

ALPINE CITY COUNCIL MEETING
Alpine City Hall, 20 North Main, Alpine, UT
October 9, 2012

I. CALL MEETING TO ORDER: The meeting was called to order at 7:00 pm by Mayor Hunt Willoughby

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

Mayor Hunt Willoughby

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

Council Members not present: Kimberly Bryant

Staff: Rich Nelson - City Administrator, Charmayne Warnock - Recorder, Jason Bond - City Planner, Shane Sorensen - Engineer, Jannicke Brewer - Planning Commission Chairman, Annalisa Beck - Finance Officer, Jay Healey - Public Works Director, Ron Devey - Director of Parks and Cemetery, Lt. Brian Gwilliam - Acting Police Chief, Jed Mulhstein - Asst. Engineer, Marla Fox - Front Office, Landon Wallace - Public Works, Greg Kmetszsch - Public Works, Annette Scott - Front Office, Andy Hansen - Public Works, Lincoln Port - Public Works, Cal Christensen - Public Works,

Others: Wendy Sorensen, Dana Beck, Dennis Fox, Cameron Loser, Jennie Wallace, Quaid Wallace, Questan Wallace, Quincy Wallacy, Quinlan Wallace, Shirley Kmetszsch, Kayli Kmetszsch, Mark Kmetszsch, Isaac Kmetszsch, McClane Kmetszsch, Carter Kmetszsch, Brock Kmetszsch, Audrey Port, Haley Christensen, Quig Christensen, Diana Mills, Keith Wilson, Terri Wilson, Rock John, Jordon John, Susan John, Connor Copeland, Parker Petersen, Jared Miller, Amy Harmsen,

Rich Nelson introduced Jason Bond, the new city planner who had started the day before. He added that Jason's grandfather had been his Little League coach and shop teacher. Jason's father worked for Sandy City as the assistant city manager.

Jason said he was thrilled to be working for Alpine City and was excited to get started and become acquainted with the city. He graduated from the University of Utah.

B. Prayer:

Mel Clement

C. Pledge of Allegiance :

Jordan John

II. PUBLIC COMMENT: Jordan John proposed an Eagle Scout project wherein he would repaint the curbs around Alpine. He said there were many places where the paint was peeling. He planned to first have a fund raiser, then do the painting. Shane Sorensen said he could talk to Jay Healey or Ron Devey about what curbs needed paint.

Keith Wilson said he was interested in Lambert Park and would like to hear the discussion. He was also interested in the personnel procedures manual and would like to comment. He asked if he should comment then or later. Mayor Willoughby invited him to comment at that time.

Mr. Wilson said he and his wife Terri lived at 384 East 100 South in Alpine. It was a number of years ago when he had served on the Alpine City Council and as mayor pro tem when Don Christiansen was appointed to be over the North Utah County Water Conservancy District. He had also served as Justice of the Peace and was followed by Judge Arnold.

Mr. Wilson said every Council dealt with hard issues and sometimes they were the same issues. When he was on the Council they developed the personnel policy and procedures for Alpine City. Because they were a small city and knew they couldn't offer the kind of salaries other cities did, they tried to offset it by providing good benefits for their employees such as insurance and sick leave. He said he appreciated the capable and efficient employees of Alpine City, and compared them to employees in other cities that were not as helpful or efficient. He said he and his wife had a number of occasions when they dealt with Alpine City and were treated very well. They buried a daughter in the Alpine cemetery 17 years ago and buried their oldest daughter last year. He related a story about the theft of some grave decorations and how city employees were looking out for them to make sure it didn't happen again. He said he appreciated the diligence of the city employees and said they were fortunate to have the employees with the skill levels they had. They had an expertise that was difficult to duplicate. He said the safety

personnel were top notch and he felt safe in the community and appreciated being in Alpine. He thanked the Council for administering it and keeping it that way.

Mayor Willoughby thanked him for his comments and agreed that they did have a good staff. He said when he attended the Council of Governments meeting he was frequently asked how they were able to accomplish so much with their staff.

