

**ALPINE CITY COUNCIL MEETING
20 North Main Alpine, Utah
July 12, 2011**

I. REGULAR MEETING: The meeting was called to order at 7:00 pm by Mayor Hunt Willoughby. The following Council members were present and constituted a quorum:

A. Roll Call

Mayor Hunt Willoughby

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

Council Member not present: Kent Hastings was excused.

Staff: Rich Nelson, Charmayne Warnock, David Church, Shane Sorensen, Jannicke Brewer, Jay Healey, Brad Freeman.

Others: Mike Simmons, Lori Simmons, Bob MacDonald

B. Prayer :

Bradley Reneer

C. Pledge of Allegiance:

Rich Nelson

II. PUBLIC COMMENT: Bob MacDonald said he had been resident of Alpine for ten years – six of which were on Main Street. During those years he had seen a marked increase in the amount of traffic. He said he had talked to Rich Nelson and Shane Sorensen and was told the road plan showed Main Street as a collector road off Grove Drive. However, he and his neighbors were concerned about the speed of the traffic on the road, sometimes in excess of 50 mph. He had grandchildren living with him and was concerned the two-year-old might dart into the road. He said the police had increased the patrol and that had helped some. He wondered if it would be possible to post stop signs at the fork between Fork Canyon and Alpine Drive to slow the downhill shot. He also asked if it would be possible to put up some radar speed signs going both ways so people would know how fast they were going.

Mayor Willoughby said that speeding was a constant battle in Alpine and agreed that something needed to be done. The City had put up a radar sign on 400 West and it had been destroyed. He noted that the problem was that it was the neighbors and residents that were the offenders.

III. CONSENT CALENDAR

A. Approve minutes of June 28, 2011

B. Payment Request #4 Waterline Improvement Project – Carlton, Inc, \$135,528.67

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

IV. REPORTS/PRESENTATIONS: None

V. ACTION/DISCUSSION ITEMS

A. Resolution No. 2011-08 Amending the Consolidated Fee Schedule. Rich Nelson said the fee schedule was being amended to include a pass-through fee of \$125 to cover the charge from the County for the County Engineer to review municipal boundary changes such as annexations, etc. The letter from the Country Engineer was included in the packet.

MOTION: Kimberly Bryant moved to approve Resolution No. 2011-08 adopting the amended Consolidated Fee Schedule. Jim Tracy seconded. Ayes: 4 Nays: 0. Motion passed unanimously.

B. Award Contract to Apply HA5 Mineral Bond to City Streets. Shane Sorensen said HA5 Mineral Bond was the same material the Council had previously approved to apply to the trails and parking lots in the new park on 100 South. This contract would apply to some streets in Alpine.

MOTION: Troy Stout moved to award the bid to Holbrook Asphalt Co. to apply HA5 Mineral Bond to city streets in the amount of \$29,630.45. Kimberly Bryant seconded Aye: 4 Nays: 0. Motion passed.

C. Award Contract for 2011 Micro-surfacing Project. Shane Sorensen said staff opened bids on micro-surfacing the streets yesterday. There were only two contractors in Utah that did this, but it was a busy time and they received only one bid. He recommended awarding the bid to Geneva Rock in the amount of \$69,339.40. Mayor Willoughby asked if that was a fair bid. Shane Sorensen said it was. He said micro-surfacing was for preventative maintenance and cost 28 cents a square foot as opposed to 93 cents a square foot for the overlay on Alpine Drive.

MOTION: Jim Tracy moved to award the contract for the 2011 micro-surfacing project to Geneva Rock in the amount of \$69,339.40. Kimberly Bryant seconded. Ayes: 4 Nays: 0. Motion passed unanimously.

D. Award contract for 2011 Asphalt Overlay Projects: Shane Sorensen said there were two cul-de-sacs and two streets in line for overlay. They were Alpine Circle, Village Court, Alpine Drive and Applewood Drive. There were three bids, the lowest bid was from Kilgour Contractors whom staff recommended.

MOTION: Kimberly Bryant moved to award the contract for the 2011 Asphalt Overlay Project to Kilgour Contractors in the amount of \$161,846.00. Jim Tracy seconded. Ayes: 4 Nays: 0. Motion passed.

E. Fireworks: Troy Stout said he had received calls from concerned residents about the new relaxed regulations on fireworks which allowed aerial fireworks, and stated that he also had concerns about the potential for fire with the newly legalized fireworks. He said his son had been hiking in the mountains and was coming down the hillside at dusk and actually had to stamp out a fire from someone's fireworks. He said many in the community valued the open space in and around Alpine and wanted to see it preserved and protected. He proposed that the City encourage, if not require, residents who lived within a certain distance of open space to move their fireworks to a safer location.

