

June 15, 2004

Minutes of the Alpine City Planning Commission public hearing and meeting held June 15, 2004 at Alpine City Hall. Chairman Jannicke Brewer called the regular meeting to order at 7:00 pm. The following commission members were present and constituted a quorum:

Chairman Jannicke Brewer

Commission Members: Thomas Whitchurch, Steve McArthur, Dale Porter, Phil Andrus, Loretta Stevens. Mike Mickelson was excused.

Staff: Ted Stillman, Shane Sorensen, Charmayne Warnock, Rachel McTeer

Others: Marilyn Kofford, Lew Kofford, Donald Beck, Sandra Katzenbach, Gary Webb, Randy Beck, Janice Brown, Blaine Hudson, William Mahla, Teri Beck, Willard Heaps, Merlynn Heaps, Ronald Strong, Ray Katzenbach, Kristen Fillmore, Rick Chesnut, Dave Heinz, Craig Skidmore, Will Jones, Roger Whitby, Dennis Asay, Stacy Racher, Dwayne Nielson, Marcus Nielson, James Ivie, Andrew Jolley, Matt Chipman, Jennifer Bishop, Nicole Bishop, Juanita Nield, John Nield, Brent Knapp, Helena Knapp, Janece Krahenbuhl, Jeannie Spykes, Downing Akin, Kyle Spencer, Rob Carlson, John Copobianco, Aaron Robertson, Lyle Smith, Steve Sowby.

6:00 PM Tour of Whitby Woodlands Subdivision

7:00 PM Public Hearing on Whitby Woodlands: Ted Stillman said the proposed subdivision consisted of approximately 40 acres lying between Main Street and 400 West and north of 200 North. Jannicke Brewer said the development was required to be a PRD (planned residential development) because it contained sensitive lands. The developer Roger Whitby proposed 60 lots with some open space along the waterways. It contained Westfield Ditch and Fort Creek.

Willard Heaps at 52 W. Strong Lane said he was in accordance with the plan as drawn. He felt there should be more than one major exit from the property. He didn't agree with connecting the two streets in the subdivision because he felt they would end up with more traffic on their street (Strong Lane) than it could carry. He said he would be okay with a footbridge to connect the two sections but not another road.

Sandra Katzenbach lived in Alpine Cottages at 126 West Bordeaux Lane. She said she agreed that they didn't want another road connecting the two roads. A walking bridge would be wonderful. She said another issue was that the children had no way to walk to school without being hit by cars. There was no sidewalk on Westfield road and there were more kids moving into the area. Shane Sorensen said the City Council had approved a contract to do a preliminary design for a sidewalk from Fort Creek to Sunrise Drive on Westfield road.

Sandra Katzenbach said another concern she had was the way the yards backed up to the creek, and people could run their fences up to the creek. She felt the open space could be open or private, but no fences should be built along the water source.

Randy Beck said he lived on Strong Lane and it had been a good area for them because they had three sons with developmental difficulties. There was little traffic to worry about. He was concerned about the discussion of connecting the east side of the new development to Westfield Road with a bridge. He agreed with Willard Heaps that it would be okay to have a footbridge connecting the neighborhoods, but not a bridge for cars.

Dwayne Nielson at 686 Hillside Circle said the people in his area asked him to represent them at the meeting. They put together a petition that basically said they would like the City to preserve a perpetual easement of 30 feet on either side of the creek. He had 136 signatures on the petition.

Randy Beck's son said he didn't want the wildlife to be harmed. He said he enjoyed watching the wildlife in the fields. He watched the deer and birds all day.

Willard Heaps said they couldn't raise a garden because of the deer. They had probably 50 or 60 deer in that area. It wasn't a corridor where the deer went back and forth to the mountains. They stayed there year-round. He said that a 30 foot easement on either side of the stream would take away too much property and Roger Whitby wouldn't have any lots to sell.

Ronald Strong said he lived at 45 W. Strong Lane and enjoyed where he lived. The only problem he saw with the subdivision was if they put a bridge across the stream and brought more traffic down his road. He said he was satisfied with the way the subdivision was drawn. Regarding the deer, he said he remembered when there weren't any deer in town. Now it wasn't unusual to see 30 or 40 deer. He planted a garden and they took a bite out of everything

Matt Chipman said he lived in Alpine Cottages. He felt a 30-foot easement on either side of the stream would be beneficial for more than the wildlife. He felt very strongly that there needed to be a trail system in there. There needed to be enough room on at least one side of the stream all the way down to Westfield Road. It should cross the road and continue alongside the stream into the park and provide a way for kids to get to school. He said he would sign a petition saying that he did not think there should be a development along Fort Creek unless there was a trail. He did not think it was unreasonable to ask for that much public land.

