

**ALPINE CITY COUNCIL MEETING**  
**Alpine City Hall, 20 N. Main Alpine, UT**  
**March 13, 2012**

**I. CALL TO ORDER:** Mayor Hunt Willoughby called the meeting to order at 7:10 pm.

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

Mayor Hunt Willoughby

Council Members: Will Jones, Bradley Reneer, Mel Clement, Kimberly Bryant. Troy Stout was not present but participated by phone.

Staff: Rich Nelson, Charmayne Warnock, David Church, Shane Sorensen, Ron Devey, Kip Botkin, Jannicke Brewer, Jay Healey.

Others: Todd Hageman, Dirk Cowley, Bob Schirmer, Melinda Bean, Sam Bean, Aimee Augustus, Aidan Pocock, Linda Macdonald, Cade Macdonald, Walter Noot, Colin Robinson, Jaxon VanWagoner, Tyler Doyle, Keenan Arnold.

**B. Prayer:** Hunt Willoughby

**C. Pledge of Allegiance:** Keenan Arnold

**II. PUBLIC COMMENT:** Todd Hageman said he was with the Larry H. Miller Tour of Utah bicycle race. He had spoken with staff earlier and wanted to also talk to the City Council. The Tour of Utah was a professional bicycle race and was in its 7<sup>th</sup> year. The race started in Park City at about 6 or 7 am then would go over the Alpine Loop, come down into Alpine then continue over Traverse Ridge to end at Snowbird. The problem was the race was on the same day as the Alpine Days parade. Besides the professional riders there would also be an Ultimate Challenge race for recreational bicyclists that would follow the same route but with various ending points. One of those ending points would be in Alpine. The recreational riders could stop and have something to eat and watch the pro riders come through. The event would be televised and they would love to have a crowd. He expected the first recreational riders would come through about 11 to 11:30 am with others trickling through during the day. They would be unescorted and would follow the rules of the road. The pro riders, which would be in a "rolling enclosure" (highway patrol escort on either end), and would come through about 1 pm. A caravan of cars would also accompany the riders.

Mr. Hageman said that in talking with staff, it was recommended the bikers pass through the roundabout and continue on to Burgess Park. That would not interfere with the Alpine Days events on Main Street. He said they could do that but it would be nice to have the ready-made crowd of Alpine Days when the riders came through, especially since it was being televised. The finish line in Alpine for the Ultimate Challenge would have an inflatable finish line, banner, clock, and a tent with food and water for the bikers to stay and watch the pro riders come through and watch the televised race on a large screen.

Mr. Hageman said that from a race perspective, either Burgess Park or the park on Main Street would be fine. From a publicity perspective, Main Street would be best, and it would be great if they could coordinate the events.

Chief Botkin said that the Alpine Days parades usually ended around 11:00 am or perhaps 11:15. He added that the police department would be already obligated on Saturday with Alpine Days so they wouldn't be able to help with traffic control. Mr. Hageman said they would have Course Marshalls at congestion points throughout the race.

The Council indicated they would be okay with having the race along Main Street if safety issues could be resolved. It was agreed that staff and the police department would look at the situation and work with the race representatives to see what could be done.

Stephan Crain said that he had been working with Cricket Wireless locally and they were interested in locating in the area. They had looked at the Verizon tower in Cedar Hills, the towers on Shepherd's Hill and Lambert Park. He'd also taken him over to Burgess Park to look at the light standards. Mr. Crain told the Council that of the different sites, he liked Lambert Park the best. Mr. Crain said at the last hearing there was an impassioned plea for

property rights. He said he'd like them to also remember the property rights of the neighbors who lived by Shepherd's Hills.

Bob Shirmer said he lived on Cascade Drive directly across from Shepherd's Hill which had six of the seven towers in Alpine. He said he appreciated the work of Jannicke Brewer and the Planning Commission is amending the Wireless Telecommunication Ordinance. He asked the Council to pass a temporary zoning regulation (moratorium) on all cell tower applications until the ordinance was completed.

