

**ALPINE CITY COUNCIL MEETING
20 North Main, Alpine, UT
April 27, 2010**

I. CALL TO ORDER/ROLL CALL: The Alpine City Council meeting was called to order at 7:00 pm by Mayor Hunt Willoughby. The following Council members were present and constituted a quorum:

Mayor Hunt Willoughby

Council Members: Jim Tracy, Kent Hastings, Brad Reneer, Kimberly Bryant, Troy Stout

Staff: Ted Stillman- City Administrator, Charmayne Warnock- Recorder, Jay Healey- Public Works Director, Shane Sorensen - Engineer, April Naidu – City Planner, Jannicke Brewer –

Planning Commission Chairman, Craig Carlisle – Fire Chief, Kip Botkin – Police Chief

Other: Collins Cochran, Sue Mika, Tren Davis, Bowen Davis, Jacob Newell, Carson Lundell, Samantha Patterson, Sydney Patterson, Michael Edwards – *Daily Herald*, Donald Myers – *Salt Lake Tribune*, Alex Rainsdon, Brook Linford, Sadee Dalley, Caitlin Tucker

II. PRAYER/OPENING COMMENTS: Kimberly Bryant.

Mayor Willoughby welcomed members of the Youth Council.

III. PLEDGE OF ALLEGIANCE: Kent Hastings

IV. PUBLIC COMMENT: None

V. CONSENT CALENDAR

Payment Request #1 -100 South Park – Hawker Enterprises, LLC - \$84,426.50

MOTION: Jim Tracy moved to approve the consent calendar. Kent Hastings seconded. Ayes: 5 Nays: 0. Jim Tracy, Kent Hastings, Kimberly Bryant, Bradley Reneer, Troy Stout voted aye. Motion passed unanimously.

VI. ACTION ITEMS

A. SUNBROOK SUBDIVISION PLAT AMENDMENT, PLAT C: Shane Sorensen said the Sunbrook subdivision was located on Sunbrook Circle, a cul-de-sac off Alpine Boulevard. The existing subdivision consisted of Plat A (3 lots) and Plat B (3 lots). The same person owned lot 3 in Plat A and lot 3 in Plat B, which were adjacent to each other. A number of years earlier, the owner had split off a piece of one lot #3 and deeded it to the other lot #3. The owner now wanted to sell one of the lots and needed to make the division legal. The proposed plat amendment would remove lots #3 from Plats A and B, and rename them lots #1 and #2 of Plat C. Both lots would meet all the requirements of the Zoning Ordinance.

Kent Hastings suggested that in order to make the meeting move forward in a more efficient and orderly manner, they defer everything to the Mayor and wait to be recognized by him before they speak. That would eliminate the problem of interrupting each other. In addition, he said he didn't think it was appropriate for members of the Council to call on people from the audience. That was the Mayor's job.

MOTION: Kent Hastings moved to approve the Sunbrook Plat C amendment amending lot 3 of Sunbrook Plat A and lot 3 of Sunbrook Plat B. Kimberly Bryant seconded. Ayes: 5 Nays: 0 Kent Hastings, Kimberly Bryant, Troy Stout, Bradley Reneer and Jim Tracy voted aye. Motion passed unanimously.

B. 2010-2011 BUDGET – WORK SESSION: Ted Stillman said that last year during the budget review process he'd said that things were bad due to the economy and they may not get better, but things had actually gotten worse.

He reviewed the budget schedule. That evening would be a work session. At the next meeting on May 11, 2010 they would adopt the Tentative Budget, then hold a public hearing on the Tentative Budget at the next meeting on May 25, 2010. The final budget would need to be adopted by June 8, 2010. If a Truth in Taxation Hearing was needed, it would be held on August 10, 2010. Ted Stillman said it was their goal to not need one.

Ted Stillman said there were a number of requested budget items that were not line items in the budget. He would first cover those items and whoever had requested them could speak to them.

1. **Flashing crosswalk light at Westfield Elementary (Cost \$10,000).** Jim Tracy said surveys had been done which showed the lights on Westfield did not meet the state criteria for flashing lights. He suggested the lights be moved to the school and eliminate the crossing guard of Westfield Road because of low usage.