Craig Skidmore said the trail committee originally recommended a trail through the Whitby property but it was taken off.

Terry Beck said she lived on Strong Lane and had an autistic son. She liked the Whitby subdivision the way it was drawn. She said she realized there would be an increase in traffic, but if the roads weren't connected, it wouldn't be as much. Regarding trails, she said she was in favor of trails, but they needed to be kept up. She said she walked the trails and there was dog and horse manure on them. They needed to be maintained and cleaned. Also, she felt like she was intruding when trails ran behind people's homes. When there was no fence she could look into people's houses.

Brent Knapp said he lived in Alpine Cottages and he liked the way the proposed subdivision was laid out. He asked what the rationale was for connecting the two streets with a road.

Jannicke Brewer said a connection made it easier for people in the neighborhood to visit each other without have to drive all the way around. It would not be a convenient thoroughfare for other people to use. She cited as an example the people on Village Way and Alpine Drive, which were parallel streets in the same neighborhood. People were continually frustrated because they had to drive all the way around to get to the other street.

Shane Sorensen said staff always encouraged circulation for emergency access such as ambulance and fire, as well as other services.

Brent Knapp said he didn't think it would be a significant inconvenience. The roads weren't that far apart. He felt a connection with a footbridge would be great.

Ray Katzenback said he lived in Alpine Cottages and felt the access as shown would be okay. A foot bridge would be wonderful. He said he would like to see the beauty and nature of the area preserved. Thirty feet on either side of the stream might be too much, but he would like to be able to walk along either side of the creek. One of the benefits of being in Alpine was to be able to enjoy nature. With building lots backed up to creek, it would become a Draper or a Sandy.

Gary Webb said he lived at 351 N. Deerfield. His north property line was the Whitby property. He supported the project and was in favor of open space, but he didn't want to compromise the value of homes in the area by making the lots too small.

Jannicke Brewer thanked the public for their input, closed the hearing and opened the regular Planning Commission meeting. She said the Whitby Woodlands Subdivision would be on the agenda later in the meeting.

Steve McArthur offered the prayer.

1. PUBLIC COMMENT: None

2. CONDITIONAL USE PERMITS FOR HOME OCCUPATIONS

Attention to Detail – 601 S. Ridge Lane – Todd Miller: Mr. Miller had requested a permit for his mobile auto paint touch-up business. He said the only work that would be done from the home was accounting, but the Commission wanted to know if he stored paint at his home. He was not present to answer questions and this item was tabled.

Hippo Properties – 43 West 120 South – Jeffrey B. Anderson: Jeff Anderson requested a permit for his real estate investing business. He used 150 sq. ft. of his home for office space. No customers would visit the home.

MOTION: Steve McArthur moved to grant a conditional use permit for a home occupation to Jeffrey B. Anderson dba Hipp Properties at 43 West 120 South and table Attention to Detail until Todd Miller was present to answer questions. Dale Porter seconded. Ayes: 5 Nays: 0. Motion passed.

3. GEOLOGIC HAZARD ORDINANCE: Ted Stillman said the City already had a Sensitive Lands Overlay Ordinance and a Hillside Protection Ordinance. Rachel McTeer had prepared a comparison between Alpine's existing ordinance and Sale Lake County's and Draper City's Geologic Hazard Ordinances.

Ted Stillmans said Max Pitcher had suggested the City also adopt a Geologic Hazard Ordinance, and recommended the assistance of Darlene Batatian who was the Salt Lake County Geologist and Dr. Gary Christiansen who was the person in charge of hazards at the Utah Geological Survey. They were both there that evening to give a presentation on geologic hazard ordinances.

Darlene Batatian gave a presentation on developing an ordinance that addressed geologic hazards, saying that it saved a lot of frustration for the city, the developer, and finally the homeowner, particularly when development occurred in potentially hazardous areas. She said hazards became the liability of the city down the road when the developer had finished the subdivision and moved on. It made financial sense for everyone to address hazards in specific terms through a well-defined ordinance before development occurred. She outlined what issues would need to be addressed by such an ordinance, and the procedure for drafting one.

