

**ALPINE CITY COUNCIL MEETING**  
**Alpine City Hall, 20 North Main, Alpine, UT**  
**February 28, 2012**

**I. CALL MEETING TO ORDER:** Mayor Hunt Willoughby called the meeting to order at 7:05 pm.

**A. Roll Call:** The following Council members were present and constituted a quorum:

Mayor Hunt Willoughby

Council Members: Will Jones, Bradley Reneer, Kimberly Bryant, Mel Clement, Troy Stout

Staff: Rich Nelson, Charmayne Warnock, David Church, Jed Muhlestein, Jay Healey, Annalisa Beck, Jannicke Brewer

Others: Jacob Pulham, Eli Vallejo, Bryce Mickelsen, Ellen Xanthos, Aimee Augustus, Adrienne Williard, Kimball Peterson, Sharlene Skidmore, Lynn Frazier

**B. Prayer:** Bradley Reneer

**C. Flag Ceremony and Pledge of Allegiance:** Troop 1101

**II. PUBLIC COMMENT:** None

**III. CONSENT CALENDAR**

**A. Approve the minutes of January 24, 2012 and January 26, 2012**

**MOTION:** Will Jones moved to approve the Consent Calendar with some spelling corrections in the minutes. Mel Clement seconded. Ayes: 4 Nays: 0. Motion passed. Troy Stout was not present at the time of the motion.

**IV. REPORTS/PRESENTATIONS**

**A. Scouting Presentation:** Brent Hansen from the Boy Scouts of America said they were celebrating 102 years of scouting in the United States. February was Boy Scout Month. The purpose of scouting was to prepare young people to make moral and ethical choices. He referred to the scout motto which was to be prepared and do a good turn daily. Mr. Hansen said Alpine had its first Boy Scout troop in 1940. There were 39 Districts in Utah with a total of 2403 Eagle Scouts. In the Alpine Highland District they had 257 Eagle Scouts which was over 10 percent of the total. Each of those scouts did an Eagle project which contributed to the community in various ways including building, renovating, repairing trails, parks, fire hydrants, curbs, etc. They also had scout projects that helped the needy and poor on five continents. He closed by saying he wanted the Council to know what the scouts were accomplishing and said that if the City had projects other than Eagle projects they would like done to let him know and he would take it to the District. He said that someday the scouts would be sitting in the same place the Council were.

Mayor Willoughby thanked him for the presentation and said they appreciated the contribution the scouts made to the community. He said he used to receive a monthly list of scouts who had completed their Eagle but stopped getting it two years ago. He asked to be re-included in the mailing list.

**B. Financial Report for January 2012:** Rich Nelson said Alpine City was doing really well. Sales tax revenue in the state of Utah had experienced tremendous growth and Alpine's sales tax revenue had increased accordingly by a couple of percent. Property tax revenue in December had come close to what they anticipated. Mr. Nelson also presented the balance sheet for the Lone Peak Public Safety

District since that was a big chunk of the budget. He said he would be doing that monthly either by email or at the meeting.

Will Jones asked about the increase in the Trust and Agency Fund. Annalisa Beck said that fund was where the City held bond money for developments. It was not really the City's money and was just informational.

Mr. Jones also asked about the \$600,000 in the General Fund. He thought the property tax increase was \$300,000. Mrs. Beck explained that it included B & C Road Funds from the previous year.

Mr. Jones asked why there was an increase in the Park Impact Fees. Mrs. Beck said they had mostly depleted the fund to build the park. They were now putting money back into the Park Impact Fee fund and hadn't spent any since construction of the park. It would be used for new park projects.

Bradley Reneer said he'd understood the City borrowed money from other funds to build the park and why didn't they use the fees to pay back those funds. Rich Nelson said the City arranged a loan from the Water Fund but never used it because they didn't need it. The City had moved the funds back into the Water fund and the loan no longer existed.

## **PUBLIC HEARING ON PROPOSED GARBAGE AND RECYCLE RATE INCREASE**

Mayor Willoughby said the proposed increases to garbage and recycling rates were due to fuel costs, etc. The City had eaten those costs in the past but now they were looking at increasing fees to cover the increased costs. The proposed increase was as follows:

<u>Current Charge</u>	<u>2.7% ACE Increase</u>	<u>Proposed Charge</u>
1 <sup>st</sup> trash can     \$11.50	0.31	\$11.80
Additional can     5.00	0.13	5.00
1 <sup>st</sup> recycling can \$4.50	1.37	5.50
Additional can     4.50	0.38	5.00

Kimberly Bryant clarified that the City was not making money. They were just catching up with their costs.

The Mayor opened the Hearing for public comment.

