

**ALPINE CITY COUNCIL MEETING  
20 North Main Alpine, UT  
February 8, 2011**

The meeting was called to order at 7:00 pm by Councilman Kent Hastings. Mayor Hunt Willoughby was excused.

**MOTION:** Bradley Reneer moved to nominated Kent Hastings as mayor pro tem. Jim Tracy seconded. Ayes: 4  
Nays: 0. Bradley Reneer, Kent Hastings, Jim Tracy and Troy Stout voted aye. Motion passed unanimously.  
Kimberly Bryant was not present at the time of the motion.

**PUBLIC HEARING**

Kent Hasting, acting as Mayor pro tem, opened the public hearing to receive input on the proposal to increase the salaries of the Mayor and City Council to be effective immediately.

Rich Nelson said the Council had asked him to look at the salaries and benefits for council members in surrounding cities and see how they compared to Alpine's salaries. He said he had contacted the other cities and obtained the information. The proposed salary increase had been posted on the state webpage, advertized in the paper and posted in three public places. Public comment was invited.

Sullivan Love said he had lived in Alpine a few years. He stated he was against the proposed salary increase. He said he did not think it was fiscally responsible. He asked if they had recently increased their salaries by 50%.

Kent Hastings said the salaries had been increased six years ago by 100% from \$200 a month to \$400 a month.

Mr. Love said it would be better to wait until the economy improved to increase their salaries, then do so at a moderate pace. He said he worked for Orem City and part-time for Vineyard. He'd seen a big city and a small entity both struggle with the economy. It was a tough time to stomach this kind of increase.

Kimberly Bryant arrived at the meeting.

Ted York said some of the Council members were his friends, but he thought it was wrong. Even if they weren't talking about a big chunk of change, it was a matter of principal. He had neighbors that had lost their houses. Whether it was right or wrong in terms of what other people made, he just thought it was a poor choice to make right now. He said he worked for Delta Airlines for years. They came to the employees and asked for a 40% pay cut when times got bad, then turned around and gave themselves \$70,000 in bonuses and pay raises for management. He said that's what this looked like – the tax payers being the employees and the council being management. It was a very poor time. The state had just elected Mike Lee to the senate and did it for a reason. Alpine was not Washington DC, but the principal was still the same. At the very least, there should be a stipulation that the pay raise would go to the next guy. But to vote themselves a pay raise was the wrong thing to do.

There were no other comments.

**I. Regular Council meeting called to order by Kent Hastings, Mayor pro tem**

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

Kent Hastings – Mayor pro tem. Mayor Hunt Willoughby was excused.

Council Members: Troy Stout, Kimberly Bryant, Bradley Reneer, Jim Tracy

Staff: Rich Nelson, Charmayne Warnock, David Church, Shane Sorensen, Ron Devey, Jannicke Brewer – Planning Commission Chairman.

Others: Sullivan Love, Ted York, Mazie Reneer, Steve Garlick, Steve Swanson, Barbara Christiansen, Parker Hafen, John Gunter, Jr.

**B. Prayer:**

Kimberly Bryant

**C. Pledge of Allegiance:**

Parker Hafen

## II. EXECUTIVE SESSION

**MOTION:** Jim Tracy moved to go to Executive Session in the conference room to discuss personnel issues with the session to go no longer than 10 minutes. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Troy Stout, Kimberly Bryant, Bradley Reneer, Jim Tracy and Kent Hastings voted aye. Motion passed unanimously.

The Council convened to the conference room at 7:11 pm.

The Council reconvened in the council chambers at 7:18 pm

**MOTION:** Jim Tracy moved to return to open session. Troy Stout seconded. Ayes: 5 Nays: 0. Troy Stout, Kimberly Bryant, Bradley Reneer, Jim Tracy and Kent Hastings voted aye. Motion passed unanimously.

**III. PUBLIC COMMENT:** There was no public comment.

## IV. CONSENT CALENDAR

### A. Approve Minutes of January 25, 2011

### B. Home Occupations

Seity's Orchard, LLC- Brian & Chris Seitzinger – 611 W. 800 S.

Brittmarie Designs – Brittmarie Jenkins – 101 Glacier Lily Dr.

**MOTION:** Jim Tracy moved to approve the Consent Calendar. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Motion passed unanimously.

Rich Nelson said he would like the Council to consider the possibility of having home occupations approved by administrative review rather than having them come to the City Council. When the permit was issued, he would send the Council an email with the information. The Council indicated that would be fine.