David Church said they could do that, which would require a more lengthy process. However, the state law had been amended to add a provision that stated when an ordinance was being updated or amended, the city had no obligation to accept or approve an application that came up during that time. The outside time limit was 180 days. A temporary zoning regulation would last for 6 month. Either one would accomplish the same the thing, but the provision in the state law was simpler because it didn't have to go through the planning process.

Mr. Shirmer said he wasn't aware of the change in the state law and said they would be okay with that as long as the City didn't accept any applications since the law only stated that cities weren't obligated to accept applications. He thought a zoning regulation might be more binding.

David Church said the body that imposed the temporary zoning regulation was the same body that approved applications, and if they chose to lift a moratorium earlier than 6 months they could. However, if Mr. Shirmer wanted, they could put a temporary zoning regulation on the agenda.

Mr. Shirmer said they just did not want to see the City approve any more towers before the ordinance was completed.

### **III. CONSENT CALENDAR**

#### **A. Approve the minutes of February 28, 2012.**

**MOTION:** Kimberly Bryant moved to approve the minutes of February 28, 2012. Mel Clement seconded. Ayes: 5 Nays: 0. Motion passed.

### **IV. REPORTS/PRESENTATIONS**

**A. North Point Solid Waste District – Roger Harper:** Mr. Harper said he had put together the numbers for Alpine's usage over the last four years. Alpine sent 4,298 tons of waste to the landfill in 2011 with similar amounts of tonnage for 2008, 2009 and 2010.

He said recycling was the way of the future and with the recycling technology, there would be very little waste going to the landfill in the future. He said the west coast and east coast were more heavily into recycling and recycled about 50% of their waste. Alpine recycled about 9%.

Rich Nelson gave the Council two handouts. One was a printout showing the tonnage taken from Alpine to the land fill each month for the last six years. The other was a graph with the same information. The periods of time showing the highest tonnage were the late spring and early fall then summer. The winter months were lowest. It was surmised that the extra weight was probably due to spring cleaning, yard waste and green waste. The cycle was quite predictable from year to year.

Roger Harper said that because it was so predictable, it was easier to target recycling months. He said the cost of a trash service included the can and the pickup fee. It didn't include the tipping fee. In response to a question about the possibility of a positive cash flow from recycling, Mr. Harper said Alpine should actually be getting a rebate from the waste collection company for the recycled material that came from Alpine because the company did make money on recycled material.

Mel Clement asked if Alpine got a rebate. It was unknown. Kimberly Bryant said she had lots of people ask her why they had to pay to recycle when someone was making money off it.

Mr. Harper said that the east and west coasts encouraged recycling by raising the cost of solid waste. In Utah it was a true cost. What people were probably paying for was the cost of the recycle can and the driver to pick it up. But even with that there should be something coming back to the City.

Mel Clement asked about other cities that recycled. Mr. Harper said most of the cities in the District offered recycling. In American Fork it was an opt-out program. He said people needed to feel good about recycling, otherwise it defeated the purpose. If people were forced to do it they might just put their garbage in the recycling cans.

Kimberly Bryant asked about recycling electronics. Mr. Harper said they were having a recycling day in Provo on April 7<sup>th</sup>. The notice was in the *Newsline* and on the webpage.

Mr. Harper said the 20-year contract from waste handling was up next year. There were five landfills in the area that wanted garbage. He said the North Pointe Solid Waste District belonged to the cities. They were not out to make a profit. Alpine had the same vote as Orem. He said it was important to stick together to get the best contract for the district.

Will Jones noted the tonnage from Cedar Hills and Lindon, which were similar in size to Alpine, was about a thousand tons less than Alpine and wondered why that might be. Mr. Harper said that possibly they recycled more. Mr. Jones said he would like to find out what was happening in the other two cities.

**B. Finance Report for February 2012:** Rich Nelson said the property tax revenue had increased \$300 but they were still about \$4000 below what they estimated. Sale tax was about \$8000 above where they were the previous year. The franchise fee was about where it was the previous year. Plan check fees and building permit fees were significantly down from where they were the previous year.