III. CONSENT CALENDAR

- A. Approve minutes of September 25, 2012
- B. Revised final payment request – Geneva Rock - \$15,090.36

Will Jones asked why the amount paid to Geneva Rock was more than it was two weeks ago. Shane Sorensen said the first payment was estimated. When the job was actually completed it turned out to be nine tons more.

MOTION: Will Jones moved to approve the Consent Calendar. Troy Stout seconded. Ayes: 4 Nays: 0. Motion passed unanimously.

IV. REPORTS AND PRESENTATIONS

A. Financial Report for September 2012: Annalisa Beck said they were only a quarter of the way through the new fiscal year so there wasn't much history for comparison. The road maintenance projects had caused some fund balances to dip but they would go back up after property taxes came in. Culinary water sales revenue was up since they were in the second month of billing after the rate increase. Building permits for new homes were up so impact fees were up.

Troy Stout asked if new home permits were scattered across town and localized in a certain area. Charmayne Warnock said they were spread through different locations. Most of the permits were for high-end homes with larger square footages.

V. ACTION/DISCUSSION ITEMS

A. Personnel Policy and Procedures Manual: Mayor Willoughby said staff had been working on this for some time. It had been presented to the Council and they came back with some comments and questions which were passed on to Rich Nelson.

Rich Nelson said he had compiled the comments and summarized them. He said they could go over the items the Council had comments on, and stop if the Council wanted more discussion on a particular issue.

Mayor Willoughby suggested that if a Councilman's concerns had to do more with form than substance, they could address it with Rich separately. If it was a concern with substance, they should discuss it in the meeting.

Job Descriptions: Will Jones wanted to know who drafted the job description and if it should be approved by the Council. Rich Nelson said it was typically drafted by the person who did the job because they were most aware of their responsibilities. The description included "other duties as assigned" for flexibility. Mel Clement asked if the Council needed to review and approve the job descriptions.

Shane Sorensen said the provision could be read in such a way that an employee could write their own description and do less than what the job required, but that wasn't the intent. Ted Stillman had asked everyone to write down what they did because he didn't know everything that they did.

Mayor Willoughby said Alpine had a small staff and because of that, everyone actually did more than what was in their job description.

Will Jones said Mel Clement had raised the idea that if an employee performed beyond their job description, they could receive an increase. It was agreed they would discuss that under performance ratings.

Probationary Period. Rich Nelson said the probationary period used to be 12 months and he proposed reducing it to six months. He said it was usually evident after six months if someone was going to work out.

Will Jones said he preferred a 12 month probationary period. Troy Stout asked if that was legal. He'd always seen 90 days.

Performance Evaluation for employees during the probationary period. Rich Nelson suggested that it would be best to eliminate the section, saying that to evaluate a probationary employee that you were not going to keep would invite lawsuits.

Drug Screening. Rich Nelson said the observed impairment of an employee reported by two other employees, one of which was the supervisor, would trigger a drug screening. If a drug test came back positive, the employee would be suspended without pay until the testing and treatment was completed. The City could also consider random drug testing, but there would be some expense involved. It was asked if a citizen would be considered one of the two reporters if citizen observed an employee that appeared to be impaired. Mr. Nelson said he would be concerned about that because there were too many conflicts between employees and citizens. He said he would rewrite the section.

Sexual Harassment Training. Rich Nelson said the City had an annual mandatory sexual harassment training. Any harassment was to be reported to the mayor or city administrator. It was asked where an employee would go if the harasser was the mayor or administrator. Mayor Willoughby said they should go to the police or the city attorney.

Personal use of city office items. Rich Nelson said there were some employees who had cell phones and purchasing cards. Use of the cards had to be approved by the finance director and the city administrator. He said that employees already had a verbal warning that if they viewed pornography, their employment would be terminated.

Performance evaluation. Rich Nelson said each employee had an annual performance evaluation with the city administrator. The results were reviewed with the mayor and kept in a secure file by the human resource director.

Will Jones said he would like to see department goals as part of the evaluation, and he would be interested in seeing those goals.