## V. PRESENTATIONS

**A. Clean Server Anti-pornography Presentation – John Gunter, Jr.:** Mr. Gunter said he represented Citizens for Families, a Coalition for Community Standards. He said that Alpine City had passed a proclamation about a year ago establishing and promoting a child-safe community standard. Part of that standard said that the public display of sexually explicit material was an intrusion on the natural development of children. The goal of their organization was to combat the prevalence of pornography by providing tools to families to monitor and filter the influences that came into the home via the internet, television, cell phones, X-box games, etc. Mr. Gunter wanted Alpine City to become the first city in the state of Utah and in the nation to join forces with them by investing one million dollars in their foundation. It would help provide low-cost protection to people who chose to follow the community standard. He said that a portion of the nonprofit proceeds would be returned to Alpine City. Alpine would be a role model for other cities.

Jim Tracy asked how city support would differ from parents subscribing to a filtering service on their own. Mr. Gunter said their plan was a comprehensive solution. They would monitor the technology of a home or school or business and provide the data back to the user who could decide what kind of blocks they wanted on their systems.

Troy Stout asked how their program would affect first amendment rights. Mr. Gunter said it would be voluntary. They would just be giving the people the tools to manage it.

Jim Tracy questioned if it would be fair to use tax money for a program some citizens may not want to participate in. One million dollars was a lot of money. Mr. Gunter agreed that it was but they were trying to combat a 200 billion dollar giant. They wanted to be as well organized as the porn industry.

Kent Hasting asked if the million dollars would be seed money to help establish the service and develop a functioning product. Mr. Gunter said the product was already developed. They were just putting it together. Mr.

Hastings asked what the money would be used for. Mr. Gunter said he was not the best person to answer that. The attorneys would have the best answers, but the money would come back to the city in some fashion.

Bradley Reneer said it sounded like they were being asked to support private enterprise, which was not something they could do. It would be giving one business an unfair advantage over competitors. Mr. Gunter said the idea was to have everyone involved. They were essentially trying to act like the porn industry which worked very well together.

Kent Hastings asked Mr. Gunter if they'd thought of approaching a group of cities and creating a special district, kind of how they formed the dispatch district.

In response to a request for comment, David Church said he was always concerned when somebody asked a city for money. For any amount of tax dollar request there had to be complete transparency. It had to be included in the budget, there would have to be public hearings. It was not an easy process.

## **VI. ACTION/DISCUSSION ITEMS**

**A. Resolution No. R2011-03 -Appointing Rich Nelson to the Utah Valley Dispatch Special Service District (UVDSSD) Board.** Rich Nelson explained that a number of cities had gone together to form a dispatch board. Each city had a representative. Ted Stillman had been Alpine City's representative but had retired. The notice of vacancy had been published in the newspaper and posted in three public places. Rich Nelson said his name was the only one that had come up. He had previously served on the dispatch board while he was the city administrator in Payson.

Jim Tracy asked if provision #3 stating that the appointment would be in effect until repealed by another resolution was in conflict with Utah Code that specified a term limit of four years. David Church said the dispatch board was the product of an interlocal agreement and that provision in state code would not apply to this entity.

**MOTION:** Troy Stout moved to adopt Resolution No. R2011-03 appointing Rich Nelson to the Utah Valley Dispatch Special Service District (UVDSSD) Board. Jim Tracy seconded. Ayes: 5 Nays: 0. Troy Stout, Jim Tracy, Kent Hastings, Bradley Reneer, Kimberly Bryant voted aye. Motion passed unanimously.

**B. Ordinance No. 2011-05 – Increasing the Mayor and City Council Salaries:** Rich Nelson said the Council had asked him to survey other cities in Utah and see how the salaries of Alpine City Council and Mayor compared. He had presented a list of other cities' salaries. It was discussed that Alpine's salary should be an average of other cities' and proposed that the council salary of \$4,800/year be increased to \$7,200 and the mayor's salary of \$9,600/year be increased to \$15,000.

Included in the ordinance was a provision that Ordinance No. 2006-05 would be repealed. The old ordinance stated that salary increases would not be effective until the first Monday in January following an election. The proposed ordinance would make the salary increase effective immediately.

Kent Hastings said that this was his 12<sup>th</sup> year on the City Council. When he first started they were making \$200 a month. He had felt that serving on the Council was more of a volunteer job. Six years ago they doubled the salary to \$400 a month. He said he wasn't in favor of it because he felt they were doing it as a service and he didn't need the extra money. That evening they were considering another increase which he supported. He listed the reasons for changing his mind about increasing their salaries which were: First, he didn't like the system of being paid an additional \$50 for extra meetings they attended outside the Council meetings. It didn't seem very transparent and he wanted to be transparent. Second, he looked at surrounding communities which got a base salary plus perks and extra things. The average salary in communities of similar size was about \$1,000 a month. He said he didn't think they should go to the average but he felt they should be fairly compensated just like any other employee that worked for the city. He said he'd been on the Council for 11 years and lately he worked on tougher issues and invested more time. He felt the Council was very hands-on. They were at the community events, actively participating and helping organize it. When he started his kids were young. Third, he said it was fair to those running for City Council to be fairly compensated.

