

ALPINE CITY COUNCIL MEETING & PUBLIC HEARING
Alpine City Hall, 20 N. Main, Alpine, UT
October 8, 2013

I. CALL MEETING TO ORDER: Mayor Willoughby called the meeting to order at 7:03 pm.

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

Mayor Hunt Willoughby

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

Staff: Rich Nelson, Charmayne Warnock, David Church, Shane Sorensen, Jason Bond, Jannicke Brewer, Ron Devey, Police Chief Brian Gwilliam, Fire Chief Brad Freeman, Joe McRae

Others: Stephen Snyder, Becky Rasband, Kylee Terry Clane, Lee Devey, Darren Gooch, Clive Walters, Tim Farrell, Travis Barney Dave Beck, Madison Beck, Vivian Murdock, Tom Jenks, Leonard Wendell, Nathan Terry, Randy Beck

B. Prayer: Mayor Hunt Willoughby

C. Pledge of Allegiance: Jason Bond

II. PUBLIC COMMENT: Stephen Snyder said he lived on Glacier Lily Drive and he had a comment about the street light at his intersection. He'd like a light that illuminated just the street and the sidewalk. Shane Sorensen said there were some lights that had a shield that would shoot light toward the street. He said he could send a request to Rocky Mountain Power and they could look at it.

III. CONSENT CALENDAR

A. Approve Minutes of September 24, 2013.

MOTION: Will Jones moved to approve the minutes of September 24, 2013. Mel Clement seconded. Ayes: 4 Nays: 0. Motion passed. Troy Stout was not present at the time of the motion.

IV. REPORTS AND PRESENTATIONS

A. Financial Report for September 2013: Rich Nelson said sales tax revenue was up a little but was still pretty consistent with the previous year. Motor vehicle revenue wouldn't take shape for a few months. Plan check and building permit revenue were up because permits for several very expensive homes had been taken out in September. Overall, they were not far enough into the year to show any trends.

Will Jones said he would like the building permit information presented according to the fiscal year.

V. ACTION/DISCUSSION ITEMS

PUBLIC HEARING ON AUTO REPAIR SHOPS

Rich Nelson said the Planning Commission had held a public hearing on auto repair shops and sent a recommendation to the Council that there were fundamental decisions the City Council needed to make. In order to clarify and hopefully streamline the process, Rich Nelson had listed four questions that the City Council needed to address as they discussed auto repair shops in Alpine. He noted that it was a very difficult topic and a solution that would make everyone happy probably did not exist. The questions were:

1. Is it in the best interest of Alpine City to allow auto repair shops in residential zones?
2. Is it in the best interest of Alpine City to allow auto repair shops as home occupations?
3. Is it in the best interest of Alpine City to allow auto repair shops in the business commercial zone?
4. Is it in the best interest of Alpine City to create a service commercial zone for this use to happen? This could include one or more of the shops that already exist.

Jannicke Brewer said that when the subject of auto repair shops was last discussed by the Council, all the people were opposed to them. Then when the Planning Commission held their public hearing on auto repair shops, everyone had a testimonial about the shops and were in favor of them. She noted that people had gone up and down the street and invited their friends to come to the meeting. She said the reason the Planning Commission sent it on to the City Council was because they didn't think they had an accurate feeling one way or another. They did agree that however the ordinance was written, the City needed to enforce it. As far as auto repair as a home occupation, the owner should live in the home and there should be no cars in the yard. She said the Planning Commission did not have anyone speak to the issue of auto repair shops in the commercial zone.

Mayor Willoughby opened the public hearing and reminded the people that the topic was the general location of auto shops throughout Alpine. People were asked to come to the microphone and state their name.

Brad Freeman said he was speaking both as a resident and the fire chief. He said the fire department had used James Lawrence a lot. Mr. Lawrence was willing to come out and fix a fire truck or ambulance in the middle of the night. Doug Smith Auto in American Fork wouldn't do that, but James Lawrence had bailed them out so many times. He said auto repair shops were a necessary service in the community. The Council needed to figure out how to accommodate them. He said he liked the idea of making the commercial zone a little bigger. He said the problem was not the auto shop. It was the aesthetics. People didn't like junk cars sitting around. They should be kept in a garage. He said Alpine had beauty shops and chiropractors and other businesses that fixed people. They should have someone that fixed cars. There could be a problem if there were a bunch of old cars where it looked like a junk yard. There should be no noise and they would work during business hours.