Kent Hasting said he had some concerns about eliminating the lights and guard on Westfield Road because the speed limit was higher on that road.

Shane Sorensen explained that the state required a minimum of 10 students crossing within a certain time period. When the lights were first installed, they met that criteria but for whatever reason, it had changed and there were no longer that many students crossing Westfield Road.

Kimberly Bryant said she was told that there were more concerned parents driving their kids to school.

2. **Radar signs on Ranch Drive (\$10,000).** Jim Tracy said his neighborhood would like to have some radar signs on Ranch Drive that showed how fast cars were going. They would be permanent, solar-powered signs. The neighbor planned to apply for a grant.

3. **PRO Commission salaries (\$3,900).** Jim Tracy said he'd sat on the PRO Commission and on the Planning Commission and he felt the PRO Commission was putting in the same amount of work as the Planning Commission. He suggested compensating the PRO Commission \$50 per meeting.

4. **Planning Commission salaries (\$2,100).** Jim Tracy said the Planning Commission were currently paid \$50 a meeting. He suggested increasing that to \$75 per meeting. Troy Stout noted it would be a 50% increase.

5. **City Council salaries (\$12,000).** Jim Tracy said he'd been in an awkward position at the Gateway Committee meeting when someone asked him why he got paid for being there but they did not. He asked why a City Council member was compensated for attending extra meetings when a Planning Commission member or Gateway Committee member was not. He said he felt it would be appropriate to have the City Council member's compensation for extra meetings incorporated into their salaries. That way they wouldn't have to turn in agendas to be compensated. Also, he said he felt it would be appropriate for Alpine City Council salaries to be comparable to the average salary in other cities.

Kimberly Bryant said that it wouldn't really be an increase to the budget if they added the compensation for attending other meetings to the salary.

Hunt Willoughby said he didn't want to be in the situation they had in Eagle Mountain where an increase was added to the salary but the member was not attending the additional meetings.

Kimberly Bryant said there were times when she'd attended a meeting but lost the agenda, or handed it in and still did not get paid. It was more work for the person doing payroll. If a Council member was not attending their meetings, they should be called in by the Mayor.

Bradley Reneer said he appreciated the comments but he felt uncomfortable taking away the accountability of earning the salary. He recalled a county commissioner who never showed up for meetings. There was no connection between what he was supposed to be doing and his salary. He said he felt the more accountable they were, the better.

Kent Hastings said that when they first passed the policy of turning in agendas for compensation he thought it was a bad idea. They received a salary to do their job and if they weren't doing their job, they should be voted out. He said that originally the policy on compensation applied only to meetings held outside the city such as TSSD and PSD, but that had changed. He said he agreed with the idea of getting a flat salary that included compensation for extra meetings, and they should be attending the meetings.

Troy Stout said that none of them had run for office for handsome salary they received, but it would fair to equalize it for everyone. People shouldn't be financially penalized or rewarded for certain assignments. He said he agreed with Jim Tracy's proposal that the City Council salary be in line with salaries in other cities assuming they were cities of similar size.

Jim Tracy said the Mayor and Ted Stillman had provided him with a spreadsheet of salaries in other cities that included Alpine, American Fork, Cedar Hills, Eagle Mountain, Heber, Highland, Lindon, Lehi, Mapleton, Orem, Park City, Payson, Saratoga Spring, Spanish Fork.

Kent Hastings noted that the representative that went to the sewer and solid waste meetings also got a payment from the district. Jim Tracy said they were paid fifteen dollars.

Bradley Reneer said it would be useful to have accountability for attending extra meetings visible, possibly posted on the website so citizens knew the council members were attending their meetings. Another aspect was – with the budget as tight as it was, he would propose eliminating the pay for attending extra meetings. They didn't run for City Council because of the salary.

Kimberly Bryant asked how much the other cities paid their city council. Jim Tracy said the annual salary for Highland was \$8,064. The annual salary for Alpine was \$4,800.

