted Stillman, Jeff Robb, Janis H. Williams, Shane Sorensen and Jay Healey

Others: Jannicke Brewer, Dale Porter, Jim Tracy, Tracy Wallace, Craig Skidmore, Sue Stratford, *The Herald Extra (Citizen)*, Will S. Jones, Jason U. Thelin, Rubin J. McDougal, Janelle Walker, Ula B. Hemingway, Bob Hemingway, Jill Bergman, Rod Bergman, Eric Farr, Craig McDaniel, Caren Wootton, Arlin Bellon, Phyllis Bellon, Chad Bellon, Denise Snyder, Rebecca Snyder, Caroldean Neves, Carla Wheadon, Robert Brown, Steve McArthur, Dave Robinson, Carol Chomjak, Connie Pulsipher, Steven Pulsipher, Jim Galetka, Joyce Galetka, Cathy Walker, Chuck Castleton and Travis Reagent

**I. CALL TO ORDER.** Mayor Philip D. Barker called the City Council Meeting to order at 7:00 pm and welcomed those in attendance. Mayor Barker introduced the Mayor and City Council Candidates as follows and wished them well in the upcoming election:

For Mayor:	Kent Hastings	City Council:	Jason U. Thelin
	Rubin J. McDougal		Tracy Wallace
	Hunt Willoughby		Thomas Whitchurch

Mayor Barker congratulated Tracy Wallace on a job well done as Chairman of the 2005 Alpine Days and felt this year's event went well.

Mayor Barker said that Ula Hemingway conducted a very successful flag burning ceremony at Burgess Park. The ashes of the flags that were burnt were then buried at the cemetery.

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

**III. PLEDGE OF ALLEGIANCE.** Jason Thelin 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.

Rebecca Snyder said she was chosen from Lone Peak High School to attend Girls State this year and requested that the City reimburse her \$100.00 towards her tuition. Ms. Snyder said she learned flag etiquette and other government issues. Mayor Barker congratulated her for her attendance at Girls State as it is an honor to be selected to go.

**MOTION:** Hata Puriri moved to reimburse Rebecca Snyder \$100.00 for her attendance at Girls State. Kimberly Bryant seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

Chuck Castleton said he had been before the City Council several months ago pertaining to the water that drains down Ranch Drive and said he hasn't seen any work done as of yet to remedy the problem. Ted Stillman explained the problem and said they are meeting with Highland and Draper later this week.

**V. CONSENT CALENDAR** –

Business Licenses:

Jennifer Fox – DELIVERED THOUGHTS; 372 Eastview Drive

Jon Kofford – PROVECTUS DESIGN; 404 Eastview Drive

Arlen and Judith Runolfson – SHANDY TURBO'S; 777 E. Sunburst Lane

**Bond Releases:**

John Paskett – Paskett Court - \$9,132.26  
 Eric Yergensen – Tadge Acres - \$1,836.00  
 Roger Whitby – Whitby Woodlands, Plat A - \$10,800.99  
 Rob Clauson – Alpine Commons Subdivision - \$12,540.00

**Payment Requests:**

Carlton, Inc. – Alpine Drive Storm Drain Project; Payment #3 - \$61,723.44  
 Carlton, Inc. – Alpine Drive Storm Drain Project, Final Payment - \$56,354.58  
 Platinum Landscape – Canyon Crest Rd Landscape Project; Final Payment - \$20,712.50

Mayor Barker questioned the lack of signatures on the Bond Releases that were in the packet. Both Shane Sorensen and Janis Williams explained why there weren't any; however, it was reported that the signatures will all be secured prior to releasing them to the bank. Thomas Whitchurch had some questions about the bond release on Whitby Woodlands and asked if there was curb and gutter there and Shane Sorensen said there was.

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

**VI. SCHEDULED ITEMS****A. CEMETERY COMMISSION REPORT.** Ted Stillman said the Cemetery

Commission has been meeting regularly since being appointed by the City Council. Ula Hemingway introduced members of the Commission as follows: Eric Farr, Caroldean Neves, Carla Wheadon, Catherine Walker and herself. Ula Hemingway said that all the cemetery records have been updated in the gazebo and the commission has set long and short-term goals. The Cemetery Commission approved the following recommendations for presentation to the City Council for their approval:

1. New Cemetery Sprinkling System be installed – This should be accomplished this fall.
2. Build a retaining wall along the north side of the parking lot. This would help hold the dirt back – Suggested this be done by next summer, if possible. Ron Devey and other City employees will build it to match other walls in the cemetery and then put in ground cover.
3. Paving of the Cemetery roads. The Commission prioritized the roads as follows:
  - a. Main Street entrance - should be done as soon as possible
  - b. Forbes Lane
  - c. Other dirt roads leading to the north entrance
4. A one-way road coming from the parking lot up to the top of the hill using the existing road entrance, then going along the west side of the graves on top of the hill and connect with the road coming up from the north entrance. This would still leave space to park cars on top as is presently done. The Commission suggested this road could be used as a path to walk to the top of the hill from the parking lot and this could be done sometime in the future.
5. Complete enclosure of the Cemetery with fences and suggested putting in wrought iron gates to the three main entrances to the Cemetery. Alpine City Cemetery would be printed on the entrance arches. It was suggested the three main entrances be on Main Street, north entrance and Grove Drive and this would be done sometime in the future.
6. Expansion on the north/west side of the Cemetery. If this area was developed it could provide about 800 new graves which would provide the Cemetery with plots for about another 10 years. The Commission suggested this area be considered.

Thomas Whitchurch asked if there was money in the budget to accomplish the above-mentioned goals and Ted Stillman said the money would come out of the Perpetual Care Fund.

Eric Farr gave an analysis on the Cemetery expansion and said the cost of a grave site could be increased to cover the cost of buying the additional property. Kent Hastings said he thought that some residents wanted above ground markers and Eric Farr said the maintenance of those markers was the problem. Thomas Whitchurch said that in the Salt Lake City Cemetery they have two rows of above ground

markers and then two rows of flat markers. The Cemetery Commission recommended that the price for a single grave site be raised to \$800.00 and an ex-resident fee be raised to \$1,000.00.

The Commission made the following recommendations:

- The City move forward with the purchase of the adjacent property.
- The prices for products and services are changed as outlined in the model.
- The adjacent property is developed before the north side of the cemetery.
- The city begin to sell at least 300 plots a year.
- Monies made from the sale of plots are allocated to cemetery improvement.

Eric Farr felt that if the above-mentioned recommendations were followed then this would increase the supply of plots for at least the next 10 years.

Kent Hastings said he felt that if the cost of a Cemetery lot was increased to \$800.00, this might seem expensive right now, but in three years this will be an acceptable amount. Hata Puriri felt that to raise the fees by three times all at once is too much. Mayor Barker said that some of these recommendations need to be acted on fairly soon and some of them need to be put in the budget. Mayor Barker said we need to take these recommendations and act on them individually. Thomas Whitchurch said that if this gets out to the press, then we will have a run on the sale of these lots. Ted Stillman said that last week we sold 40 of them and Thomas Whitchurch suggested that we place a moratorium on the sale of the lots unless there is an immediate need.

**MOTION:** Thomas Whitchurch moved that we place a moratorium on Cemetery lot sales unless there is an immediate need and we then only sell up to two lots. Kimberly Bryant seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

Bob Hemingway asked what the City would do if a developer bought the Buckner property to subdivide. Mayor Barker said he would like this item to be on the City Council agenda in a month to look at the Cemetery Commission's recommendations.

**B. FUSION GROUP PRESENTATION.** Ted Stillman said the Fusion Group is planning to construct a large residential development in north American Fork which will impact traffic and development in north Utah County. Dave Robinson, from The Fusion Group, said that many of the municipalities in North Utah County have been and are currently struggling to meet the recreational and cultural needs of the communities they serve. Most municipalities are unable to build and fund adequate recreation facilities and which impacts the staff, cultural programs are being recommended to run voluntarily, and partnering with American Fork's recreation programs is soon ending. Since many of the communities in North Utah County share the same concerns and challenges, Dave Robinson made a proposal of a shared solution for the communities to consider as The Fusion Group has researched and found the YMCA a logical choice to meet the objectives of providing a community/recreation center on the border of American Fork and Pleasant Grove. There would also be a regional Library constructed to serve the residents in north Utah County. The YMCA is the largest not-for-profit community service organization in America and the Fusion Group felt the inclusion of a YMCA in their development appeared to be a natural fit for North Utah County. All communities have different needs, and all YMCAs are structured to meet the needs of the communities they serve. All communities have different needs, and all YMCAs are structured to meet the needs of the communities they serve. Each YMCA is administered by a director who, in conjunction with a volunteer board of community leaders, makes decisions on what programs to offer and how to operate on a local level. Carol Chomiak said The Fusion Group is committed to contributing to the community in helping to meet the needs and as such, \$2,000,000 has been budgeted to be contributed by the Fusion Group for the building of the YMCA facility.

Kent Hastings asked if this organization would take care of the sport programs and Dave Robinson said there is a steering committee that would come in and make a recommendation.