Kimberly Bryant said she had also received several calls from people who were concerned about the fireworks. She wasn't trying to take away people's fun but she felt there was a sensible way for people to use fireworks. She'd watched the fire on top of the gravel pit the previous year and the fire on East Mountain several years before that.

Jim Tracy said that in Alpine's General Plan a primary objective is to protect and preserve open space. He said his concern with limiting the use of fireworks was enforcement. He didn't want to create a regulation that was unenforceable. The Council discussed the problem and what other cities were doing about it.

Fire Chief Brad Freeman said he had talked to the State Fire Marshall. He also brought some information from the Attorney General's office interpreting the law. He said there was a County ordinance already in place stating that fireworks could not be used in wildland areas in unincorporated areas. He also listed the fireworks that were still illegal which included fire crackers, cherry bombs, M-80s, bottle rockets, and Roman candles. He explained how they were used and the associated problems, and the difference between them and the "cake fireworks" which were legal and were not supposed to tip over.

Bradley Reneer said he didn't really want to regulate fireworks but it seemed that common sense had failed in too many instances, and it seemed like they did need to move toward some kind of regulation.

David Church said the State was very clear in that they took away a city's ability to outlaw fireworks, but they could restrict them to areas of town where they could be used. He also disagreed that the regulation was unenforceable. Enforcement meant finding the individual who started the fire and arresting him. He said that if people thought they could be arrested, they would generally comply. If offenders were not arrested, the number of offenders would increase. He noted that more and more people were firing aerals. At the very least, cities could identify certain areas and say no to fireworks in those areas.

Brad Freeman said that if a fire moved into forest service land, they would bill the responsible party for the cost of fighting it, and the insurance company did not pay.

David Church added that cities would also be billed for the cost of fighting fires if it was in the city. He said it was too late to pass an ordinance and educate the people about it before the 24th of July, but they could plan for the future. Identify the areas that needed to be protected, pass an ordinance and enforce it so people knew they were serious.

The Council discussed the idea of identifying areas on a map that they wanted protected, then putting up signs or banners right now and informing people that fireworks were not to be used within a certain distance of those areas.

Christian Jolley said he and some friends had gone up to the Bowery to watch fireworks across the valley and he said it was amazing how many fireworks there were. He said that even people in Alpine Cove were shooting off fireworks and there was a “No Fireworks” sign up there. He asked what the punishment was.

David Church said that using fireworks illegally was a Class B misdemeanor with a fine of up to \$1000 and six months in jail. The police were probably not actively patrolling for offenders.

Karissa Karren said there were fireworks in her neighborhood cul-de-sac and possibly some of them were illegal. She asked how many fires on the mountains were actually started by fireworks. Brad Freeman said about half of the fires on the mountains were started by fireworks.

Mike Simmons said he had talked to most of the Council about his concern about fireworks. There had been a sizeable fire in Mt. Olympus recently caused by fireworks. There was so much high grass and scrub oak around and in Alpine, and it was very dry. He didn’t think the potential for fire was something they should mess around with. Too often kids decided to light fireworks in open areas away from buildings but usually there was a lot of dry grass and no water nearby. They didn’t think about all the fuel around them. He said it wouldn’t hurt his feeling to see a prohibition on fireworks along Main Street up to the Cove area.

After more discussion the Council and staff decided to order some signs that stated “No Fireworks Within 300 feet of Open Space or Forest Service Land.”

VI. STAFF REPORTS

Charmayne Warnock said two people had filed to run for City Council so far. They were Kimberly Bryant and Will Jones.

Shane Sorensen said they had completed chip seals on some the roads the previous week.

VII. COUNCIL COMMUNICATION

Bradley Reneer asked if there was any news about the vandalism on the signs and the sprinklers. There was no information about possible culprits. Shane Sorensen said they had been able to fix the sign. Councilman Reneer also thanked Rich and the staff for ordering information and material on Neighborhood Watch. Regarding the concern about speeding on Main Street which was raised under Public Comment, he asked if they wanted to encourage the officers to write more tickets. It was noted that they had been short officers in the past, but may have more with the new budget.

Jim Tracy said he had missed last week’s meeting but he had listened to it. He said it was shocking how many people talked without using the microphone and how people talked at the same time. He also said he’d had people ask him if the City would install wireless internet at the new park. He noted that a lot of signs were obscured by vegetation and asked about having staff trim it back.

VIII. EXECUTIVE SESSION: None held.

MOTION: Kimberly Bryant moved to adjourn. Troy Stout seconded. Ayes: 4 Nays: 0. Motion passed unanimously.

The meeting was adjourned at 8:20 pm.