Kimberly Bryant said they did a lot outside regular meetings. For example the Youth Council may have two meetings a month but she did much more, and the cemetery took time doing things that didn't count as meetings. She said people were surprised to hear they made only \$400 a month, but they did it because they loved their city, not because it was a second job. She said she felt the time spent on extra committees should be compensated.

6. American Fork Recreation Program (\$43,000). Ted Stillman said American Fork had actually already kicked them out of their recreation program. Alpine had given notice a year ago that they would probably leave the program. In March he received an email from American Fork asking whether or not Alpine planned to be in the program. Since Alpine hadn't yet started the budget process, they didn't know. So that expenditure would not be made this year. Alpine residents could still participate in American Fork's program but they would have to pay the non-resident fee.

7. 800 South Trail (?). Ted Stillman said he had put this on the list because it had been talked about but there was no cost associated with it. Shane Sorensen said the likely cost of the project would put it at the top of the list. Hunt Willoughby said that this year they would pursue a plan and develop cost estimates, but because of the new 100 South Park, there would be no actual expenses paid out.

8. **Tuition Reimbursement Program (\$7,000).** Ted Stillman said that last year one person participated in the program. This year he would like to put in enough money to assist two people who were interested in participating.

9. **Alpine Days salaries (\$5,000).** Ted Stillman said the salaries were already approved and would come out of the Alpine Days budget.

10. **Old police station remodel.** Ted Stillman they wanted to use two rooms in the old police station for record storage and a supply room. There would be no cost because the shelves were already there.

11. **100 South Park Dedication.** Jim Tracy said there were still a lot of people who were unaware of the new park. He suggested they have a mass mailing and open house to let people know it was there.

LINE ITEMS

Equipment Replacement Schedule. Ted Stillman reviewed the Equipment Replacement Schedule. One of the major new purchase items for park maintenance was a vehicle to drive on trails and parks. Shane Sorensen said it had turf tires and could be driven across parks without leaving ruts. It could also plow sidewalks in winter or parking lots. There were different attachments.

Jim Tracy wanted to verify that these items were already on the equipment list before the 100 South Park was approved, and they weren't being purchased because of the new park. Shane Sorensen said they were already on the list.

Ted Stillman said the majority of the money came from the Capital Improvement Fund. Some came from the Sewer, Water and Pressurized Irrigation Funds. Staff recommended extra money at the end of the year be put in the Capital Improvement Fund so there would always be money available for replacing equipment.

Ted Stillman said the legislature had passed a bill that the redemption tax would become part of the property tax which allowed them, this year, not to hold a truth in taxation hearing. He said the budget was basically not balanced, but when they got to services they would talk about how they could make it work.

Public Safety Revenue. Ted Stillman said another way to fund public safety was through the \$1 contribution for paramedic service on the utility bill which brought in \$28,000. An option would be to increase the fee on the utility bill rather than raising property taxes.

Court. Highland City operated the court and kept all the court cases, records, etc. which was a benefit to Alpine. Next year Alpine would be subsidizing the court \$9,000 but it was still less expensive than having their own court. The costs were divided out 50/50 between the two cities for some items and 39/61 for actual time. It was based on the PSD split.

Emergency Services. Ted Stillman said the cost of emergency services was going up by \$288,715 but property tax revenue was only going up \$169,252. He would be meeting with the PSD Board on Thursday morning to discuss cuts that could be made in the PSD proposed budget to narrow the gap between what they wanted and what was available.

Kent Hastings said he would like to hear the thoughts of the Council on this issue. It was his intention to bring the PSD Budget down. The Council was struggling to make cuts in the budget and he felt the PSD should do likewise.

Mayor Willoughby said he agreed. The question that it came down to was level of service. They needed to decide the number of officers and number of hours of coverage that would be acceptable.

Ted Stillman said that, in defense of the police department, there were three reasons for the increased costs. First, there was a loss of revenue from transfer fees. American Fork had increased their paramedic service, and there was a new policy that the transfer fees went to the city in which the hospital was located. Second, the PSD had received a 5-year grant for fire fighters which decreased every year with the expectation that the city would pay more each year. They were in the fourth year so the City's portion had increased. Third, they used the reserves last year rather than increase taxes so there were no reserves left.