**C. BERGMAN ALPACAS.** Ted Stillman said that Rod Bergman is constructing an Alpaca farm on north Grove Drive. The Ordinance governing exotic animals requires that the Planning

Commission and City Council approve the number of animals. At the Planning Commission Meeting of August 2, 2005, Mr. Bergman requested that a total of 36 alpacas be allowed. After reviewing the request the Planning Commission recommended that 10 alpacas be allowed per parcel for a total of 20 alpacas. Kent Hastings how many sheep is allowed by ordinance and Jannicke Brewer explained the ordinance as saying it reads "with a maximum of 10 sheep."

Jill Bergman explained why she has these animals and then displayed items made of their fleece. Mrs. Bergman said these animals are cute and gentle and are fun to show. They are non-threatening, do not bite and there is no smell or parasite factor. They are intuitive and react well to children with special needs and troubled teens.

Jannicke Brewer said the reason the Planning Commission limited the Bergmans to 20 alpacas, was because they weren't sure how much grass that would be needed for grazing. The Planning Commission will review this again in one year. Hunt Willoughby suggested that we go with the Bergman's request and then review this in one year or based on neighbor's complaints.

**MOTION:** Hunt Willoughby moved that based on the nature of alpacas and the specific location of the Bergman property that 36 alpacas be allowed on Rod Bergman's property on north Grove Drive and that we readdress this issue in one year. Thomas Whitchurch seconded. Ayes: Kimberly Bryant, Kent Hastings, Thomas Whitchurch and Hunt Willoughby. Nays: 1. Hata Puriri voted nay. Motion passed.

**D. McDANIEL BOUNDARY LINE ADJUSTMENT.** Ted Stillman said that Craig McDaniel owns a 5-acre parcel adjacent to the south border of Lambert Park. He is selling his property and has found that there is a discrepancy between his property line and the City's Lambert Park property line. Mr. McDaniel said he has had the property surveyed and a Boundary Line Agreement prepared changing the boundary where the City has thought the line was. Shane Sorensen said he went to the County Recorder's Office today and found that the other parcels to the east have the same problem, but worse. Mr. Sorensen said the original deeds recorded in the late 1800's were based on the best information and equipment they had at the time. Shane Sorensen recommended that we resolve the problem on all parcels so that we don't have to see this again. It was asked what the boundary line was they pay taxes on. Shane Sorensen went over the history of this property and said that somewhere between the original owner and the transfer to the next owner was when the discrepancy appeared. In 1993 the Forest Service came in and established the bearings and section lines. Hata Puriri said he didn't see a problem with going back to the original line. Craig Skidmore said this isn't the only parcel that has this problem and that there are at least three pieces of property which have the exact same angles. Mr. Skidmore suggested the City look at the property to the north and to the south. Craig McDaniel said the deed he got when the city got Lambert Park in 1983 showed the boundary line where it is now. Mr. McDaniel suggested we go back and look at the deeds prior to that date.

Mayor Barker said this Boundary Line Adjustment between Craig McDaniel and Alpine City has been presented to the City Council to make a decision, but felt we need to get an opinion from our legal council. Hunt Willoughby said that based on the information that has been presented he would like to get David Church's legal opinion. Mayor Barker said that to give away open space we need to have a public hearing and it is not as easy as to have the Council make a decision to give this away. Mayor Barker suggested that we put this off until we get legal advice from David Church. Shane Sorensen said the County's maps show that we own to the section line. Hata Puriri said we have owned the Lambert property prior to 1983 and taxes have been paid on the overlap. Craig McDaniel said that in 1985 we annexed their property and the property description that was used in the annexation ordinance was to the yellow line.

**E. PLANNING COMMISSION VACANCY.** Mayor Phil Barker said that Phil Andrus has resigned from the Planning Commission due to the acceptance on an ecclesiastical calling which requires him to be at meetings on Tuesday evenings. Mayor Barker recommended that Lincoln Watkins be appointed to the Planning Commission to replace Phil Andrus. Mr. Watkins has been actively involved in the City as Chairman of the Parks Sub Committee of the PRO Committee and will continue to serve on that committee.

**MOTION:** Thomas Whitchurch moved to appoint Lincoln Watkins to be appointed to the Planning Commission to replace Phil Andrus based on Mayor Barker's recommendation. Hata Puriri seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion

passed.