Gary Christensen spoke about technical studies. It was possible to spend thousands of dollars to just identify the problems. Other studies were frequently needed to find solutions to the problems. The required studies could make a development economically unfeasible. However, hazards were issues that needed to be dealt with because the city was liable forever.

It was suggested that Rachel McTeer work with Darlene Batatian in coming up with a Geologic Hazard Ordinance.

4. ALPINE COMMONS SUBDIVISION – PRELIMINARY – ROB CLAUSEN: Ted Stillman said there were a number of issues to discuss relative to Alpine Commons. The culinary water system and pressurized irrigation systems were shown on the drawings. Fire hydrant location had been approved. The storm drain plans needed to be finalized. A portion of the aqueduct property adjacent to lot 4 would need to be landscaped and maintained by the owner of lot 4. Rob Clausen said they would make the buyer of the lot aware of that and offer some concessions.

Jannicke Brewer asked about the trail in the park. It was part of the Bonneville Shoreline Trail and needed to be continued. Rob Clausen said it would be asphalt and that section of the Bonneville Shoreline Trail would be included as part of the circular trail in the park.

Dale Porter said there needed to be a section marker that tied into the county survey. Also the streets needed to be named.

Thomas Whitchurch asked about the lease agreement with the Bureau of Reclamation. Ted Stillman said there would be a 25 year lease, then they would abandon it and transfer it to the City.

Dale Porter asked about the title report and suggested they waive the environmental impact statement on the property.

MOTION: Loretta Stevens moved to grant preliminary approval to Alpine Commons subdivision subject to the following conditions:

1. Negotiate an agreement with the Bureau of Reclamation for improvements on the aqueduct property.
2. Execute a boundary adjustment between Alpine and Highland cities.
3. Provide a landscaping plan.
4. Finalize storm drain plans.
5. Correct redlines on the plat.
6. Obtain a letter from the irrigation company approving the irrigation plan (piping the ditches).
7. The developer should address what would be done with the portion of the aqueduct property that was adjacent to lot 4.
8. Add the county survey points.
9. Name the streets
10. The Planning Commission recommended that the environmental impact study be waived.

Steve McArthur seconded. Ayes: 5 Nays: 0. Motion passed.

5. WHITBY WOODLANDS – CONCEPT – ROGER WHITBY: Ted Stillman said there were a number of issues that needed to be discussed. Sixty lots were proposed in the development. There were two different sections that were not contiguous. Each section would have to stand alone in relationship to open space and the number of lots.

ROADS Dale Porter pointed out that there were more houses on the single access road than the ordinance allowed. They would either need to connect it to another road or limit the number of lots.

Will Jones said that if Schauerhamers or Clinton Marsh connected, it wouldn't be a problem. Otherwise they would need to build a connecting road to meet the requirements of the ordinance.

Shane Sorensen said a road connection would benefit the neighborhood and compared it to River Meadow and Silverleaf. The connection didn't increase traffic from outside the neighborhood. It just enabled people within the neighborhood to get from one street to another without going all the way around.

TRAILS Dale Porter asked the developers what their opinion was on the request from Mountainville Heights residents that 30 feet be left on either side of the stream. Will Jones said the vegetation was too thick to walk through there. He felt it would be better to walk along the sidewalk than along the creek. Where possible, they would meander it through, but they didn't want to get too close to the ditch bank. He said the City already had an irrigation easement of 50 feet along Fort Creek. He said he didn't want to take trees out to put in a trail.

Jannicke Brewer suggested that property lines not extend into the waterways. Also, it would make sense to connect it with the park in Alpine Cottages.

Will Jones said they wanted it to be private open space so there wouldn't need to be a lot of access.

Dwayne Nielson said Fort Creek was an important asset to the city. A lot of people were hoping for a trail system that included Fort Creek. He felt that it could be done without losing lots because there was already 30 feet along the stream.

Jannicke Brewer said she would be interested to know for sure what kind of easement the city had along ditches.

Craig Skidmore said he'd met with homeowners and walked existing trails. They identified some areas where they might want to move the trails farther from houses.

OPEN SPACE Steve McArthur said he felt the open space should be public. The open space in the two adjacent subdivision, Alpine Cottages and Mountainville Heights, should also be converted to public open space. He felt there was a better chance that the city would maintain it than a homeowners association because people tend to move every seven years. Dale Porter said there had been some discussion in Mountainville Heights about doing that.

Roger Whitby said he didn't want the public tromping all over the hill. If it became a fire hazard, the city could clean it up and put a lien on the homes.

