

ALPINE CITY COUNCIL MEETING
Alpine City Hall, 20 North Main, Alpine, UT
January 28, 2014

I. CALL MEETING TO ORDER: The meeting was called to order at 7:00 pm by Mayor Don Watkins.

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

Mayor Don Watkins

Council Members: Troy Stout, Roger Bennett, Mel Clement

Council Members not present: Will Jones, Kimberly Bryant

Staff: Rich Nelson, David Church, Shane Sorensen, Jason Bond, Annalisa Beck, Chief Brian Gwilliam, Jannicke Brewer, Ron Devey

Others: Charles Conklin, Thomas Webb, Nicholas Conklin, Dana Ferguson, Jeff Brodie, Hayden Webb, Spencer Heslop, John Taylor, Josh Heslop, Matt Heslop, Tim Carter, Jonathan Rowley, Tessa White, Ron Eaton

B. Prayer: Tessa White

C. Pledge of Allegiance: Thomas Webb

There were a large number of boy scouts present at the meeting and Mayor Watkins asked them to introduce their troops.

Josh Heslop introduced Troop #1150. Tim Carter introduced Troop# 857. Jonathan Rowley introduced Troop #1112.

II. PUBLIC COMMENT: John Taylor said his wife was delighted by the Christmas lights in the roundabout and thanked the City for putting them up.

Dana Ferguson said he had been David Church's neighbor in the Avenues in Salt Lake City years earlier.

III. CONSENT CALENDAR

A. Approve the minutes of January 14, 2014

MOTION: Roger Bennett moved to approve the Consent Calendar. Mel Clement seconded. Ayes: 3 Nays: 0. Roger Bennett, Mel Clement and Troy Stout voted aye. Motion passed.

IV. REPORTS AND PRESENTATIONS

A. Honor Flight - Robert Franson: Mr. Franson was not present.

V. ACTION/DISCUSSION ITEMS

PUBLIC HEARING ON BUDGET OPENING FOR FISCAL YEAR 2013-2014

Mayor Watkins opened the Public Hearing.

Annalisa Beck explained they were amending the Budget for fiscal year 2013-14 to make two changes. First, Mayor Watkins was not going to collect his salary. Instead he wanted to put it toward a new line item for the Mayor's Discretionary Fund which would be used unbudgeted items that may come up. Second, they needed to transfer \$30,000 from Fund Balance for legal fees.

There were no comments from the public. The Public Hearing was closed.

A. Ordinance No. 2014-01 Amending the Budget for Fiscal Year 2013-14. The Council had received copies and the amended budget and had reviewed it. Troy Stout commended the Mayor for donating his salary.

MOTION: Troy Stout moved to pass the Ordinance No. 2014-01 Amending the Budget for Fiscal Year 2013-14. Mel Clement seconded. Ayes: 3 Nays: 0. Troy Stout, Mel Clement and Roger Bennett voted aye. Motion passed.

Troy commended the mayor for what he was doing.

B. Appointment to the Board of Adjustment: Rich Nelson said Mike Crossley's term on the Board of Adjustment expired in February 2014. He had indicated a willingness to continue serving on the Board.

Rich Nelson explained the role of the Board of Adjustment to the scouts. Mayor Watkins explained the role of the Planning Commission.

MOTION: Troy Stout moved to approve the reappointment of Mike Crossley to the Board of Adjustment. Mel Clement seconded. Troy Stout, Mel Clement and Roger Bennett voted aye. Motion passed.

C. Bookmobile Agreement: Rich Nelson said the agreement for County Bookmobile services was the same as the previous year. There were the same hours and locations and for the same amount of money which was \$13,200.00.

MOTION: Mel Clement moved to approve the County Bookmobile Agreement for fiscal year 2013-2014 for the same service they City received the previous year. Roger Bennett seconded. Ayes: 3 Nays: 0. Troy Stout, Mel Clement and Roger Bennett voted aye. Motion passed.

D. Budget Workshop: Rich Nelson reviewed the Goals and Objectives the Council had set for fiscal year 2012-13, most of which were ongoing. A few were completed including the 5-Year Financial Projections. A Hearing Officer had been appointed as the appeal authority who handled everything except variance requests and personnel grievances. The Board of Adjustment continued to function and handled variance requests to the zoning ordinance.

He reviewed the 5-Year Financial Projections. A few things had changed including moving the City Planner position from part-time to fulltime. Because of the Quail Fire and the subsequent flooding, there were some unanticipated major construction projects. He asked the Council what they wanted to achieve in the City for the next year.