**C. Budget:** Rich Nelson passed out a schedule for Council members to meet with him and go over the budget. He told them to plan on spending one or two hours.

## V. ACTION/DISCUSSION ITEMS

**A. David's Court Plat E – Revised Final Approval – Wayne Patterson:** The proposed subdivision consisted of two lots on 1.839 acres fronting on Healey Boulevard at approximately 500 East. The two lots were previously part of Plat D but Patterson decided to revise Plat D to show one lot, and indicated the remaining two lots would be Plat E. Plat D was approved as a church site but had not been built on. Patterson was seeking approval for the remaining two lots.

The Planning Commission had granted revised final approval to Plat E subject to conditions at their meeting of March 6, 2012.

**MOTION:** Will Jones moved to grant revised final approval to David's Court Plat E subject to the following conditions:

1. A storm water pollution prevention plan (SWPPP) be submitted and approved by the City Engineer prior to the plat being recorded.
2. The City's water policy be met.
3. A bond be provided for the required improvements.
4. The building envelope for lot 1 that was shown on the original preliminary plat approved in 2008 be shown on this plat and it designate the rear lot line and the setbacks.

Mel Clement seconded. Ayes: 5 Nays: 0. Motion passed.

**B. iPad Discussion:** Rich Nelson said that at the last meeting the Council requested a breakdown of the cost of preparing paper packets including time and materials so they could compare it to the cost of an iPad. Based

on the packets from the last four meetings, Charmayne Warnock prepared a study that showed the average cost of a single packet was \$5.32. Assuming there were 24 meetings in a year, the average cost per person would be \$127.68

Rich Nelson said the current cost of an iPad was \$499 for the basic WiFi model. He said that the real issue was how the Council wanted to operate, regardless of cost. If the Council did choose to go that direction, he suggested each Council member be given a technology bonus of \$500 so they could buy their own iPad. That way it would not be discoverable.

After some discussion comparing the cost of an iPad spread out over four years compared to the cost of a paper packet, a motion was made to deny the technology bonus. Will Jones said he preferred having the ability to take notes, etc. There was a lengthy discussion before a vote was taken. The motion failed and was followed by more discussion.

**MOTION:** Will Jones moved to not approve the technology bonus. Bradley Reneer seconded. Ayes: 2 Nays: 3. Motion failed. Mel Clement and Bradley Reneer voted aye. Kimberly Bryant, Troy Stout and Will Jones voted nay.

Kimberly Bryant said the cost of an iPad over four years would equal the cost of paper packets over the same period of time. A \$500 bonus divided by four years would be \$125 a year. But they should be given the \$500 up front because not everyone had the ability to buy an iPad. She suggested that if they approved the \$500 bonus, all Council members wouldn't be obligated to take it. They could continue with a paper packet if they chose to. If someone opted to have an iPad, they couldn't also have a paper packet. They would have to choose one or the other. If someone resigned before their four-term term was up, they would have to pay back a prorated part of the \$500 for the years of unfulfilled term.

Troy Stout said he had only two years left in his term so he would receive \$250 toward an iPad. If he decided to run again and got elected, he could renew his portion of the allowance. He said he'd prefer not to call it a bonus. Rich Nelson said they would call it a stipend.

**MOTION:** Kimberly Bryant moved that the City Council members have the option of receiving a technology stipend of \$125 per year for the amount of time they had left on the council with the new members getting it for four years. The total amount would be received up front. If a Council member resigned early the repayment would be prorated by rounding it up to the nearest year. The Council member could choose either the stipend or paper packets but not both. Troy Stout seconded. Ayes: 5 Nays: 0. Motion passed.

Bradley Reneer wondered if something similar should be made available to staff if it made sense.