Craig Skidmore said the Trail Ordinance required people to stay on the trails or there would be a fine. He didn't see the hillside becoming an ATV haven. No trails were planned there and it would remain as it was.

ENVIRONMENTAL IMPACT STUDY Ted Stillman said the area of the flood plain had been reduced. The proposed development was not an area for mud slides and he didn't think an environmental impact study would be needed.

CIRCULATION: Ted Stillman said they had contracted with someone to design the intersection of 200 North, 400 West and the new road. It would be more of a square intersection.

Loretta Stevens said she had a conflict of interest in the matter, but she felt it would be fine to connect the cul-de-sac and connect the lower piece if it could be worked out.

Thomas Whitchurch said he felt the connection would be better for circulation. He expected that in the future, residents would see it as an asset rather than a liability.

Phil Andrus said he leaned toward increasing circulation.

Will Jones said he would like a recommendation from the Planning Commission so they could move on the preliminary.

MOTION: Phil Andrus moved to recommend that the plan be revised to show a connection from the cul-de-sac. Steve McArthur seconded. Ayes: 4 Nays: 1. Motion passed. Dale Porter voted nay.

Shane Sorensen said there were some lots that needed to be looked at, and open space realignments.

6. PRESTON DRIVE SITE PLAN – WAYNE VIEHWEG: Ted Stillman said the lot at 1331 Preston Drive was created in 1994 when the Holly View subdivision was approved. It was created by default because subdivisions were created around it, but it was not included in any of them. The utilities were in the street in front of the property. It had the proper square footage and frontage for a building lot. The lot had not met the water requirement nor paid the fees. Staff recommended that the site plan be approved based on providing water and paying the appropriate fees.

MOTION: Steve McArthur moved to approve the Wayne Viehweg Site Plan at 1331 Preston Drive subject to the following conditions:

1. Meet the water policy for the lot.
2. Post a bond for any required improvements.
3. Grant a public utility easement around the perimeter of the lot.
4. All applicable fees be paid for the lots.

Dale Porter seconded. The motion was later withdrawn when Mr. Viehweg questioned the legitimacy of the conditions.

Wayne Viehweg asked why there needed to be an easement all the way around the lot. There was already a 20 ft. easement on one side. Ted Stillman said the easement on the west should actually be 10 ft. He explained that all building lots had a public utility easement around the perimeter for gas, phone or power lines. The property owner could still landscape over them.

Steve Sowby said he had questions about whether the city could require water and fees. He said there was no water policy in place when the lot was created. The site plan should meet the same conditions as other lots approved at that same time.

Jannicke Brewer said if the lot had been included with Holly View Acres when it was approved, the requirements would be the same, but it was kept out. Therefore, it had to meet the current requirements.

Since Mr. Viehweg questioned whether or not the conditions were correct, the motion approving the site plan was withdrawn.

7. HERITAGE HILLS SUBDIVISION – PRELIMINARY – KAY VAN BUREN: Shane Sorensen said he had reviewed the preliminary plat for Heritage Hills and recommended approval subject to a few conditions. There was a minor adjustment of two lots to better locate the detention basin.

There was a discussion about the storm drainage. Shane Sorensen said past drainage patterns had been addressed on the plan along with drainage from ravines. Drainage easements would be provided along each property line. The plan provided for a combined storm drain and irrigation system. The two ditches that ran through the property would be combined and piped. A temporary storm drain line would be constructed over the Northfield Ditch. Eventually a storm drain would be constructed from the south end of Eastview Lane to 600 East and over to Dry Creek. He explained that since the City controlled the flow of irrigation water in Northfield ditch, they could adjust the flow according to how much storm drainage was draining into the ditch so the capacity would not be exceeded.

The trails system was discussed. Jannicke Brewer noted that some trails were missing from the map. Downing Akin said that one trail was in a steep area and was removed for safety reasons. Craig Skidmore was supposed to walk the trails with him but they hadn't been able to connect. They still planned to walk the trails with him. In regard to sidewalks that also served as part of the trail system, Shane Sorensen said they would be 5 feet wide regardless of whether they were next to a park strip or a combination sidewalk.