Jim Tracy asked what cities were used in his survey. Kent Hastings said Cedar Hills, Lehi, Lindon, Highland, Saratoga Springs, Park City.

Troy Stout said one of the problems with being reimbursed for attending other meetings was that there was a disparity in the assignments. Some may have three assignments and another member may only have one. There was a potential of imbalance. He said he didn't think serving on the Council should be viewed as an opportunity to make more money. It should be flattened out so assignments didn't penalize one member and benefit another.

Kimberly Bryant agreed that they should make it more transparent. Eliminating the reimbursement for extra meetings would make less paperwork for staff and everyone could see what they were actually making. She said they would not be raising taxes by increasing their salaries.

Kent Hastings said that a year ago they had discussed a salary increase and decided to put it off because the economy was bad and it was bad timing, but it seemed like there was never a good time.

Bradley Reneer said the extra meeting was a side issue. He was in favor of rolling the reimbursement into the base salary which would raise it \$50 a month. But what they were talking about that evening was not just rolling the \$50 increase into their salary. They were talking about going from \$4800 a year to \$7200 a year. He said he felt that would hurt them in a number of ways. There was a great tradition of volunteerism, especially in this community. He said many people performed service for no compensation whatsoever, whether it was coaching a sports team or running the community theater or helping out with Alpine Days. He said he agreed with one member of the Council who, five years ago when they raised the mayor's salary, stated in the minutes that people served because they loved the community. It was an Alpine tradition that you served not for money but for the heart of the city.

Mr. Reneer said they should be an example to other cities by having the lowest salaries because they had the lowest tax base. He said that as you added money to the compensation, you actually degraded public service. He did not want the amount he was paid be his purpose for running for office. He said he felt that if they kept the salaries low, it actually improved the reasons people ran for city council. It was the same was with team coaches and community theater. They served because they loved the community. He said they should be setting an example for the rest of Utah County and challenge them to lower their salaries.

Mr. Reneer said that within a block or two of his home there were several people who were unemployed or under-employed. There were families who had lost their homes through foreclosure. Another whose husband was serving in Iraq. How could he walk down the street and say, "I just gave myself a raise?"

Kent Hastings said Bradley had quoted him out of the minutes. But there were people who were surprised at what they were paid for their efforts. They were embarrassed. He said if they were paid more money they could purchase more resources to be used for city service such as laptops for the meeting.

Troy Stout said he questioned overturning the ordinance that was in effect which stated that salary increases did not take place until after the next election.

Kent Hastings said he had drafted that ordinance. At that time it had been his opinion that the increase should apply only for future mayor and city council members, and it was his intent to do it before an election but it didn't take place before an election. He said that was why he had changed his mind. It didn't work out.

Troy Stout asked David Church if the original ordinance meant that they would get the salary increase after the next election. Mr. Church said the old ordinance stated that the effective date of the increase was after the next election. Mr. Stout said his term didn't end for three years. Mr. Church clarified that the increase would take place after the next election.

Bradley Reneer said Kimberly had said they would not be raising taxes with a salary increase, but the money had to come from somewhere. Kimberly Bryant said the City had available money plus the Council discretionary fund could be used.

**MOTION:** Kent Hastings moved to amend Ordinance No. 2011-05 to set the compensation for City Council members to be increased to \$800 a month (\$9,600/year), and that would be the only compensation. Members who did not wish to be paid the increase could indicate to the City Administrator that they did not wish to accept the higher salary. The Ordinance would also be amended to set the Mayor's salary at 1.5 times the Council salary or \$1,200 a month and pass the amended Ordinance No. 2011-05. Kimberly Bryant seconded. Ayes: 2 Nays: 3. Kent Hastings and Kimberly Bryant voted aye. Troy Stout, Bradley Reneer and Jim Tracy voted nay. Motion failed.

There was further discussion. Troy Stout said he thought the salary increase and the effective date were two separate issues and should be dealt with separately.

**MOTION:** Jim Tracy moved to strike item #1 from Ordinance No. 2011-05, which stated that the compensation would take place immediately. Troy Stout seconded. There was more discussion. The motion and second were withdrawn.

Kimberly Bryant said they'd had a past mayor who turned his salary back to the City.

Troy Stout said the Council position could be compensated more as long as it was comparable to other cities, although the revenue of the other cities was a factor. Park City had a pretty high tax base and was not comparable to Alpine. Lehi was a much larger city. He said that for himself, it would be difficult to vote in favor of it because he ran for office to help the community. He said that at the time, he didn't think he could vote to pay himself more, but he did appreciate those who had served longer than he had.