Ellen Xanthos asked why they were increasing the cost of recycling. She said she understood the increase for trash collection but not recycling. Mayor Willoughby explained that the City had been subsidizing the actual cost of recycling in the past to encourage people to participate, and had been taking funds from other sources to pay for it. But they had decided to look at having those who recycled pay the full amount. The Mayor said the City had done quite a bit to encourage citizens to recycle including having a group go door to door and talk to people about the benefits of recycling. About 50 percent of the citizens participated.

There were no more public comments and the hearing was closed.

## **V. ACTION/DISCUSSION ITEMS**

**A. Resolution No. R4012-02 Amending the Consolidated Fee Schedule to Increase Garbage and Recycling Rates:** Mayor Willoughby opened the discussion to the City Council.

Bradley Reneer noted that the proposal made it cheaper to get a second garbage can than a recycle can. He said it was unfortunate but he didn't think the City should continue to subsidize recycling.

Mel Clement said he'd attended a meeting on solid waste and sat next to Roger Harper and it was very informative. They had talked about cost of tipping fees versus the cost of recycling. He suggested they invite Roger Harper to a Council meeting to go through the raw numbers. He said he had previously thought recycling was a luxury but learned it could offset the cost of tipping fees which could possibly make it cost neutral. He said the landfill people in Tooele were against recycling because they wanted more stuff dumped in the landfill. That was how they made their money.

Hunt Willoughby said the reason the City left the cost of recycling low was to reduce the tipping fees. In his household they could easily go with once-a-month garbage collection when they recycled.

Mel Clement said he thought they could make an eloquent case for recycling dollar-wise. His family sent their newspapers to the school's recycling program because that was how the school made money but other things could be recycled. He said Mr. Harper had also talked to other cities such as Orem that had green waste recycling.

Annalisa Beck said that when they first started recycling the tipping fees went down but they were back up to where they were before. Will Jones asked if the tipping fees were only on the trash cans and Mrs. Beck said they were.

Bradley Reneer wanted to ensure that the rate increase would cover just the cost of the trash cans and tipping fees and not go past that. He said he would like to see the actual costs when they had another such discussion.

**MOTION:** Will Jones moved to approve Resolution No. R2012-02 amending the Consolidated Fee Schedule to increase garbage and recycling rates with the following changes in rates:

First trash can	\$11.80	Additional trash cans	\$6.50
First recycle can	5.90	Additional recycling cans	4.90

Kimberly Bryant seconded. Ayes: 4 Nays: 0. Motion passed unanimously. Troy Stout was not present at the time of the motion.

Will Jones explained that he wanted to discourage the extra trash can because that was what increased the tipping fees. The people who were generating the extra garbage should be paying for it rather than having the rest of the citizens subsidize them. Mel Clement said another component to increased tipping fees, which were based on the weight of the garbage taken to the landfill, was the green waste that people put in their trash cans.

Mayor Willoughby noted that he composted all his green waste.

Rich Nelson said he could see the logic of making recycling more appealing that a second trash can.

Mel Clement asked what cost the City would adjust if they wanted to keep the tipping fees neutral. Rich Nelson said it would be the cost of the first can. However, it wasn't simple to keep it balanced because of the ongoing fluctuation.

**B. Request from Xito Farms to connect to Alpine's culinary water and sewer service:**

Councilman Troy Stout had sent an email to the Mayor and others requesting that this item be placed on the agenda for reconsideration.

Mayor Willoughby said that at the meeting of November 23, 2011 a public hearing was held on a request from Xito Farms located in Highland to connect to Alpine City's sewer and water. The application was denied. An informal meeting was later held between the property owners in Alpine, the property owner in Highland, and Mel Clement and Will Jones from the City to see if an agreement could be reached.

**MOTION:** Kimberly Bryant moved to reconsider the request from Xito Farms to connect to Alpine City's sewer and water. Bradley Reneer seconded. Ayes: 4 Nays: 0. Motion passed. Troy Stout was not present at the time of the motion.

Mel Clement provided notes from the meeting and distributed them to the Council, staff, and members of the audience.

Becky Myers asked if Xito Farms would need to get a permit and post a bond to make sure the street was put back together. David Church said they would need to get a street cut permit and the City staff would inspect the initial cut and again when the work was completed.

Rich Nelson said that rather than have the City administer some kind of agreement between three parties (property owners in Alpine, property owner in Highland, and the City) he thought it would be less complicated for the Council to act on it by motion. He had asked David Church earlier to draft a possible motion, which he did.

Kimberly Bryant asked about the location of the barn. There was a discussion and it was determined that it would be at least 250 feet south of the Alpine/Highland boundary.