Performance ratings. The Council discussed what would happen when an employee exceed their requirements. It was noted that some places had a salary range that employee could progress through. When they reached the top of their range, they were maxed out as far as salary. Rich Nelson said Alpine didn't have a pay scale range but he could create one showing the beginning and ending salary and steps in between.

Mayor Willoughby said the state had two tiers. The first was a pay bracket for the job description. When an employee got to the top of that, they could move into second tier called longevity with another set of increases.

Disciplinary action. Mr. Nelson said the Mayor would have to approve every step of the action and inform the Council. He said David Church had recommended a hearings officer rather than having it go to the Council, which could be very contentious.

It was suggested that the discussion on the Personnel Policy and Procedures Manual be continued to the next meeting. Shane Sorensen said that while the employees were present, they discuss the section on health insurance.

Health Insurance. Rich Nelson said that the City currently paid 100% of the premiums for the employees.

Will Jones said other cities had gone to other programs where employees paid part of the premium or had an HSA (health savings account). He asked if they could guarantee that the City would always pay 100 percent. A lot was changing.

Rich Nelson said that under PEHP they would have different options. It would be more clear after the election in November.

Mayor Willoughby said the Policy and Procedures was something they could always revise.

Mel Clement asked if it would be helpful to increase the deductible, then come back and subsidize the deductible. In that way it would bring the costs down, but if one employee got sick, the City would be paying for just the employee that got sick and not all of them.

Landon Wallace said the employees liked the insurance program they had. His philosophy was that if it wasn't broke, don't fix it.

Troy Stout asked what the cost was to cover 100% versus a shared cost of 75%.

Rich Nelson said that last year they had made changes in coverage where employees could choose between two insurance programs. It saved the City \$70,000.

Will Jones asked about carrying over sick time and comp time, then at the end of employment, the City had to pay for a lot of extra hours. He said they needed to come up with a better policy.

Annalisa Beck explained that sick time was not paid out. The unused sick time could be put toward health insurance. The maximum amount of sick time that could be accumulated was 720 hours. Anything over that would be lost.

Ron Devey said he liked the section in the manual on converted sick leave, which had been crossed out. It allowed an employee to convert sick leave to vacation time.

Lincoln Port said that if someone was really ill, they would need the sick time. Ron Devey said you still had to keep at least 320 hours of sick time so it protected the employee if they got sick.

Bradley Reneer said there were a number of ways to figure it out. They could just call it personal time off. Jed Muhlestein said that was how his last company did it. They originally had four weeks of vacation and sick week combined, then the company started calling it all personal time and took it down to three weeks. Troy Stout said the challenge was to manage the time and not take it all as vacation in case you got sick. There should be a requirement to retain a certain amount of hours.

Mayor Willoughby said he didn't want the discussion to be construed as the Council versus the employees. They wanted to work with the employees and they appreciated the great job they did.

Keith Wilson said he had a couple of comments regarding the issue. The employees had given up salary increase for better benefits as defined in the personnel manual. But when you looked at retirement, which was based on salary for the last three years of employment, it was better to have a higher salary. He asked if the City had the ability to swap hours between employees in the event of a catastrophic illness.

Rich Nelson said that would be called a sick leave bank, but they hadn't addressed it.

B. Lambert Park Preservation and Long-term Plan: Councilman Troy Stout said he didn't think they had time to go through the whole discussion on the long-term protection of Lambert Park so he would address the main points. He said he had talked to a variety of people and they said they would like to see a permanent designation of wilderness open space for Lambert Park.

The previous weekend there was a big event in Lambert Park where the high school had a huge bike race. Councilman Stout said couldn't believe how many people were there. He asked what kind of financial compensation the City got for it.

Ron Devey said there was no compensation. The user posted a deposit of \$1,000. He said that after looking at the size and type of the weekend event, it was his feeling that the event would not be back next year. He said a smaller event was held in the spring. That group posted a \$1,000 deposit, then gave it back as a donation for Lambert Park.

Jannicke Brewer said David Church had talked about the need for a mass gathering ordinance to require sanitation facilities and policing. The trail ordinance said there should be a fee for those types of events but it wasn't in the fee schedule.