Jim Tracy said he brought up the issue of the salary increase when he noticed that Alpine City Council salaries seemed lower than other cities. He'd asked staff to do a survey and Alpine came out on the low end. He said he felt a fair compensation would be an average of what other city council members made. He said Bradley Reneer had made some great points. Troy Stout felt strongly about the increase going into effect with the next Council. He said he felt the salary increase sent a message to the community and would encourage others to run for office. He said he felt increases should have been given on a regular basis because the cost of living had gone up. Previous councils had put them in a tough spot by not doing that.

Kimberly Bryant said she was not planning to run again. She'd been trying to find someone to replace her and had a ton of people ask if she was kidding about doing it for \$400 a month. They wanted to get some intelligent people to run. They needed to get the message out to the people that there was a salary increase now so they would run.

Ted York said the problem was in the timing. When they were voting to increase their own salary, people would question their motivation. It didn't look right. He said a lot of people provided service without compensation. He participated in the Heart Gallery, taking pictures for people that lose children. They weren't talking about a fulltime job. He said he was trying to explain that it was a bad time. States were going bankrupt.

Bradley Reneer asked if such a thing ever got on a ballot. David Church said that in theory an ordinance was a subject of a referendum. Within 45 days of passage, the residents could circulate a petition and put it on the ballot, but it was uncommon.

**MOTION:** Jim Tracy moved to adopt Ordinance No. 2011-05 with two amendments, strike item one and change the Council salary increase from \$7,200 a year to \$800 a month. Troy Stout seconded. Ayes: 2 Nays: 3. Jim Tracy and Kent Hastings voted aye. Troy Stout, Bradley Reneer and Kimberly Bryant voted nay. Motion failed.

**C. 800 South Outfall Sewer Project:** Shane Sorensen said this was the second of the two projects to improve the sewer system. Phase two would increase capacity by putting in a 12 inch that would run parallel to the existing 18-inch sewer line. He said the sewer line was too deep to take it out and replace it but it would work to have a parallel line. The plans were about 90% complete then they would go to bid. He said the Council had in essence already approved the project with the first phase.

It was asked if they would be tearing up pavement again. Shane Sorensen said they had torn up another section of the road two years ago. This would be a different section of road.

Rich Nelson said that since this item had already been approved it could have been on the Consent Calendar. He suggested that when the bid was awarded, they could bring that back as part of the Consent Calendar. The Council agreed.

**MOTION:** Jim Tracy moved to advertise for bids for the 800 South outfall sewer improvement project. Troy Stout seconded. Ayes: 5 Nays: 0. Motion passed unanimously.

**D. Rules of Meeting Procedure:** Kent Hastings said adopting the rules of procedure would allow the minority to be heard and the majority to take action. It would make their meetings more efficient. They could try it for six months. Kent Hastings said he had condensed the rules onto a one-sheet grid and had made some minor changes.

Bradley Reneer asked if a motion could be appealed if someone made it without following the rules. David Church said, no, they were the Council's rules and they could adopt whatever they wanted as long as it was consistent with state law.

**MOTION:** Kimberly Bryant moved to adopt Resolution No. R2011-04 Adopting the Rules of Meeting Procedure. Bradley Reneer seconded Ayes: 4 Nays: 1 Kimberly Bryant, Bradley Reneer, Troy Stout and Kent Hastings voted aye. Jim Tracy voted nay saying that Alpine was a small town and he didn't think they needed the formality. He wanted citizens to understand proceedings.

**E. Board of Adjustment Appointment:** Rich Nelson said Michael Card's term on the Board of Adjustment expired in February of this year. Mayor Willoughby had interviewed him and he was willing to serve another term. He had recommended the Council reappoint Michael Card.

**MOTION:** Troy Stout moved to reappoint Michael Card to a five-year term on the Board of Adjustment. Kimberly Bryant seconded. Ayes: 5 Nays: 0. Motion passed unanimously.

**VII. STAFF REPORTS:** Shane Sorensen said the snow pack was looking good. It was at 180 to 200 percent.

**VIII. COUNCIL COMMUNICATION:** Bradley Reneer said he attended a Lone Peak PSD meeting and was impressed by Alpine City's representation. He had learned about robbing the reserves in the police budget to fill a budget hole. He wanted to avoid doing that in the future.

Kent Hastings said the Cedar Hills City Council had wanted to hire four fulltime EMT/firefighters 24/7, then learning that Alpine had only two, they lowered the initial request to two EMT/firefighters. That would increase Alpine's share of the funding considerably. The Alpine City Council agreed that before any city added funding to the budget to pay for additional personnel, there needed to be a discussion about how each city would pay for it.

Jim Tracy said he thought they should take that opportunity to renegotiate their agreement with the three cities. They should look at the PSD and have the assessments be apportioned by population and property values and personnel. In other words, if Alpine decided they wanted to add two EMS/fire fighters, it would have no bearing on the costs of the other cities. He asked that it be conveyed to the Mayor and the PSD Board.

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

The meeting was adjourned at 9:00 pm.