Nathan Terry said the Council had already heard his complaints. He was there that evening to offer solutions. He said the Council needed to keep in mind that the shops that were open were aware that they were breaking the law and the City let them get away with it. He said he had a solution that he felt was equitable to all parties, and would allow the City to collect taxes and regulate the businesses according to City and EPA standards. It would provide a path for illegal businesses to become legal and eliminate the unsightly clutter. He submitted a letter to the City with the following suggestions.

1. Allow auto repair business to operate in Alpine City limits.
2. Restrict operation of these auto repair business to presently zoned commercial areas in Alpine.
3. Give the owners of the currently illegal businesses one month to show evidence of their real intent to relocate their businesses to a commercially zoned area of Alpine. This would consist of land lease or purchase, building lease or purchase, building permits, etc. If no evidence of real intent to relocate is submitted in one month's time, the business would be shut down immediately. If evidence of real intent to relocate is produced within one month, the business would be given a period of time to relocate the business.
4. After relocation, verify that all business assets have been removed from the residential property.
5. Enforce the new city ordinances immediately.

Randy Beck said he had been born and raised in Alpine. It bothered him when the government suppressed citizens. He said the City needed to find a way for people with auto repair businesses to keep them. It brought revenue into the City. There were people who were trying to make a living and they gave service at a reasonable cost, and he trusted them. He said he didn't think it was appropriate to be so oppressive as to not allow them a way to provide for their families.

Leonard Wendell said he didn't want to stop someone from doing their business but there was a time and a place for it. He said the City Council voted years ago to disallow auto repair shops. About 30 years ago Kyle Terry came to the City to try and get a legal place for auto repair on the south side of town but was turned down.

Tim Ferrell said he lived on Main Street a couple of houses up from James Lawrence. He said he was not familiar with all the issues but he wanted to echo those who said the City should be willing to accommodate auto repair business and provide a path so someone could have a business. There could be restrictions on size. They would need

to look at them in terms of impact, noise, etc. He said he could attest that James Lawrence operated his business in a way that did not impact the neighborhood, and he provided a great service. He said they needed all kinds of services in the community. A lot of people worked from home. The focus should be the impact of the business.

Vivian Murdock said she had lived in Alpine for many years and had become the wicked old witch. She said the auto repair shop had been going on for 30 years and it didn't get any better. The least amount of cars she counted there was ten. They were wrecks. The junk was unsightly. She said she'd been trying to get it straightened out for 25 years. They were her relatives and they had taken it personally. She said that if that particular shop was approved, it would open Pandora's box. There would be too many in town. She said she lived at 717 N. Main behind Tom Jenks' shop.

Scott Johnson said he lived at 88 West 200 North and was fairly close to James Lawrence's shop. He said he felt James was invaluable to the community. Mr. Johnson worked in Salt Lake and had to travel. He appreciated having someone nearby who could help his wife when they had car problems. He said he had helped her on numerous occasions. That was why he lived in Alpine. It was a community that helped each other. He added that no one would ever know James Lawrence had a car shop back there. He didn't have cars parked in the yard and didn't let someone bring a car over until he'd finished the car he was working on.

Steve Snyder said he lived three doors north of James Lawrence and he used his auto repair services. Mr. Lawrence was economical and trustworthy and convenient. He hoped the City could find a way to let him have his business. He said that in regard to parking, he felt there needed to be some kind of limited square footage available for parking.

James Lawrence said he went over the letter that Nathan Terry handed out. He said a community the size of Alpine needed auto repair services. He had called every city around Alpine and every city allowed it one place or another. The debate was where it should be. He had researched cities close and far away. They made it work if they wanted to make it work. He said he offered to help write an ordinance on auto repair and the offer still stood. He talked to someone in Orem who allowed auto repair in residential areas. They were required to have a six-foot fence and no dead cars. He agreed with Mr. Snyder that there should be a certain percentage of parking allowed.