Troy Stout clarified that when there was an economic turnaround, they wouldn't necessarily recover those resources.

Class C Road Funds. Ted Stillman said that in previous years the Class C Road Funds were a separate fund but the state auditor had moved it into the General Fund. They needed to keep track of it for street projects and maintenance so it didn't get lost in the General Fund.

Parks and Recreation. Ted Stillman said the expenditure for American Fork Recreation would be zero. Normally they had a lot of park projects but because of the 100 South Park, there were not so many. Every cent of impact fees would be going to the park.

Kent Hastings asked what percent of the total cost of the park would come from future impact fees. He said he understood David Church to say they could encumber future impact fees and asked if they had determined what that amount would be.

Ted Stillman said that theoretically they could recoup up to two million dollars but they were only borrowing \$350,000 because they had the funds in the bank. You could only encumber funds that you borrowed or bonded for. Realistically it could take 20 years to recoup the \$350,000. Physically, there were not enough remaining subdivisions in Alpine to recoup two million dollars.

Water Fund. Ted Stillman said that normally there were 15 projects in this group but this year there was only one, and that was the 100 South Park. They were borrowing money from the water fund for the park but wouldn't start paying it back until next year. The loan would be left open in order to be paid by future park impact fees. The loan from the Water Fund was going to Capital Improvement Fund with an interest rate of 1%.

Cemetery. Ted Stillman said they had about the same number of cemetery lot sales as burials. In addition they were buying back cemetery lots for \$800.

Sewer. They would complete the sewer line upgrade along 800 South which was begun last year. It was to accommodate increased sewer production throughout Alpine.

Pressurized Irrigation. The budget reflected the pressurized irrigation rate increase. They were still working on the bond upgrade. Ted Stillman said they may be coming back to the Council for funds to refinance the bond, and noted that an investment of seven to ten thousand to refinance could save them \$120,000 a year. They could only refinance the bond once so they needed to pick the right time. The rate would be fixed.

Mayor Willoughby thanked Ted Stillman and Annalisa Beck for their work on the budget.

Bradley Reneer said he had a question about salaries for city employees. They hadn't received an increase for two years but they may get a raise this year?

Ted Stillman explained that the raise was primarily because of reorganization and a change in position and duties. The duties of some would change which would result in an increase. There was one vacant position that they would be evaluating in the next few weeks.

Bradley Reneer said that if the employees were performing, they should get a raise. He wondered if, because of the budget situation, they could have staff take on additional duties and get an increase rather than filling the vacancy.

Mayor Willoughby said that some needs were not for more people to do more work, but for time spent. There needed to be someone at the front desk. He noted that as much as they deserved it, there were some employees who had gone four years without a raise which was reflective of the times.

Bradley Reneer said it seemed strange to be talking about giving themselves a raise and not doing the same for staff.

Kimberly Bryant said they weren't talking about a raise. They were just talking about combining the money they made serving on committees with their salary.

Jim Tracy had a question about what intersections would be improved. Shane Sorensen said there were 10 or 12 intersections recommended for improvement. Some improvements were very minimal such as striping.

Jim Tracy asked about depreciation costs. Ted Stillman explained that the depreciation expense was shown as an expense, then when they closed the books at the end of the year, it was transferred to the cash balance of whatever fund it was in.

Ted Stillman said they would come back with the list of the streets that would be chip-sealed and overlaid.

Mayor Willoughby said that if the Council had any further comments or suggestions about the budget to bring them to him or Ted Stillman.

C. ORDINANCE 2010-05 RESIDENCES FOR PERSONS WITH A DISABILITY.

April Naidu explained that currently Alpine City had no ordinance regulating group residences for the disabled. Municipalities were required by state and federal law to allow group residences for the disabled, but they could regulate them relative to the number of occupants and dispersal.

David Church had written the attached ordinance based on state and federal requirements. It limited the number of residents to four people based on Alpine City's existing definition of a family (Section 3.1.11 item #14 of the Development Code) which defined a family as: "an individual or two or more persons related by blood, marriage, or adoption, or a group of not more than four persons, (excluding servants) who are not related, living in a dwelling unit as a single housekeeping unit and using common cooking facilities." The dispersal rate was 4,000 feet from other such residences.