Retaining walls were discussed with Rick Chesnut, the engineer from Terricon. There were two types of materials that could be used - - keystone or a limestone block wall. The developer didn't plan on having walls that were higher than 4 feet except in one location. It was pointed out by Rick Chesnut that the keystone retaining wall provided more strength in retaining soil. Thomas Whitchurch asked what the life was on retaining walls and asked if the city would have a liability in 25 years. Shane Sorensen said it was critical that the wall be constructed properly. If it was not done right, it would fall apart. Proper drainage behind the wall was very important because moisture compromised the integrity of the wall. The Planning Commission agreed the type of material for the wall would be whatever the geotechnical engineer recommended.

In regard to revegetation around retaining walls, they planned to use natural vegetation that would not require watering.

MOTION: Steve McArthur moved to grant preliminary approval to Heritage Hills Subdivision subject to the following conditions:

1. Elk Ridge Lane would be either a through street or a cul-de-sac.
2. The developer should obtain easements and rights-of-way in the following locations from the landowners: Elk Ridge Lane to the north (Dr. Grant); Grove Drive to the east (Bill Moeller); Grove Drive to the west (developers of North Pointe); and a sewer easement through Eastview (Watkins and Jones).
3. The City Council approve the use of retaining walls
4. A note be added to the plat identifying the lots that would require ejector pumps.
5. The water policy be met.
6. The trail layout be approved.
7. The redlines on the plat be addressed.
8. The recommendations on the Geological Engineer Report be included on the final plat, and Terricon be retained throughout construction to insure it is done correctly.
9. Name the streets and cul-de-sacs.

Dale Porter seconded. Ayes: 5 Nays: 0. Motion passed.

MOTION: Steve McArthur moved to extend the meeting to 10:45 pm. Loretta Stevens seconded. Ayes: 5 Nays: 0. Motion passed.

The Planning Commission discussed whether or not Elk Ridge Lane should be a cul-de-sac or a through street. Ted Stillman said staff recommended a through street to improve circulation.

Jannicke Brewer read the motion from the meeting of May 18 which stated:

Dale Porter moved to recommend Elk Ridge Lane be a through street as drawn by staff unless the citizens were able to acquire land for a cul-de-sac at no cost to the City. The City would pay for the cost of constructing the through street. Any excess cost for a cul-de-sac would be covered by the citizens. Steve McArthur seconded Ayes: 5 Nays: 0. Motion passed.

Jannicke Brewer said she didn't see that the residents on Elk Ridge Lane had submitted any cost or information about donating ground for a cul-de-sac. She said she didn't see a need for a further motion.

Lew Kofford said they'd already covered the issues related to safety and why there should be a cul-de-sac. Their current proposal was to leave the street as it was and acquire 2500 square feet to put in an asphalt cul-de-sac. They recommended a sidewalk down the eastside. He said their proposal would cost less than it would to upgrade the road and acquire land from Whitbys to improve the intersection with Grove Drive.

Shane Sorensen said he'd penciled in a quick estimate on the costs of each option just prior to the meeting, but there were some things included on which they disagreed.

Lew Kofford said he'd been told by the business manager at Alpine School District that the bus stop at Appletree would not be available next year. There would be a lot of parents driving kids to school.

The Planning Commission agreed they needed a more accurate idea on cost to make a decision. Thomas Whitchurch questioned leaving Elk Ridge Lane as a substandard road saying that the City usually upgraded and improved such roads anyway and it might make more sense to do it now.

MOTION: Steve McArthur moved to recommend that staff price a 26-wide asphalt road with curb and gutter and sidewalk along side, leaving the grade as it was, and figure the cost of the land swap for a cul-de-sac. Phil Andrus seconded. Ayes: 5 Nays: 0. Motion passed.

8. FILLMORE MINOR SUBDIVISION: Curtis Fillmore requested approval for a two-lot subdivision. He wanted to split his corner lot into two lots. One lot had frontage on Village Way and the other 800 East. Both lots met the frontage requirement but one lot was less than the required 20,000 square feet. Ted Stillman said the Board of Adjustment had granted a variance on lot size for the second lot. The City would require that the irrigation ditch be piped with a 24 inch pipe. The plat would need to be amended. The application would go to City Council to schedule a hearing on the amended plat. The fire chief had determined that the existing fire hydrants were adequate.

Kristin Fillmore asked if the City would be piping the ditch all the way up the hill. Ted Stillman said that was the plan. She asked if it wouldn't be better to wait and pipe their section when the rest of the piping was done. She also asked why the City would not pipe their section of the ditch if they were paying to pipe the other sections. Ted Stillman said that the proposed development was what triggered the need to pipe the ditch.