Tom Jenks said he worked at the Terry location on Main Street. He moved his business to Alpine to help Kyle when he was struggling with his health. Throughout the years they'd had a good relationship. He said that when he moved in he told Kyle he needed to clean up some stuff before he'd bring his customers out. He said there were probably four or five cars that he was working on and still had because he was waiting for people to pay. He said he had talked to the adjacent property owners about putting up a fence but Leonard Wendell said he didn't want a fence. He said he continued on after Kyle Terry passed away in order to service the customers and help his sister Katherine who lived in the house. He said he thought the majority of the neighbors around there came to the shop. He said he knew Kyle Terry had gone to court several times and he hoped he didn't have to go that route. A lot of people in Alpine used his service - granted they didn't have to live behind the shop. He said he would do what he had to in order to stay there. He knew his place wasn't as clean as James' but he didn't own the property or live on it. If he had total control, it would be different. He said he felt like everyone was trying to get rid of the Terry location but there were other shops such as Jason Carlton's and Dana Beck's where they did work. He felt like he was under the spotlight. He said he had looked at a grandfathers clause that said if you had been in business for a certain time, you were exempt because you had been allowed to operate.

Leonard Wendell said it was not a popularity contest. He had known James Lawrence for a while and liked him. He just felt they should enforce the zoning ordinance. If it was against the law, it was against the law. James Lawrence didn't even live there. If he moved in next to Troy Stout and opened a shop, what would he say?

There were no more comments and the Mayor closed the Public Hearing at 7:57 pm and opened it to Council discussion.

A. Auto Repair Shops in Alpine: Mayor Willoughby asked what the process was to amend the General Plan. Jannicke Brewer said they had to give public notice when they started the process and again when they made a recommendation to the City Council. The Council could hold an optional public hearing. It was not a fast process.

Mayor Willoughby said they were addressing two specific auto repair shops but he expected there were other shops around on difference scales. If the shop owners were to purchase or lease property in the Business Commercial zone, he suggested the shop owners consider having a common staging area where cars could be kept while waiting to be worked on or picked up.

MOTION: Mel Clement moved to amend the General Plan and allow auto repair in the Business Commercial zone. Troy Stout seconded but said he felt the motion was premature.

The motion was later withdrawn.

Mel Clement said he made that motion so they could see where they were going. He supported auto repair shops in the BC zone. Troy Stout said he agreed but felt there was more discussion necessary.

Kimberly Bryant asked David Church if there was a way to grandfather the two businesses under discussion.

David Church said there was always a way to grandfather them in. The Council would have to amend a number of ordinance including the zoning ordinance to make them legal. He said they did not need to amend the General Plan to include auto repair in the BC zone. All they needed to do was amend the zoning ordinance.

Troy Stout asked if grandfathering implied that something existed before the law was written. David Church said the proper term would be a preexisting nonconforming use. If something was a legal use and the City changed the law, the use that was legal before the law was changed would be grandfathered. In regard to Kimberly Bryant's question, he said there were ways to make existing illegal uses legal. They could write the ordinance in such a way that only those existing uses were legal, and no more such uses may come in. Some of those things would require General Plan amendments. He said that if they could give him an endpoint, he could give them a map to get there.

Kimberly Bryant said there were other places in town where bigger things were stored and they were not even talking about them. She said she didn't think it was fair to single out these businesses.

Will Jones asked what the other places were. David Church said they had looked at Carlton's before and he thought it was a preexisting nonconforming use.

Will Jones asked that the Council not redo this multiple times. If there were illegal uses and they had an ordinance, they were responsible to enforce it.

There was a discussion about changing the zoning to allow illegal uses. Kimberly Bryant said there were lots of times when the City changed the ordinances. Will Jones said they hadn't suddenly changed a use in zone.

Mayor Willoughby said they had changed the zoning ordinance to allow fruit stands and seasonal sales when Dr. Johnson on Westfield Road was selling organic matter. The zoning was changed to allow an existing, nonconforming use.

Will Jones said he thought that was different from what they were looking at. If everyone in Alpine knew there was the possibility of an auto repair shop going in next to them, they would think the Council wasn't doing their job. So he differed on whether or not they could do that.

There was a discussion about allowing auto repair in the residential zone. Kimberly Bryant clarified that it was not her intent to allow them in the residential zone generally. Her question to David Church had been about if there was a way to legalize the existing uses but not allow more auto repair shops in the residential zone. She said many in that neighborhood had spoken to her and asked her to let them continue because they didn't mind them and they used them.

Bradley Reneer noted that the motion had been about the BC zone and the discussion had moved toward the residential zone issues.

Kimberly Bryant said she felt they needed to address the shops in question first. Troy Stout said he thought the existing shops were noncompliant in the residential zone but they could create a legal space in the BC zone.