Rich Nelson said Jason Bond, the new planner, would be working on a mass gathering ordinance.

Troy Stout said there should be a fee for people outside of Alpine that used the park, but not for residents. Ron Devey agreed there should be a fee for outside groups that used the park, but not for individuals.

Keith Wilson said he was interested in keeping Lambert as open space. Thirty years ago someone wanted to build a golf course up there. A public hearing was held and it was unanimous from the public that they wanted it left as natural open space. He mentioned problems at the Krishna temple in Spanish Fork during their Color Festival. Spanish Fork was being sued for not requiring better sanitation and transportation facilities. Someone was injured and they couldn't get an ambulance in.

In response to a question about deposits, Ron Devey said that every organized event paid a deposit of \$1,000. Most of the groups cared about where they rode, and they cleaned up after themselves.

Troy Stout said his main priority was preserving Lambert Park as open space. He would like to see the funds that came in for Lambert Park, used in Lambert Park. He would like to designate it was a permanent, semi-wild park, (the rodeo grounds, Bowery and water tank kept it from being wild) and advocate non-paved trails. At the very least, he would like to see a 20-year designation where there was no more pavement and no more structures. They would form a committee to create enforceable rules and a level of enforcement. They would regulate the types of traffic to protect the trails and habitat. There would be a clause that prevented the future sale or trade of property unless it created an opportunity to acquire more desirable land. It couldn't be for the purpose of creating revenue. He felt they should remove the language about a super majority of the Council so the park was not subject to political or personal influences.

Rich Nelson said they could ask David Church to write something up.

Bradley Reneer asked if it was something that should be on a ballot.

Mayor Willoughby said that ultimately they could make it a nature conservancy, but then the City would have no control over the use. He said they needed to balance what they could do with what they wanted to do. In making a change they were saying they were all-knowing and should take away someone's inferior knowledge in the future.

Jannicke Brewer said the General Plan and ordinances already had a lot of what Troy wanted to accomplish. The City could not change anything without holding a public hearing and receiving a recommendation from the Planning Commission. The only way to fully protect it would be to give it to a conservation district. The General Plan showed Lambert Park as a natural conservation park, which was very defined in the ordinance. The Bowery was semi-improved and very restricted on what could be done. She said she felt the existing ordinances protected it and didn't think any citizen would want to give it up. She referred to the same public hearing Keith Wilson had talked about when someone wanted to build a golf course on Lambert Park. She said the idea had not gone over well with the public.

Mel Clement said that if they had ever been involved with the historical society, they knew they didn't ever want to touch one of those buildings. He said they had a plethora of state parks. There were too many of them and they were not funding them. He said they needed to be careful. He said he couldn't see anything happening to Creekside Park. He was concerned about all their parks.

Bradley Reneer said he could see Troy's point. Arizona had sold off their capitol building because of budget issues, and were leasing it back. Sometimes politicians did stupid things. He said there would be public outcry if they tried

to change Lambert Park, but some shortsighted council may want to do it. He said they had talked earlier about leasing tennis courts to a tennis association. Could they lease Lambert Park and tie it up for a period of time?

Troy Stout said there were thousands of examples of people who had the foresight to preserve things of irreplaceable value, and referenced national parks and Central Park in Manhattan. He wanted to preserve Lambert Park for future generations. One couldn't predict future politics but he didn't trust knee-jerk reactions in future economic times.

Landon Wallace said he didn't think they should ride ATVs and motorcycles in Lambert Park. He wasn't sure if gates were the answer. He added that if they eliminated the use of motor vehicles in Lambert Park, they could eliminate a police car to patrol it.

