

**ALPINE CITY COUNCIL MEETING**  
**Alpine City Hall, 20 North Main Alpine City, UT**  
**September 28, 2010**

**I. REGULAR MEETING:** 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: Jim Tracy, Bradley Reneer, Kent Hastings, Kimberly Bryant, Troy Stout

Staff: Ted Stillman, Charmayne Warnock, David Church, Shane Sorensen, Jay Healey, April Naidu, Kip Botkin, Annette Scott

Others: Bob Hemingway, Ula Hemingway, Jannicke Brewer, Eric Walker, Dan Peay, Jason Kuhn, Jonas Kuhn, Chandler Adams, Kimball Richards, Taylor Richards, Chase Vallejo, Noel Vallejo, John Wooton, Joni Wooton, Charles Castleton, Bill Conley, Steve Swanson, Will Jones.

**B. Prayer:** Bradley Reneer

**C. Pledge:** Jonas Kuhn

**II. PUBLIC COMMENT:** Ula Hemingway offered a personal invitation to the City Council to the flag retirement ceremony that would be held October 11<sup>th</sup> (Columbus Day) from 5:30 to 6:30 pm at Burgess Park. Mayor Willoughby said they had at least 40 flags to retire. Kent Hastings thanked Mrs. Hemingway for the meaningful events she put together for the community.

Eric Walker said he had purchased the Henschied home on High Bench Road, and noted that it was on the agenda for a bond release as Alpine Acres, Plat B. He said that he understood that one of things that needed to happen when the property was subdivided was the separation of water service for the two lots. The pressurized irrigation water had been separated but there was still a culinary line that went from one lot to the other lot. He guessed it was a water line that went to a pasture to water livestock. The pasture had since been turned into a building lot. The problem was the line was buried so deep they couldn't find it so they could cut it and cap it.

Shane Sorensen said there were PI and culinary connections for each lot in the street. Cutting off the waterline that ran between the two lots was an issue between the property owners, and not really a City issue. However, the City did have a device that could locate metal lines and they could try that. But if the line was PVC, it wouldn't work.

Chase Vallejo asked permission for an Eagle Scout project that involved preventing erosion in a stream in Lambert Park. He said Ron Devey had suggested it, and explained how they planned to alleviate the erosion. Shane Sorensen said he wasn't sure what Mr. Devey had planned but he had talked about putting riprap in the stream to prevent erosion. Bradley Reneer signed the project application.

### **III. CONSENT CALENDAR**

**A. Payment Request #6 – Hawker Enterprises, LLC – 100 South Park – \$128,476.77:** Shane Sorensen said the park was almost complete. There would be a total accounting at the next meeting. They did not plan to open the splash pad or use the grass until next spring, but everything else was completed.

**B. Alpine Acres, Plat B – Bond Release – High Bench Road - \$12,150.00**

**MOTION:** Jim Tracy moved to approve the Consent Calendar with a payment to Hawker Enterprises for \$128,467.77 and a bond release for Alpine Acres, Plat B for \$12,150.00. Kent Hastings seconded. Ayes: 4 Nays: 0. Jim Tracy, Kent Hastings, Bradley Reneer and Kimberly Bryant voted aye. Motion passed unanimously. Troy Stout was not present at the time of the motion.

### **IV. ACTION/DISCUSSION ITEMS**

**A. Luminaire Report and Contract:** Joni Wooten said Light the Way had been a tradition in Alpine for 18 years. She presented the 2009 breakdown of costs and revenue from luminaire kit sales the previous December, noting that they had sold 5 fewer kits than the year before but overall it was a successful season. The Lone Peak Chamber Choir had used it as a fundraiser and received \$1000. She said Jim Tracy had suggested they do more advertising since many more people had moved to Alpine in the past 18 years, and they might not be aware of the significance of the tradition. He had suggested there be an article in the Newsline explaining the tradition. Charmayne Warnock said the article Joni Wooten had written would be in the October Newsline.

The Council asked Mrs. Wooten if she planned to continue the Luminaire tradition in Alpine and she said she did. It was suggested the Council approve a contract that would run for multiple years rather than having a new contract every year. Mrs. Wooten said she thought that was a great idea.

**MOTION:** Jim Tracy moved to approve the contract for the Luminaires and extend it for the next five years unless something changed, in which case it would be brought back to the City Council for approval. There would still be an annual accounting which could be emailed to the Council. Kent Hastings seconded. Ayes: 4 Nays: 0. Jim Tracy, Kent Hastings, Bradley Reneer and Kimberly Bryant voted aye. Motion passed unanimously. Troy Stout was not present at the time of the motion.

**B. McNiel #3 Annexation Petition – North Alpine Boulevard - Lon Nield:** Ted Stillman said the Council had granted final plat approval to the McNiel #3 subdivision at the previous meeting. In preparation for recordation, it was discovered that about 2000 square feet of one of the lots was actually in the County, and would need to be annexed. The applicant had submitted an annexation petition for 0.132 acre. Shane Sorensen said the annexation would include a small piece of Alpine Boulevard. Staff recommended that the City Council accept the petition.