Will Jones and Mel Clement explained that the gate would either be moved further into the Xito Farms property so that vehicles would not be idling at the end of Andes Drive waiting for the gate to open, or the gate would be replaced with an automatic gate. The road into the property would be solid road base with a turn-around area to prevent the tracking of mud back out onto the City streets.

Kimberly Bryant asked how many neighbors were present at the meeting and if the items listed in the proposed motion were agreed on by all the neighbors. Will Jones said there were about 14 people at the meeting and they appeared to agree on the items listed in the proposed motion.

**MOTION:** Mel Clement moved to allow Xito Farms to connect to Alpine City culinary water and sewer with the following conditions:

1. Xito Farms pay all Alpine City hookup and connection fees.
2. Xioto Farms pay all costs associated with making the connections to the City water and sewer systems.
3. All construction for the connections is subject to prior review, approval, bonding and inspection by the City Engineer.
4. Xito Farms shall place sufficient road base or other material suitable to the City Engineer on its property south of the Andes Drive street stub to prevent any vehicle entering the Xito Farms property from sinking into the mud and tracking mud onto Alpine City streets.

5. Xito Farms shall remove the existing gate at the end of Andes Drive and relocate the gate further south or else replace the gate with an automated gate.
6. Xito Farms shall build its new barn at least 250 feet south of the north boundary line of the property in the Andes Drive area.

Seconded by Will Jones. Ayes: 5 Nays: 0. Motion passed.

Will Jones said they should add a condition to the motion saying no idling, no backing and no parking on the Andes Drive stub. After some discussion, the Council decided those issues would be solved by relocating the gate which was already a condition of approval.

Becky Myers said another concern she had was that people speeded through there. Kids assumed it was a dead-end street and played in the road. She asked if there could be a stop sign somewhere. She said she'd seen accidents almost happen along there.

Mayor Willoughby said he would have Shane Sorensen and Jed Muhlestein review the intersection. There were requirements that had to be met before placing a stop sign.

Rich Nelson recommended the sign issue be left off the motion so it could be handled as they would any other street. Mel Clement suggested that maybe the curb could be painted red to prevent parking. Will Jones said that unfortunately, people did park along the road next to the park. Bradley Reneer noted that people still parked in front of the red curb by Burgess Park.

**C. Mc Niel Plat F (Information only):** Jannicke Brewer said that Roger Bennett had received final approval for four lots with 15 years to record. However, he had sold one lot and was ready to have it recorded. They were simply bringing that to the Council for their information.

**D. Resolution No. R2012-01 Land Use Map:** Jannicke Brewer said the General Plan had been updated in 2007 but it hadn't included a Land Use Map. The proposed map had been updated and was simplified. They had taken off the trails and waterlines because those were shown on other maps. They also removed the open space and parks designations in the proposed annexation areas, along with the proposed density, to eliminate any confusion.

David Church said a lot of things were taken off at his suggestion because having so much information on the map made it almost unusable. He had also suggested taking off the open space and park designations for future annexation areas along with the planned density so people did not think there was a commitment for a park or something when there wasn't.

Jannicke Brewer said they did leave on the current parks and schools on the map to help orient people.

Bradley Reneer asked why one area had green and red stripes. Jed Muhlestein said it was because it was private open space in the underlying BC zone.

Will Jones asked if they were going to change the names of the future annexation areas because most of the properties had changed hands several times and the name was no longer accurate. Jannicke Brewer said they would also need to change the Annexation Policy when they changed the names on the map because that was how they were referred to.

Will Jones asked if they could change the zoning on the Hunters Ridge subdivision. It was shown in the BC zone but it was fully residential. Council agreed they should look at that.

**MOTION:** Bradley Reneer moved to table approval on Resolution No. R2012-01 adopting the Land Use Map until they got a new map that reflected the new changes. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Motion passed.

**E. Personnel Manual – Introduction:** Mayor Willoughby said members of staff had gone through every page of the updated Personnel Manual. The Council would not be voting on it that evening. It was for information.

Mel Clement asked about the provision that allowed an employee to convert sick leave saying he hadn't seen that before.

David Church said he had an update on the FMLA and military changes. There was other language he would need to add. He also discussed what constituted an at-will employee. It would be clarified.

Troy Stout asked if they could tighten up the Section 2 regarding privileged information.

Rich Nelson asked the Council to review it and they would bring it back a couple more times.

**F. Storm Drain Ordinance:** Rich Nelson passed out an article from the Salt Lake Tribune regarding the storm runoff issue. Jed Muhlestein said the EPA, through the Clean Water Act, had established regulations to protect all the water in the United States. There needed to be a permit for anything regarding storm water. The permit required an ordinance in order to enforce the regulations so they were in the process of adopting an ordinance. A copy of the draft ordinance was included in the packet. He said it was made of two different sections of existing code, i.e. the Clean Street Ordinance in the Development Code, and the Storm Water Ordinance from Section 14-400 of the Municipal Code. The final section was boiler plate written by the state.