C. Contract for EWP (Emergency Watershed Protection) Project Design Work - Quail Fire/Updated Scope of Work: Shane Sorensen said they had been working on a post fire plan for the Lambert Park area and had come up with a plan that would have the least impact and most benefit for the residents. He said there was a 30 inch pipe in the Box Elder drainage to take runoff to Dry Creek, but they knew it wouldn't carry what could potentially come down the mountain. After much discussion, they decided the best plan was to grade a small basin on the upstream end of the pipe to settle out the big stuff. A debris fence would prevent rocks and trees from going into the pipe. Once the pipe reached capacity, they would have a spillway that went into the ditch. They would replace the pipe on Moyle Drive and water could go into the two ditches and into the storm drain. There were some improvements below that they would have to do. He said they felt that would be the best and cheapest alternative. They would first outline the scope of work with Bowen Collins. A survey was scheduled for later in the week. He said they had a grant of up to \$30,000. The construction would go toward the City's match.

Ron Devey said the High Bench Trail would be relocated as part of the project. Mel Clement asked if they would be expanding the depth and width of the ditch. Shane Sorensen said it would split between High Bench ditch and Eastfield ditch. He said the channel actually looked pretty good.

Troy Stout asked when an event was most likely to occur. Shane Sorensen said that according to the storm center, a quick snow melt was the worst, followed by a thunderstorm. The recent storm that impacted Saratoga Springs didn't affect Alpine too much. The most they got was three-tenths of an inch. He said they were under a time constraint to get the work done.

Bradley Reneer said he could see that if this wasn't built, people would be in danger. It was for their protection.

Will Jones asked if anything was being done by the forest service in the area above Lambert Park. He also asked if the city was seeking more than one bid.

Shane Sorensen said the bidding process was a long one and it had to be constructed by February to qualify for the grant. Bowen Collins did a lot of flood control. Rich Nelson noted that Bowen Collins had unique qualifications for that type of work and were essentially a sole source.

MOTION: Will Jones moved to approve the contract with Bowen Collins and Associates in an amount not to exceed \$41,733 to perform design services for the Quail Fire EWP Project. Bradley Reneer seconded. Ayes: 4 Nays: 0. Motion passed unanimously.

D. New Fence at Rachel McTeer Park: Shane Sorensen said staff had been working with Charlie and Phil Williams who owned property adjacent to the west side of Rachel McTeer Park. There was an old wire fence along the park, and soccer balls were being kicked into the Williams' pasture where they kept horses. Kids were entering the pasture to retrieve their balls and the Williams were concerned about potential problems. They were willing to pay half the cost of the fence. It would be a 6-foot tall galvanized steel fence.

MOTION: Will Jones moved to approve the fence for Rachel McTeer Park. Troy Stout seconded. Ayes: 4 Nays: 0. Motion passed unanimously.

VI. STAFF REPORT

Shane Sorensen said many had probably seen the reseeded that was done in Lambert Park. Twenty-five acres were reseeded as an Eagle project that was headed and organized by scout Sam Johnson. Alpine resident Bryan Burr donated helicopter time to drop the straw mulch. Shane Sorensen said a project like that would cost about \$25,000.

Brian Gwilliam introduced himself as the acting police chief after the resignation of Kip Botkin who retired two weeks ago. There would be a retirement luncheon on November 1st. The Council was invited. He said he'd begun working for the Alpine/Highland Police Department in 1995 and was happy to be here. He more or less grew up in Alpine because his grandmother lived here. He said he was at the Council's disposal and gave them his cell number.

Ron Devey said the pressurized irrigation water would be turned off on October 15th.

VII. COUNCIL COMMUNICATION

Troy Stout asked if anything had been done about the intersection of SR92 and Canyon Crest Road. Shane Sorensen said Matt Shipp had looked at it and said it would be nice to have a right-turn pocket but there wasn't enough room. He said UDOT used to have spot improvement funds and maybe they could look at that. Bradley Reneer said he was concerned about the left-turn lane. It was very dangerous.

Will Jones expressed appreciation for the various Eagle Scout project done in Alpine. They did a great job. He said he also had other groups and families that wanted to perform some volunteer work in the City so if anyone had ideas to contact him.

Mayor Willoughby said he would talk to Shane Marshall about the intersection on SR92. He said he judged a mock congressional debate at Timberline Middle School, and was impressed with the youth.

MOTION: Will Jones moved to adjourn. Mel Clement seconded. Ayes: 4 Nays: 0. Motion passed unanimously.

The meeting was adjourned at 10:05 pm.

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