Mayor Willoughby asked about the Planning Commission motion similar to Mel Clement's motion that died for lack of a second. He asked for the rationale.

Jason Bond said a motion was made that died because the Planning Commission was more focused on allowing auto repair in the residential businesses. They were concerned about something in the BC zone turning into a Pep Boys or something big. They wanted to keep it small and felt that was more likely to remain small in the residential zone.

David Church said that if auto repair was allowed in the BC zone the Council would probably want to classify it as a conditional use rather than a permitted use. That way they could impose conditions.

Returning to Mel Clement's motion, Mayor Willoughby said amending the General Plan was a process. It was not a switch that was thrown and everything changed. He asked Mel Clement to list the benefits of including auto repair in the General Plan.

Mel Clement said that if auto repair in the BC zone was included in the General Plan, it showed they supported that use in the City. He asked David Church what was the cleanest way to accomplish auto repair in the BC zone.

David Church said he was reviewing the General Plan and there was nothing there that prohibited auto repair. He said the cleanest way would be to amend the Zoning Ordinance to include auto repair in the BC zone.

MOTION: Bradley Reneer moved to make a substitute motion to amend Mel's motion to state that when the Planning Commission worked on the General Plan, they begin the process to change the zoning to include it. Motion died for lack of a second.

Mel Clement withdrew his motion.

Troy Stout said that if he understood David Church correctly, they needed to amend the Zoning Ordinance to make auto repair a conditional use with conditions.

MOTION: Bradley Reneer moved to direct the Planning Commission to proceed with the process of adding auto repair as a conditional use in the Business Commercial zone and give guidelines for conditions that would keep it clean and compliant with regulations. Will Jones seconded. Ayes: 4 Nays: 1. Bradley Reneer, Will Jones, Troy Stout and Mel Clement voted aye. Kimberly Bryant voted nay.

MOTION: Will Jones moved to have the Planning Commission review the Business Commercial zone and look at extending the boundary on North Main to expand the BC zone one property to the north on the west side of the road. Mel Clement seconded. Ayes: 3 Nays: 2. Mel Clement, Bradley Reneer and Will Jones voted aye. Kimberly Bryant and Troy Stout voted nay. Motion passed.

Kimberly Bryant said she did not think that was fair because there were two businesses they were looking at. One of them, the City took their vehicles to and they were willing to extend the zone to legalize that business, but not the other one. That was not fair.

Rich Nelson said the James Lawrence business was currently licensed as a home occupation. However, there was a question about his residency that needed to be resolved.

Bradley Reneer said he understood Kimberly's concern because it could look like the City was changing the ordinance for the business that benefited them. Mel Clement added that there were not just two auto repair businesses. Apparently there were more.

Brad Freeman said that for the record, he needed to clarify that repairs on the fire truck done prior to Mr. Lawrence getting a license, were done at the fire station. It was after he got his home occupation license that they took their vehicles to his home.

Will Jones said he would like to look at removing the properties on 200 North and 200 East from the BC zone since they were homes not businesses. Rich Nelson suggested that those properties be handled separate from the auto repair shop issue.

David Church said that if they expanded the business commercial zone it would require an amendment to the General Plan because that limited the commercial area. Rich Nelson said they could look at the properties on 200 East when they did that.

Mayor Willoughby opened the discussion to possible solutions to the existing illegal auto repair shops in town.

Troy Stout said that conceptually he agreed with Nathan Terry's letter which allow illegal businesses to transition to the BC within a certain time frame. He said he had real concerns about allowing auto repair businesses into the residential zone. He would personally hate to have a repair shop next to his house.

Nathan Terry said they may also want to consider whether they wanted auto body shops. They needed to be specific.

Dave Beck said that if the City put stipulations on the businesses, the businesses would either get better or leave, or get smaller and clean up. Regarding the suggestion that there be a staging area for cars to be parked when waiting for repair or pickup, he said that the staging area should be at the customer's home. Customers shouldn't bring the car over until it was ready to be fixed. There were some things they could do to help the auto repair shops during the transition. He also talked about the charter school. The community had been promised a lot of things when the school went in including a bus and a carpool. But the school sold the bus and no one carpooled. He said he was glad the City built the new park.

Kimberly Bryant asked David Church if there was a way to make the shops comply with a certain standard. The license would have to stay with the original owner and it could not be transferred.