**C. Approve Expenditure for Pressurized Irrigation System.** Shane Sorensen said the City had previously purchased the Asay property up Fort Canyon for the purpose of building a settling pond for the pressurized irrigation system. The City owned the house that was on the property and Mrs. Asay lived there and would continue to live there through a life estate agreement.

Shane Sorensen explained that the City needed the property because there was an existing diversion on Fort Creek to adjust the quantity of water that was pumped into the pressurized irrigation system. It had worked well and was very economical because it allowed them to pump water into the low pressure zones rather than starting up a well. The drawback was the sediment in the water which caused wear and tear on the pumps. If they built a settling pond where the sediment could settle out of the water before it entered the system, it would save on the life of the pump. It would be a relatively inexpensive solution to replacing the pump every year, and much less expensive than pumping a well.

They anticipated a cost of roughly \$21,000 but would like approval for \$25,000 to cover unforeseen expenses. Staff would do the excavation and the City already had gravel. Concrete and rebar would be purchased. Shane Sorensen said there were earmarked funds in the pressurized irrigation fund that would cover the cost. Ron Devey said having the settling pond should double the life of the pump.

**MOTION:** Will Jones moved to approve the design and expenditure of \$25,000 to build a pressurized irrigation settling pond in Fort Canyon. Mel Clement seconded. Ayes: 5 Nays: 0. Motion passed unanimously.

## VI. STAFF REPORTS

Rich Nelson said April 17<sup>th</sup> was the Utah Shake-Out where they would simulate an earthquake and the emergency preparedness committee wanted to participate.

Shane Sorensen said he'd received a message from Dan Avilia from UDOT to see if Alpine City had any concerns about the construction on SR-92. If the Council had questions he would relay them back to Mr. Avilia. There was also a letter in the Newslane and on the webpage explaining the postponed completion date of the road.

## VII. COUNCIL COMMUNICATION

Kimberly Bryant said Lone Peak High School was having a meeting on Wednesday, March 28<sup>th</sup> at 7 pm to address the drug and suicide problem in the school. Some of the parents who had been heavily affected by the problem were going to speak.

Bradley Reneer said they needed to reconsider the meeting procedures the Council had adopted. It appeared they had been out of order in reconsidering Xito Farms. At the very least they might want to revisit rule #9.

Bradley Reneer said he'd also had several emails about beauty pageants and wondered what the policy was. Mayor Willoughby said that several years ago the Council had opted out of participating in extracurricular activities for scouts, pageants, etc because there were so many of them. There had been no fair way to decide who they supported.

Will Jones said he would be out of the country during the individual budget meetings. Rich Nelson said they would look at other dates.

Mr. Jones asked if the Council could review the budget by focusing on one or two specific areas each week. Then it would feel like they were making progress. Rich Nelson said they could do that.

Hunt Willoughby said the new signs at Creekside Park looked great. He informed the Council that UVU had held a meeting earlier that morning to inform the cities about all the programs, events, etc. that are going on.

Troy Stout, who was participating by phone, said he thought he'd heard a request at the beginning of the meeting for a moratorium on cell towers, and he thought that should be an agenda item.

David Church explained that new changes in the state law stated the cities were not obligated to accept or approve applications for certain permits when the ordinance that governed the permit was being amended or updated. Hunt Willoughby said that since the outcome was the same whether it was done by moratorium (temporary zoning regulation) or by existing state law, he thought the state law should suffice and it would be unnecessary to go through the process for a moratorium.

Bradley Reneer noted that there was a lot of debris in Fort Creek and wondered if it would cause erosion and flooding problems. Ron Devey said it would be a good group project for a Saturday cleanup.

## VIII. EXECUTIVE SESSION

**MOTION:** Mel Clement moved to adjourn to executive session and that Troy Stout attend by phone for the purpose of discussing personnel. Kimberly Bryant seconded.

The motion was withdrawn because David Church was not present and the Council wanted him to be there. No executive session was held.

**MOTION:** Will Jones moved to adjourn. Troy Stout seconded. Ayes: 5 Nays: 0. Motion passed.

The meeting was adjourned at 9:15 pm.