**F. EAST MOUNTAIN, PLAT D REIMBURSEMENT.** Ted Stillman said that East Mountain Subdivision, Plat D is located in the southeastern portion of the City just north of the Smooth Canyon Subdivision. This Plat is part of the Settlement Agreement with Mr. Patterson which allowed him to record this plat whenever he chooses to. Mr. Patterson now wishes to record this plat; however, Mr. Patterson must pay current fees and the City must pay for oversized lines as well as for the pressurized irrigation lines. Shane Sorensen said Mr. Patterson has until October 2005 to construct the road down to Smooth Canyon as part of the Agreement to put in Healey Blvd. and down to David's Court. The total cost would be \$17,856.00. The Agreement states that we pay the actual cost of the materials only.

**MOTION:** Thomas Whitchurch moved to approve reimbursement to Patterson Construction for the utility lines for East Mountain, Plat D up to \$18,000.00 and be constructed to meet our specifications. Hunt Willoughby seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**G. ORDINANCE NO. 2005-17; TRANSPORTATION AND CIRCULATION IMPACT**

**FEE.** Shane Sorensen said that Alpine City has updated the City's Street Master Plan which will likely become part of the General Plan that the Planning Commission is currently working on. A Public Hearing on the Street Master Plan was held on July 26, 2005. Shane Sorensen said he felt that busing will become more important as the light-rail system is expanded. Jannicke Brewer said that at the first of the document it says "Guidelines" and this is not mandatory. It is proposed that the Street Impact Fee be increased to \$1,183.00 for a single residence. Ted Stillman said that impact fees for churches and schools have been added as they also impact our roads.

**MOTION:** Thomas Whitchurch moved to adopt Ordinance No. 2005-17, An Ordinance Enacting an Impact Fee for the proposed Transportation and Circulation Element of the General Plan and the Transportation and Circulation Capital Facilities Plan with the revisions as suggested by our City Engineer and with the additions as follows:

Single Residence	\$1,183.32
Office-1,000 sf of GLA	\$1,751.31
Commercial - 1,000 sf of GLA	\$2,200.98
Senior Center Unit	\$ 343.16
Institution – 1,000 sf of GLA	\$ 769.16

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

**H. STREET LIGHTING.** Council Member Kimberly Bryant presented the design recommendation for the Main Street lighting. Mrs. Bryant showed a picture of an acorn-style light post that could be used downtown and is fancier and said we could then require the developers to install the same type lighting fixture but without "Alpine" inscribed on them. There would be a shield on the back side of the lamp to keep the light from shining in the homes. A tear-drop light was shown which could be installed in the roundabout as the roundabout is in a commercial zone and there are not as many houses surrounding this area. The tear drop is \$2,960 and the acorn \$2,660 and there would be four fixtures in the roundabout. Ted Stillman said we have received \$20,000 from UDOT and there is \$20,000 in the budget. Shane Sorensen suggested that we put a couple of acorn fixtures in the parking lot by Legacy Park to see how we like them. All the City Council Members agreed on the tear-drop design. Shane Sorensen said that Orem City has three types of light poles, ones on residential streets, in commercial areas and then those on arterial streets. Hata Puriri and Hunt Willoughby like the shade. The priority for installing these lights would be in Legacy Park, the roundabout, then Main Street bridge.

**H. SIGN ORDINANCE.** Ted Stillman said the Planning Commission has been working on an update to the Sign Ordinance. One of the sections they have been addressing is how community events should be advertised. For the past year or so community events have been advertised on A-frames located at Legacy Park, The south entrance of the City, Canyon Crest and Ridge Drive and Westfield Road and Ranch Drive. Mr. Stillman said this has not been an entirely satisfactory solution and the Planning Commission has been looking at alternatives such as placing three (3) permanent signs that would

allow community groups to place their signs on. There was a proposal by Robert Brown of the Alpine Playhouse depicting how these signs could look. The Planning Commission recommended that the City Council review the concept for a community event sign board to be located in front of City Hall. The sign would be double-sided with room for two signs on each side and have a finished size of up to 6 feet above the ground and 8 feet wide. Jim Tracy said he hoped this community event sign would ban all A-frame signs. The cost of the double-sided sign was discussed. Caroldean Neves had some questions about the A-frames for the book fair and for the band. Mayor Barker said the definition of "Community Event Sign" needed to be spelled out better and this ordinance needs to be brought back to the Council to be acted upon. Robert Brown asked how the \$10,000 that is now in the budget could be used. Mayor Barker said the Council needs to establish the Arts Committee.