David Church said they could try to do that. Years ago he prosecuted Kyle Terry for operating without a license. In the end, the mayor and council said that Mr. Terry would soon be gone and it wasn't worth the fight. The problem would go away when Mr. Terry was gone. But the business was still there. It was sold and the problem was still there. He said the City hadn't licensed it because it wasn't legal. They just didn't prosecute. He said the Council needed to let him know how aggressive they wanted him to be.

Kimberly Bryant said she felt they needed to be careful with what they let into the BC zone. She didn't think Pep Boys and some of those big businesses fit in their community.

Bradley Reneer asked how they defined auto repair. Other places in Alpine were mentioned, but he understood they just repaired their own vehicles. That was different from fixing other people's vehicles.

David Church said there was a definition of a business in their code. Some were permitted and some were not. Some were preexisting nonconforming. He said he had been told there were other businesses that were not home occupations that had never applied for a business license.

Kimberly Bryant asked if the two auto repair shops would qualify as home occupation.

David Church said that in his opinion, they did not. In his opinion, any retail sale of goods or services could not be approved under home occupations. That would include dance studios, salons, etc. Traditionally most home occupation ordinances prohibited customers from coming to the home. They were typically homes offices or internet sales type businesses which did not change the residential character of the home. But the City could have the definition of a home occupation as broad as they wanted. It was unusual to have retail sales and services in the residential zone. He said dance studios and day care looked like commercial uses.

Hunt summarized Rich Nelson's bullet points listed earlier in the meeting which were:

1. Is it in the best interest of Alpine City to allow auto repair shops in residential zones?

2. Is it in the best interest of Alpine City to allow auto repair shops as home occupations?
3. Is it in the best interest of Alpine City to allow auto repair shops in the business commercial zone?
4. Is it in the best interest of Alpine City to create a service commercial zone for this use to happen? This could include one or more of the shops that already exist.

Several motions were made in response to the bullet points.

MOTION: Kimberly Bryant moved to allow auto repair shops as home occupations. Motion died for lack of a second.

MOTION: Kimberly Bryant moved to license the two current auto repair shops in the residential zone. Bradley Reneer seconded. Ayes: 1 Nays: 3. Kimberly Bryant voted aye. Mel Clement, Will Jones and Bradley Reneer voted nay. Motion failed. Troy Stout was not present at the time of the motion.

Will Jones said he'd been in meetings where neighbors had supported a particular use, then later on in private said they were actually opposed to it but they didn't want to be on bad terms with their neighbor.

Bradley Reneer said he felt government should be limited in what they restricted but he felt there was a valid reason for zoning, and his feeling was that auto repair was not a good use in the residential zone.

Jannicke Brewer said that if they were not allowing a use throughout the zone, it sounded like spot zoning, which was not allowed.

Jason Bond explained that the City could create an overlay zone within a zone with its own rules and conditions or they could just create a new zone.

MOTION: Will Jones moved to create a service commercial zone for auto repair. Mel Clement seconded. Ayes: 5 Nays: 0. Motion passed.

Mayor Willoughby said the next question was how aggressive did the City want to be in enforcing its rules?

David Church suggested the Council approach it in this way. He said Rich Nelson had instructed him to aggressively enforce all the City ordinances. If the Council didn't want him to do that, they needed to indicate it. Otherwise they didn't have to take any action because he had already been instructed to be more aggressive.

Rich Nelson said he had been told to be aggressive about certain things, then quietly told to back off. The Council needed to decide.

Mel Clement said he would like a list of the illegal uses in the City.

David Church said there were a number of issues. There were business issues and keep-your-yard-clean issues. He said he would be happy to enforce them. The City had a hearing officer and had drafted an ordinance for a civil process for enforcement. The City looked at them as they came in, whether it was discovered by the City or through a complaint from a neighbor.

Bradley Reneer said he agreed with Nathan Terry's comment about giving illegal businesses time to relocate. One month did not seem long enough. Since they were working on the General Plan, it seemed like a good time to know how the residents felt about auto repair.

David Church said that if the City wanted, he could write an ordinance that said there were illegal businesses in Alpine, but the City would grant them amnesty if they would come in and get a business license or the City would amortize their illegal business, recognizing their right to run a business for X amount of years to become legal. If they didn't come in, they would lose their chance. If the City didn't want to do that, they would need to look at each piece individually and rezone or enforce the ordinance. There was no middle ground.