David Church suggested that the Council familiarize themselves with the proposed ordinance and when the engineers were happy with it, they would vote on it. He said it was important that they have something on the books. He added that the City would not gain a lot by trying to redo the environmental laws of the state and federal government. The regulations were to keep people from polluting the ground water.

Bradley Reneer asked why a private well was included in the definition of community water. David Church said that by law all water belonged to the public.

**G. Budget Introduction:** Rich Nelson said the first draft of the budget for fiscal year 2012-13 was included in the packet. Staff would arrange individual meetings with Council members to review the budget in detail. He said he would email them the details of the budget. What they had was just the face sheets.

Annalisa Beck said that depreciation was put as an expense because they paid for it today so they could repair it tomorrow. If they did not need it tomorrow, it was put in a fund balance.

Mr. Nelson said the problem occurred when a city didn't get the kind of revenue they anticipated. They needed to balance the revenue with the depreciation. Ideally they could keep the fund balance sufficient to keep up with projects.

Mel Clement said he would like to see what the life was of a water line, pump, etc. Annalisa Beck said a water system life was 50 years, 40 years on road. David Church said a depreciation schedule could be recommended by the auditor.

It was pointed out that depreciation was not basic maintenance. It was set aside to fix the whole system.

**H. Training:** Rich Nelson said he would like to propose the Council and staff receive training from the Arbinger Institute. The cost would be \$8,000 for the group. Bradley Reneer said he'd had some of their training and it was excellent.

Rich Nelson said he would send out a program with possible training dates and find something that would work for everyone.

## **VI. STAFF REPORTS**

Jannicke Brewer said she appreciated the Council catching details on the Land Use Map they had missed.

Charmayne Warnock said the police department wanted pictures of the council and mayor for their files. She would use the campaign photos they had submitted. She also asked about emailing the packets and other information to their City email address rather than a personal address. Annalisa Beck said she would re-email the information to them on retrieving their emails.

Annalisa Beck reported that Andrea Chapman had a baby boy on February 10<sup>th</sup>.

## **VII. COUNCIL COMMUNICATION**

Troy Stout asked if anymore thought had been given to providing iPads for the Council. He felt it would resolve a lot of problems and there would be no cost to reprinting packet items. Rich Nelson said they would put it on the next agenda and bring information on printing costs and time.

Troy Stout said he would like to see a frequent and determined effort to have the drug dogs in the schools. He was very disturbed by the tragic suicides of youth in the area and most of them were drug related. He would like to send a clear message that drugs would not be tolerated. They were talking about the lives of their children.

Kimberly said she also felt strongly about using the drug dogs at the schools more frequently, including the junior highs. She wanted to coordinate an effort between Alpine, Highland and Cedar Hills, church leaders and school leaders, the police and fire departments to fight the drug problem.

Mel Clement said he had talked to Chief Botkin about the subject and he felt they could be much more aggressive about drugs in the schools.

Troy Stout said he would like to put out some flower pots along Main Street to beautify Alpine, and especially focus on it with the summer months coming.

Kimberly Bryant said she wanted to see a notice about the garbage rate increase in the Newslane. Mayor Willoughby said it was there and was just waiting for the final numbers approved by Council.

Will Jones said he would like to take some time in a meeting and look at the commercial area and what they could do to encourage using old homes for commercial. It would help the downtown area.

Bradley Reneer asked for clarification on the reconsideration rule. Rich Nelson explained that an item needed to be brought back for reconsideration by a council member who voted in favor of it.

Bradley Reneer said it was mentioned in an early discussion about giving some kind of allowance on utility rate increases to people on fixed incomes. Rich Nelson said the program had to be structured so it was more easily administered. They had talked about it in relation to water rates.

Mel Clement asked if the plans for City Shops had been located. Charmayne Warnock said she'd searched through the basement and didn't find any. Jay Healey said Ken Walker had engineered the Beagle pre-stress concrete. Mel Clement said he had talked to Ken Walker and was told Steve Cosper had worked for Monorock and Beagle. He would like to have Steve Cosper make an inspection of the building.

Mel Clement said he would like to have Roger Harper talk to the Council about recycling and green waste. He said he would also like to have an executive session within a month to talk about salaries. Hunt Willoughby said they had two new restaurants in town that were quite tasty, Tangerine Tiger and Captain Len's Barbeque, and encouraged Council and citizens to patronize them.

**VIII. EXECUTIVE SESSION:** None held.

**MOTION:** Troy Stout moved to adjourn. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Motion passed.

The meeting was adjourned at 9:54 pm.