April Naidu said that adopting the ordinance was the easy part. The difficult part was when the applicant wanted to increase the number of residents. The process by which they requested an increase was outlined in Ordinance No. 2010-06, Requesting Reasonable Accommodation.

Mrs. Naidu said cities did not get to decide on the definition of disabled. The legal definition included people recovering from alcohol or drug addictions. If they were still using, they were not considered disabled. Sexual predators were not considered disabled.

She said the City Attorney had pointed out to the Planning Commission that the law required the disabled to be treated the same as other people. Other residents were not required to receive

approval for residency from the Planning Commission and City Council. Likewise, homes for the disabled would also be handled at the staff level.

Mayor Willoughby said that David Church had other obligations and was unable to be there that evening. If the Council had questions for him, they could postpone the agenda items until he was present.

Troy Stout said he would like to do that. He asked if it was possible to limit the number of homes for a specific disability.

April Naidu said it was unlikely. The Planning Commission had recommended a dispersal of 4,000 feet between treatment residences so that would limit the number but not the type.

Troy Stout asked if 4,000 feet was the maximum distance allowed.

Jannicke Brewer said that if the City was challenged in federal court it would be difficult to defend because the federal law didn't say cities could require treatment residences to be dispersed. It was the state law that said cities could require treatment residences to be dispersed.

Kimberly Bryant said she would prefer to discuss the ordinances when David Church was present.

Jannicke Brewer said they'd had some inquiries from people interested in residences for substance abuse and people with a physical disability.

(Ted Stillman left the meeting to see if David Church was enroute.)

Jim Tracy said that while they were waiting, he'd like permission to invite someone in the audience to talk to the Council about broadcasting the Council meetings on the web.

Collins Cochran said he was a student at Lone Peak high school. He said webcasting was a simple process where they would put a camera and computer at the back of the room and transmit the meeting to the website so people could watch it live from their homes. The cost would be a computer and a camera. Previous meetings could be kept in an on-demand folder and watched. There was also an option for a channel. He said the district had room for 10 channels but had only 8 schools and they might be able to use one. There was a charge for service but if they were okay with having ads run along the top that could cover the cost.

Ted Stillman said David Church was still in his meeting and wouldn't be there.

Mayor Willoughby said they would postpone the following agenda items:

- C. Ordinance No. 2010-05, Residences for Persons with a Disability
- D. Ordinance No. 2010-06, Procedure for Requesting a Reasonable Accommodation
- E. Ordinance No. 2010-09, Regulating and Establishing a Licensing Procedure for Sexually Oriented Businesses
- F. Ordinance No. 2010-07, Establishing Regulations on Location of Sexually Oriented Businesses.

Jim Tracy questioned the 30-day period from application to written decision by the Council. What if the applicant missed the Planning Commission deadline, and had to wait for the next meeting? A lot of time could be eaten up before it got to the Council. If it went to the DRC, it would take even more time. April Naidu said they could address that question when they dealt with the ordinances.

G. UTAH COUNTRY RECREATION GRANT. Ted Stillman said that every year the City received a portion of the restaurant tax. It was proposed that the funds be used to replace the swings in Legacy Park.

Shane Sorensen said that the fall zone around the swings required by the insurance company was quite large and the curbing around the swings didn't meet the requirement. They could reduce the number of swings or move the curbing. Mayor Willoughby suggested removing the curbing and connect it to the sandbox. He noted that the swings were used a lot.

Bradley Reneer asked if the replacement swings would be same height. Shane Sorensen said they might be shorter since the current set was arched and the new ones were square.

Kent Hastings said that he was in favor of keeping the same number of swings because it was such a highly used area, and changing the cement curbing.

MOTION: Jim Tracy moved to authorize an application to Utah County for a Municipal Recreation Grant to be used for swings in Legacy Park. Kent Hastings seconded. Ayes: 5 Nays: 0. Jim Tracy, Kent Hastings, Troy Stout, Kimberly Bryant and Bradley Reneer voted aye. Motion passed unanimously.