Jason Bond said there were a lot of businesses in Alpine that had state license numbers but did not have a license with the City. He said the list from the state showed 340 businesses that had a license number but only 80 of them were licensed with the City.

David Church asked the Council if they wanted to put a stop to the renewed enforcement.

Bradley Reneer said he liked the idea of granting amnesty and giving them a time frame when they could come in and make their business legal. Two years seemed reasonable.

Kimberly Bryant said the problem was they had people for whom this was their families' livelihood and how could they tell them they couldn't have their business?

Mel Clement said it seemed they had so many issues, they needed to make some priorities. They needed a doable goal.

Mayor Willoughby said it was a difficult issue because they were dealing with people who made their living off their business, but there were also those neighbors who didn't want the businesses there.

The Council discussed the deadline they had given themselves to come up with a solution or action regarding the auto repair shops. It was 90 days from the meeting on August 27, 2013.

MOTION: Troy Stout moved to move forward on auto repair shops with those motions passed tonight but take the next three or four weeks to evaluate other unknown parameters, available property, zoning allowances, and what other business exist that they needed to look at. Mel Clement seconded. Ayes: 5 Nays: 0. Motion passed

Rich Nelson clarified that the Council wanted to allow auto repair shops in the Business Commercial zone in a Service Commercial overlay zone or possibly extend the Business Commercial zone. What they were putting off was how to enforce the ordinance.

Troy Stout he said that if they needed more time, they could give themselves more time.

B. Ordinance No. 2013-05 Mass Gathering Ordinance: Jason Bond said the Council had worked on the Mass Gathering Ordinance earlier in the year but it was not adopted. He said there were a lot of events coming to the City that didn't have specific regulation. Staff would like to better regulate those events so they were not detrimental to the open space and community. He said they had a good draft that they felt was ready to adopt. It had been reviewed by the fire chief and police chief. He said staff would like to have something on the books so they could better regulate the events. If there were some details that did not work, they could always amend the ordinance later on.

Mayor Willoughby said he had received some emails from Marvin Payne with concerns about a mass gathering ordinance. He held concerts in his home and wondered how that would affect him. It was pointed out that the mass gathering ordinance only came into play when it was an event with more than 250 people or caused a significant public impact. It was determined that concerts in his home probably would not qualify as a mass gathering. There was also a question about the \$1000 deposit. Jason Bond said the City did not cash it. It was kept in the safe and given back after the event if the clean-up was satisfactory.

There was also a discussion about whether or not *Joyful Christmas Sounds* would need a mass gathering permit. It was concluded that it would not because it was all conducted on private property and did not require any special policing or use of City personnel. Likewise with wedding receptions at people's homes Most would not qualify as a mass gathering. Jason Bond pointed out that the ordinance provided flexibility because it gave the DRC authority to grant an exception to the guidelines if they felt it was justified.

Police Chief Brian Gwilliam explained that amplified sound at a private event did not necessarily make it subject to the mass gathering ordinance. He said that generally homeowners were conscious of their neighbors and kept the noise at a reasonable level, and if there was a complaint they generally complied. He said that wasn't always the case at a park. Sometimes as soon as the police left, they cranked the music up again and they had to shut down the event.

Bradley Reneer asked if there were any First Amendment issues with the Mass Gathering Ordinance. David said there weren't because they were not discriminating against certain groups.

The Council discussed the \$1,000 deposit agreed that a deposit of \$500 for a mass gathering would be adequate. Also, they agreed to drop the "if necessary" wording next to "Proof of General Liability Insurance" in Item C.

MOTION: Will Jones moved to approve Ordinance No. 2013-05 - Mass Gatherings, with the changes as discussed. Mel Clement seconded. Ayes: 4 Nays: 0. Motion passed unanimously. Kimberly Bryant was not present at the time of the motion.

C. Resolution No. R2013-04 - Amendments to the Consolidated Fee Schedule: Jason Bond explained that with the adoption of the Mass Gathering Ordinance, there were accompanying changes in the Consolidated Fee Schedule. The deposit fee of \$1000 would be changed to \$500 as shown in the Mass Gathering Ordinance.