MOTION: Steve McArthur moved to extend the meeting to 11:30 pm and grant approval to the Fillmore Minor Subdivision subject to the following conditions:

1. The developer post a bond for the required improvements.
2. The open storm drain channel be piped if it is all or partially on lot #2.
3. Meet the water policy for lot #2.
4. Correct the redlines on the plat.
5. Amend lot #13 of Alpine Village, Plat A.

Dale Porter seconded. Ayes: 5 Nays: 0. Motion passed.

9. PARK AT GRANT AVENUE SENIOR HOUSING – ELLIS ROBINSON: Ted Stillman said the primary issue related to this development was whether there was a need for it and if it should move forward. When the City Council reviewed Michael Porter's Whispering Pines Senior Housing, they said that no more projects should be approved until Paradise Cove Senior Housing, Whispering Pines and Patterson's Spring Creek (River Meadow) were developed and filled up. Ted Stillman said the City Attorney had said they could table the application until they felt it should be reviewed.

Phil Andrus recalled that the last time they reviewed the Park at Grant Avenue, there was a stipulation that there be some data on establishing the need for this type of development.

Jannicke Brewer read the comment from Phil Andrus at the meeting of February 3, 2004, which basically stated that he would like to see data to support the need for the project. He said he was not opposed to the project, but he wanted to see analysis and data to support the decisions rather than hearsay. Jannicke Brewer said she didn't see any data, just a different plan.

Red Robinson said he didn't have a specific answer. He'd gone to the University of Utah and the State Health Department and Human Services. He got a copy of assisted living units in Utah County and it showed they were 81% full. Red Robinson said his development could be phased. He'd construct one building first and wouldn't apply for another permit until a certain percentage of it was occupied. He said there was a two-year waiting list to get in at Jamestown in Provo. The only thing you could do was get a one-bedroom unit and wait until a two-bedroom unit was available through attrition.

Steve McArthur suggested Mr. Robinson obtain some written data that was put together by another source, which established the need for such a project, and bring it to them.

10. GROVE COURT SUBDIVISION – CONCEPT – LYLE SMITH: Ted Stillman said the City Council granted an exception to offset, which was reflected in the new plans. The fire chief had approved the location of the fire hydrant. The water rights were being purchased from Will Jones.

Jannicke Brewer asked if the building envelopes could be smaller than 5000 square feet. She said buildable area was defined as area that did not contain flood plain or sloped land, and the whole lot was flat.

Lyle Smith said the engineer probably drew the envelopes more restrictive than they needed to be because he wasn't aware of the reduced setback requirement in the TR Zone.

Ted Stillman said some of the lots were odd-shaped and they may need an exception.

MOTION: Steve McArthur moved to grant concept approval to Grove Court Subdivision subject to the following conditions:

1. The catch basins be connected to the storm drain line that will be installed in Grove Drive.
2. The developer state the proposed source of the water rights.
3. Correct the redlines on the plat.
4. Show a buildable area of 5,000 square feet on each lot.

Dale Porter seconded. Ayes: 4 Nays: 0. Motion passed. Phil Andrus was not present at the time of the motion.

11. HEALEY PARK PLAN: Ted Stillman said Healey Park was under construction. It was to be a soccer field. Since there was a trail along the north side of the park, staff proposed that there be a circular trail that ran along the west side of the park as well. They were proposing an 8-ft. asphalt trail with an 8-ft. buffer between it and the fence. They didn't want to intrude too much into the playing area.

Jannicke Brewer questioned having a trail running along the back of people's yards since that was something people commonly objected to.

Thomas Whitchurch said that since the yards backed onto a public park, people buying the lots would expect there to be people and activities in the park. He didn't expect a trail would feel like any more of an intrusion than a ballgame where parents would be standing along the fence watching the games.

MOTION: Steve McArthur moved to approve the Healey Park Plan. Loretta Stevens seconded. Ayes: 2 Nays: 2. Jannicke Brewer and Steve McArthur voted nay saying the trail was too close to the fence. Motion failed. Phi Andrus was not present at the time of the motion.

Ted Stillman said the trail would be eliminated because moving it in would intrude on the original purpose of the park as a ballfield.

12. APPROVE MINUTES OF JUNE 1, 2004

MOTION: Steve McArthur moved to approve the minutes of June 1, 2004 as amended and adjourn. Dale Porter seconded. Ayes: 4 Nays: 0. Motion passed Phil Andrus had left.

The meeting was adjourned at 11: 30 pm.