H. RESOLUTION NO. 2010-07 APWA STANDARDS: Shane Sorensen said they had talked about updating Alpine City's construction standards from the 1979 version. Now with the upcoming, major project up Fort Canyon Road it would be a good idea to have updated standards. He noted that there might be some standards that might not apply in Alpine but other cities had created an addendum to replace the specifications that needed to be different. Adoption of the APWA Standards would give them something to fall back on and protect the City. They would be using the same standards as Salt Lake and Utah Counties and the requirements would be more uniform.

Jim Tracy said that adoption of the standards would level the playing field for contractor bids. Someone wouldn't be cutting corners to come in with a lower bid.

Troy Stout asked if there were any standards that were inferior to the old ones. Shane Sorensen said there were not. He added that the standards were for municipal construction projects, not home construction.

MOTION: Kent Hastings moved to adopt Resolution 2010-07 which made the 2007 APWA Standard Drawings and Specifications the City's standards for construction. Jim Tracy seconded. Ayes: 5 Nays: 0. Jim Tracy, Kent Hastings, Troy Stout, Kimberly Bryant and Bradley Reneer voted aye. Motion passed unanimously.

VII. STAFF REPORTS

Ted Stillman said they had been experimenting with the packets, trying to use less paper. He asked the Council if they would prefer a printed packet or just have it emailed electronically. Most of the Council indicated they would prefer a printed packet because it made it easier take notes and refer to during the meetings.

Shane Sorensen said they were making progress on the 100 South Park although work was hampered by the weather. They had talked to officials at Alpine Elementary who would talk to children about not crossing through the site during construction. Council members asked if some portions of the park, such as the tennis courts, would be ready to use before others. Shane Sorensen said it might be difficult to keep people off the planted areas plus they needed a staging area for the construction. Kent Hastings suggested they delay the grand opening until the splash pad was finished.

April Naidu said studies had been done by cities relative to the sexually oriented business ordinance. If the Council wanted to read some of the studies, they could contact her and she would email them.

Jannicke Brewer asked what was happening with the Three Falls road on the hillside. There were concerns from citizens about erosion. Shane Sorensen said Will Jones was planning to put in some top soil and plant seed.

VIII. COUNCIL COMMUNICATIONS

Troy Stout said they were losing the principal at Alpine Elementary who had done a tremendous job. He suggested they present him with a plaque to commemorate his service. He asked about the status of the theater. Ted Stillman said the engineer had come to DRC and discussed redesigning and sinking it 10 feet.

Bradley Reneer said there were a few Olympians in Alpine that they should recognize in some manner.

Kent Hastings asked what was happening with the BMX park. Ted Stillman said there had been an area-wide event advertised on blogs that upset the neighbors. Patterson was not renewing the lease. Patterson had recommended an alternate site near Lambert Park. Regarding the theater, Kent Hastings said he'd made a motion on the theater for a 10-foot reduction in height, which failed. The theater people would need to start over again. He also noted that September was coming up and wondered if it would be a good idea to advertise for someone in order to have a transition period while Ted Stillman was still here.

Jim Tracy said he would like to welcome Charmayne Warnock as the new recorder. He also asked the Council their thoughts on webcasting the meeting. Kimberly Bryant and Hunt Willoughby said they'd like people to actually attend the meeting. Bradley Reneer said he thought it would be a nice option for the citizens.

Mayor Willoughby said it appeared three of the Council members would be out-of-town for Memorial Day, and wondered who would cook the breakfast. Jim Tracy suggested having the Alpine Days chairman help out along with the Youth Council.

IX. EXECUTIVE SESSION: No executive session was held.

X. APPROVE MINUTES OF APRIL 13, 2010

MOTION: Troy Stout moved to accept the minutes of April 13, 2010 as amended and adjourn. Jim Tracy seconded. Ayes: 5 Nays: 0. Jim Tracy, Kent Hastings, Troy Stout, Kimberly Bryant and Bradley Reneer voted aye. Motion passed unanimously.

The meeting was adjourned at 8:55 pm.