MOTION: Will Jones moved to approve Resolution No. R2013-04 amending the Consolidated Fee Schedule as proposed with the change that the deposit for a mass gathering would be \$500 rather than \$1000. Troy Stout seconded. Ayes: 4 Nays: 0. Motion passed unanimously. Kimberly Bryant was not present at the time of the motion.

D. Alpine Days Budget: Councilman Reneer had requested that a discussion on the Alpine Days Budget be an agenda item.

Rich Nelson prepared the following summary of revenue and expenses along with the difference for both Alpine Days and the Rodeo for the past five years. He said the cause for the biggest cost different in the 2013 Alpine Days was the Pig Wrestling which was a new event.

Year	Revenue	Expenses	Difference
2013 Alpine Days	19,656.37	-34,970.70	- 15,314.33
Rodeo	27,116.65	-17,336.19	9,780.46
2012 Alpine Days	14,878.80	-23,148.23	-8,271.43
Rodeo	29,249.00	-56,255.71 (lights)	-27,006.71
2011 Alpine Days	25,394.80	-32,779.22	-7,384.42
Rodeo	28,742.00	-14,229.43	14,512.57
2010 Alpine Days	32,828.83	-52,716.04	-19,887.21
Rodeo	8,581.00	-8,285.42	295.58
2009 Alpine Days	26,444.08	-20,027.14	6,416.94
Rodeo	8,705.00	-6,529.47	2,175.53

Bradley Reneer said he didn't think they were making their expectations clear to the Alpine Days Chairman. He said he didn't feel bad about having a bit of a loss, but it should be within a certain parameter.

Mel Clement asked about the lights for the rodeo. Rich Nelson said they took a big hit when the lights were purchased, but they were being paid back.

Will Jones said the challenge for Alpine Days was determining who ran the event and who got the money. Many of the events were run by students as fund raisers so the City only got back a portion of the revenue. On the other hand, it was a big benefit to the City to have the students run the event because it took a load off the City. It wasn't always easy to find volunteers.

Rich Nelson said Alpine Days was the one community event that Alpine City sponsored. It was realistic that there would be a cost to the City rather than trying to make it a break-even event.

Bradley Reneer said he would like to see the chairman of Alpine Days come in early in the spring with a budget plan. Rich Nelson agreed that would be a good thing to hold in conjunction with the Budget meetings early in the year.

VI. STAFF REPORTS

Charmayne Warnock said she had sent out 400 absentee ballots for the upcoming Municipal Election.

David Church said they were getting the documents drawn up for the land sale in Lambert Park.

Rich Nelson said he had spoken with Dan MacDonald. The negotiations with the Alpine Recovery Lodge were still going forward. He added that Police Chief Brian Gwilliam had been a keynote speaker at a conference in Boston.

Chief Gwilliam said he was called to speak about regional policing in which there was funding from two separate city governments and consolidation of services. He said there was a lot of interest in the topic because regional policing was the wave of the future because of the economic climate. A lot of cities were interested in consolidating services because they could save money.

Shane Sorensen said the pressurized irrigation was scheduled to be turned off on Tuesday, October 15th. He said work was progressing on the storm drain in Alpine Boulevard. They had put in 700 feet of pipe.

VII. COUNCIL COMMUNICATION

Mel Clement said the tennis court at Burgess Park had a gap in it. Shane Sorensen said they had the company that built the courts at Creekside Park fill it in, but it was on the list of projects. The railing in front of City Hall was also on the list.

Bradley Reneer said there had been significant improvement in the parking problems along red curbs in Burgess Park since they began enforcing no parking.

Will Jones asked if anything had happened on putting building restrictions on Box Elder, Plat E. Shane Sorensen said it was on David Church's list.

Troy Stout said he couldn't get a tennis court at Creekside so he went to Burgess Park. He agreed with Mel Clement that the courts were in bad shape and the lights were not turning on. Shane Sorensen said there had been an issue with the lights. He asked the Council if they should reconsider putting lights in Creekside and expand the Creekside tennis courts. There was a type of low light they could use.

Hunt Willoughby reported that Ellis (Red) Robinson had passed away. He was Alpine's building inspector for many years. His funeral was the next day at 11:00 am.

VIII. EXECUTIVE SESSION: None held.

MOTION: Will Jones moved to adjourn. Bradley Reneer seconded. Ayes: 4 Nays: 0. Motion passed. Kimberly Bryant was not present at the time of the motion.

The meeting was adjourned at 10:51 pm.