**I. RESOLUTION NO. R2005-09; QWEST TELECOMMUNICATIONS TAX**

**REIMBURSEMENT.** Ted Stillman said that David Church warned us several meetings ago that Qwest was going to be asking the cities for a refund of a portion of the Telecommunications Tax. Alpine has received a request from Qwest for a refund of \$18,387.05. We are currently in the process of updating the Telecommunications revenues to determine how much our rate needs to be lowered to bring in the same amount as before. Mayor Barker asked if the Utah League of Cities and Towns is taking this action and suggested that we hold this money in escrow until we get a further notice from them. Ted Stillman said this Resolution gives Qwest the right to withhold the money monthly. Hunt Willoughby felt we needed an accounting as to how the \$18,387.05 amount was reached.

**MOTION:** Kent Hastings moved that we approach Qwest and have them give us an accounting as to how the amount for the tax reimbursement was reached. Hunt Willoughby seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**J. CANYON CREST ROAD FAILURE.**

Shane Sorensen said that Canyon Crest Road is failing in front of Timberline Jr. High. There has been a Geotechnical Report done on the failure and Shane Sorensen said their recommendation which would be guaranteed for 20 years was to dig down and remove the road and start over. Shane Sorensen suggested that we remove the asphalt and put in an additional 4" of asphalt which should prolong the use of this road. Mr. Sorensen said they are meeting with the School District as they said that the School District is not in the business of building roads, but educating children. Hata Puriri asked about the insurance warranty and Shane Sorensen said that typically there is a one-year warranty; however, we did not have a bond on this project and our warranty is for two years.

Shane Sorensen gave a brief update on the resurfacing project.

**K. RESOLUTION NO. R2005-10, CONSIDERATION FOR ADOPTION OF A RESOLUTION PROVIDING FOR A SPECIAL BOND ELECTION TO BE HELD ON NOVEMBER 8, 2005, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF ALPINE CITY, UTAH, THE QUESTION OF THE ISSUANCE OF NOT TO EXCEED \$5,000,000 GENERAL OBLIGATION OPEN SPACE BONDS TO FINANCE COSTS OF ACQUIRING LAND TO PRESERVE OPEN SPACE AND RELATED IMPROVEMENTS; APPROVING THE FORM OF AND DIRECTING THE PUBLICATION OF A SAMPLE BALLOT AND RELATED MATTERS.** A motion will be made after the Executive Session.

**VII. COMMUNICATION**

**Kimberly Bryant** – There is a problem with mailboxes being broken into. It was suggested that we put an article in the Newsliner about the mailbox problem and then locking your garages at night. Shane Sorensen said the Post Office is anxious to put in community mailboxes which would help alleviate this problem.

**Kent Hastings** – Said he talked to the Police Chief about a couple of areas that need extra patrolling and asked if we need extra enforcement on Main Street and if we should give out warnings. Hunt Willoughby said that the Council has had various neighborhoods come in about the speeding in their area and this has been a problem for a long time. Hata Puriri said he would be interested in seeing some statistics as to who get

the tickets and suggested that this be handled through the PTA.

Councilman Hastings reminded the Council members that the next City Council Meeting will be held at the Cabin in Sundance.

**Hata Puriri** – Asked when we are going to put in the road going up Main Street. Shane Sorensen said that all the deeds have been signed; however, we still need to record one more deed. The Devey piece is the one holding up the project. Asked about our noise ordinance and Ted Stillman said that our ordinance does not specify a time or Sunday construction. Councilman Puriri asked if we could have the Planning Commission look at this ordinance.

**Hunt Willoughby** – Said the walls at the Arboretum need to be looked at and Mayor Barker suggested that the wall needs to be inspected. Jay Healey said he has talked to Harvey Hutchinson and Mr. Hutchinson said he knows what he is doing.

**Shane Sorensen** – Said another item for the Newsline would be to explain why the residential taxes are going to go up.

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

**MOTION:** Hata Puriri moved to go to Executive Session to discuss Property Acquisition. Kent Hastings seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**MOTION:** Hunt Willoughby moved to go back to Open Session. Kimberly Bryant seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

**MOTION:** Thomas Whitchurch moved to adopt Resolution No. R2005-10, A Resolution Authorizing the sale of Bonds to Purchase Open Space Not to Exceed \$5,000,000 to be put on the November 8, 2005 General Election Ballot. Hunt Willoughby seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

#### **IX. APPROVAL OF MINUTES:**

Public Hearing and City Council Meeting of July 26, 2005

**MOTION:** Thomas Whitchurch moved to approve the Minutes of the Public Hearing and City Council Meeting of July 26, 2005 as amended and adjourn. Kent Hastings seconded. Ayes: Kimberly Bryant, Kent Hastings, Hata Puriri, Thomas Whitchurch and Hunt Willoughby. Nays: 0. Motion passed.

The meeting adjourned at 11:00 pm.