In response to a question from the Council, Will Jones said the lot line would follow the City limit line if it were annexed. Otherwise, a portion of the lot would lie outside city limits.

Ted Stillman said the property was in the Annexation Policy Plan.

**MOTION:** Jim Tracy moved to accept Lon Nield's annexation petition to annex 0.132 acres at the north end of Alpine Boulevard. Kent Hastings seconded. Ayes: 5 Nays: 0. Jim Tracy, Kent Hastings, Bradley Reneer, Kimberly Bryant and Troy Stout voted aye. Motion passed unanimously.

**C. Planning Commission Appointment:** Mayor Willoughby said Ron Eaton had been serving on the Planning Commission but he had other obligations which made it necessary for him to resign his seat. The mayor recommended Steve Swanson to fill the vacancy. Jannicke Brewer said Mr. Eaton's term would expire in January 2011 because of the change to a four-year term for Planning Commission members.

Kent Hastings said he had known Mr. Swanson for many years. He was wise and studied the issues and he thought he would be an excellent addition to the Planning Commission. Also, he lived on the west side of Alpine which needed representation.

Steve Swanson said he had grown up in Chicago and had moved to Alpine 11 years ago. His wife Liz Swanson had worked with the Youth Council for a number of years. He said his background was primarily in training for public speaking. He also provided data for stock market funds and did a lot of traveling.

Jim Tracy said that one of the problems they had in some of the committees was lack of a quorum. He asked Mr. Swanson if attending the meetings would be a problem with his travel. Mr. Swanson said it was unlikely because his travel schedule was quite open.

Bradley Reneer asked if Mr. Swanson would be able to attend a training meeting. Jannicke Brewer said there was a training meeting coming up. She would meet with him and give him the needed materials.

Kent Hastings asked if they could appoint Mr. Swanson to another four years that evening rather than have the issue come back next January. David Church said technically they should wait.

**MOTION:** Kent Hastings moved to appoint Steve Swanson to fill the seat on the Planning Commission vacated by Ron Eaton. Troy Stout seconded. Ayes: 5 Nays: 0. Jim Tracy, Kent Hastings, Bradley Reneer, Kimberly Bryant and Troy Stout voted aye. Motion passed unanimously.

**D. Board of Adjustment Appointment:** Mayor Willoughby said there were several vacancies for Board of Adjustment alternate members. The names of Dan Garrison and Chuck Castleton had been recommended and both men had expressed an interest in serving.

Chuck Castleton said he had lived in Alpine on Ranch Drive for about 12 years. His background was in engineering management. He said he was happy to have the opportunity to serve.

Dan Garrison was not present.

**MOTION:** Kimberly Bryant moved to appoint Chuck Castleton and Dan Garrison as alternate members of the Board of Adjustment. Ayes: 5 Nays: 0 Bradley Reneer seconded. Jim Tracy, Kent Hastings, Bradley Reneer, Kimberly Bryant and Troy Stout voted aye. Motion passed unanimously.

**E. 2010 Waterline Improvement Projects:** Shane Sorensen said the City had requested bids to construct waterlines in two areas of town. In the Mountainville Drive and Wilderness Drive area, new waterlines were needed to increase fire flow. The water lines in the Village Way and Lone Peak Drive area were deteriorating because of the chemically hot soil. There would be a total of about 5600 feet of line. He said there were three bids and they came in really close to the engineers estimate. He recommended the low bid submitted by Carlton, Inc.

Shane Sorensen said they would give the contractor 90 days. Any open trench would have to be closed by November 15<sup>th</sup> then they would continue in the spring. It should be completed by May 31<sup>st</sup> of next year. He said this project did not include the line in Alpine Drive. That would be included in a plan for the next summer. The lines in the Mountainville area would be paid for with impact fees. The other project was a priority because of the severely deteriorating lines.

Bradley Reneer said that when they discussed Alpine Drive, it was suggested that if the bid came in low enough, they could look at Alpine Drive as well. Shane Sorensen said that was a consideration but Alpine Drive would still not be done until the next summer. The lines covered in the bid would need to be taken care of before winter to avoid freezing and breaking.

Mayor Willoughby said he'd spent some time walking and biking on Alpine Drive and noted that the road was in good shape. It was more a matter of aesthetics.

**MOTION:** Kent Hastings moved to approve the bid for the 2010 Waterline Improvement Project to Carlton, Inc. Jim Tracy seconded. Ayes: 5 Nays: 0. Jim Tracy, Kent Hastings, Bradley Reneer, Kimberly Bryant and Troy Stout voted aye. Motion passed unanimously.

It was asked if Carlton, Inc. did good work. Shane Sorensen said they did.

## **V. ORDINANCES AND RESOLUTIONS**

**A. Sign Ordinance:** Mayor Willoughby said this item had been discussed at the previous meeting under public comment. No action had been taken because it was not an agenda item.

Bill Conley said he had come in a couple of weeks ago and asked for a change in the sign ordinance that would relax the restrictions on temporary signs for new businesses. He said he had talked to the Planning Commission at their previous meeting as well. He admitted that he had violated the sign ordinance the

previous Saturday and put out some signs on the Junction property. He said he saw his retail sales go up by 3000 percent. He said thousands of cars would pass through the roundabout and often people were looking for food alternatives. If there were no signs, they wouldn't know the business was there.

Mayor Willoughby said the recommendation was to direct staff to suspend enforcement of the ordinance on temporary signs for businesses until the sign ordinance was amended.

Bradley Reneer said he understood being more lenient on signs during grand openings. He asked if they should specify what restrictions would be suspended or would they be suspending the entire ordinance. Mayor Willoughby said that would depend on the motion.

Troy Stout said he supported making the ordinance more lenient but he didn't want to suspend all sign enforcement. They should retain the guidelines on permitting, and size and height requirements. They should maintain the spirit of the ordinance. The issue was increasing the number of temporary signs and increasing the length of time they could be up.

Kent Hastings agreed the size limits should remain in place. He said he would like to allow some offsite signs for the new businesses in order to direct people to the business. They would need the permission of the private property owners.

Jim Tracy asked what the Council thought about putting signs on the city-owned property on Canyon Crest.

David Church said the City could choose what to do with their property. However, if they allowed one business to advertise on city property, they would have to allow all businesses to advertise. They couldn't pick and choose. He added that there was a reason cities chose to limit signs. There were traffic issues and aesthetic issues because signs created a certain amount of clutter and distraction. There could be safety issues to consider. That was why sign ordinances were so tough. Most cities were very restrictive on offsite signs. Billboards were offsite signs and were very valuable because companies would lease them from private property owners. He said that Highland's signs had multiplied ten and twenty fold since they suspended the ordinance.

Jim Tracy wondered if they should open up the Newline and allow advertising in it. David Church said that once again, they could not control content. They could not select which businesses could advertise. He added that it was usually more beneficial for businesses to advertise to the traffic so people would stop. Troy Stout agreed that advertising closer to the actual business was probably more profitable.

Kimberly Bryant said she didn't want to throw out the whole sign ordinance. She understood new businesses had a short amount of time to establish their business and they needed something a little friendlier. Perhaps they could advertise on their property and adjoining property.

Jim Tracy asked about the possibility of allowing sign spinners on corners. David Church said people had a constitutional right to carry a sign. Many businesses had resorted to sign spinners because sign ordinances were so restrictive.

Bill Conley said the cost of a sign spinner was not practical for a small business starting out. It was much more cost effective to put up signs. He said he would like the ability to put up more signs for a longer period of time, about six months. He said he felt signs in a closer proximity to the business would be beneficial. The signs should not be large.

There was further discussion about details of a possible ordinance. Kent Hastings said he didn't think they should try to design the ordinance that evening. They should relax the enforcement and if there was complete mayhem in two weeks, they could reconsider.

Bradley Reneer asked if they would allow non-Alpine businesses to advertize in Alpine if they allowed offsite advertising. Kent Hastings said it was his intent to just allow advertising for Alpine businesses.

**MOTION:** Kent Hastings moved to temporarily suspend the enforcement of the sign ordinance for temporary signs relating to businesses in Alpine with a limit of 90 days or until they took further action. Troy Stout seconded. Ayes: 5 Nays: 0. Jim Tracy, Kent Hastings, Bradley Reneer, Kimberly Bryant and Troy Stout voted aye. Motion passed unanimously.

Bill Conley asked if there was an interest in creating a Chamber of Commerce in Alpine, and if there was he would be available for that.

## **VI. STAFF REPORTS**

Charmayne Warnock reported that she had emailed the link to view the photos of the City Council. They were available at [markwalkersmith.com/alpine2010](http://markwalkersmith.com/alpine2010).

David Church said he had answered the Petition on the Beck property appeal and he had talked to Will Jones about a response to the State Ombudsman.

Shane Sorensen said the park was finished. They were still waiting for the grass to be established in order to make it through the winter. Other than that and the splash pad, it was ready for use.

## **VII. COUNCIL COMMUNICATIONS**

Jim Tracy said he would like to discuss the Alpine Days Rodeo as an agenda item. Dana Beck had told him that he would like to be in charge of the rodeo but would require lights up there. Power was available. He wondered if lighting had already been approved. He said they would need to know early on if they were going to do that.

Kimberly Bryant said someone who had previously been opposed to the park on 100 South had come up to her at Kohlers and said they loved it. She also read a note from Janis Williams thanking the Mayor and Council for the retirement gift which was tickets to the production of *Lion King* and dinner at PF Changs.

## **VIII. EXECUTIVE SESSION**

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

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

## **IX. APPROVE MINUTES OF SEPTEMBER 14, 2010 AND ADJOURN**

**MOTION:** Jim Tracy moved to return to open meeting, approve the minutes of September 14, 2010 and adjourn. Kent Hastings seconded. Ayes: 5 Nays: 0. Motion passed. Jim Tracy, Kent Hastings, Bradley Reneer, Kimberly Bryant and Troy Stout voted aye. Motion passed unanimously.

The meeting was adjourned at 10:15 pm.