Mayor Watkins said he would like to have goals that were achievable and measurable. Rich Nelson said he would email the Council and remind them to weigh-in on the existing goals and suggest other goals they might have.

There was a question about the funds for Creekside Park. Annalisa Beck said the City had used 1.6 million dollars from the capital improvement fund, and hadn't had to use money from the pressurized irrigation fund for the park.

Rich Nelson said they would be talking more about the budget for the Lone Peak Public Safety District, the fire and EMS in particular. They would also discuss whether or not the City wanted to have an opt-in/opt-out program for green waste and recycling. He anticipated the City would save a lot of money if they had green waste pickup. Mr. Nelson said the City had made significant improvements in emergency preparedness.

The bond for pressurized irrigation was the only bond the City had. It had started at 8 million in 2000 and in 2010 they owed a balance of 5 million. It was recently refinanced to a lower interest rate. It would be paid off in 2025-26.

Mr. Nelson said the big financial issues would be the PI system and the Public Safety District. They would have the water report at the next meeting.

There was a discussion about the issue of rent paid and received on PSD buildings. Mr. Nelson said it was his opinion the entities should own their own buildings and stop paying rent. Mayor Watkins said he would have to sell the PSD Board on that. There was a discussion about making the fire department its own taxing entity. Mayor Watkins said the negative of that would be that the cities would lose control.

David Church said that right now the Lone Peak Public Safety District was an independent entity. The cities sent representatives to the governing board. They were considering changing it from an interlocal government to a property taxing authority. They cities would still appoint the board members. Initially it would lower the cities' property tax. The citizens would still be paying the tax but to a different entity. Mr. Church said the challenge was that the PSD was currently supported by sales tax as well as property tax. If it became a taxing authority, it would no longer have access to sales tax. The cities would have to contribute money to the PSD in order to keep the same level of funding, or the PSD would have to raise taxes.

Rich Nelson said that if the PSD wanted to raise taxes, they would have to go through the truth in taxation process.

The question was raised of each city having their own public safety department. Police Chief Brian Gwilliam said he would hate to see the PSD split up due to economy of scale. They could accomplish a lot with fewer officers when they worked together. Regarding the issue of paying rent on buildings, he said there was a time when Highland City paid rent to Alpine for the new fire station and police station that Alpine had built several years earlier, and Highland City was not consulted on it. He said that even after the bond was paid off, Highland continued to pay rent.

E. Council Training on Open/Closed meetings – David Church: David Church said the Utah Code required an annual open meeting training for every board, council, etc. The Open Public Meeting Act applied to any public body created by ordinance. A meeting was defined as the presence of more than two members of an official body that was supported by public funds with the ability to take action. The meeting required 24 hour notice with an sufficiently detailed agenda that was posted at the place of the meeting and sent to the media and posted on the state and city websites. It excepted chance get-togethers and social occasions. Deliberations and decisions had to be done openly. Public participation was not required but the public had to be able to be present. Minutes had to be kept at all meetings. If the public spoke, their name was to be recorded along with the substance of what they said. Actual motions were to be recorded along with the vote of each member and the substance of what the council said. Draft minutes should be available to the public when they were available to the council. All meetings should be recorded and the recording maintained.

Closed meetings had to be opened as a public meeting, then they could vote to go to a closed session. Personnel issues could not be discussed in a closed meeting but an individual could be discussed. The council could also discuss litigation strategy. Regarding acquisition or sale of real property, the strategy to get the best sale price could be discussed in a closed meeting but not whether or not they should buy or sell. They could also talk about the deployment of security devices in a closed meeting. No ordinance, resolution, rule, regulation, contract or appointment could be approved at a closed meeting. It was not permissible to interview a person applying to fill an elected position in a closed meeting. If a body took an action that wasn't appropriately listed on the agenda, the action could be voided.

Regarding contact outside an official meeting, Mr. Church said that if a mayor met with two council members, then two more, then they all showed up at a meeting and voted, he would be accused of cheating. Mayor Watkins asked if the mayor could talk to council members individually on the phone about an issue. Mr. Church said electronic communications such as text messages and emails were not a violation of the open meetings act. But a conference call would be a violation. He noted that emails, etc. were discoverable in litigation through a GRAMA request. He explained that records were classified as either public, private, protected and controlled. The presumption was that the record was public unless classified otherwise. Communications between an attorney and client were considered protected. Some public records contained private information that needed to be redacted before the recorded was given out.

VI. STAFF REPORTS: None

VII. COUNCIL COMMUNICATION: None

VIII. EXECUTIVE SESSION

MOTION: Troy Stout moved to go to executive session for the purpose of discussing litigation with Patterson. Mel Clement seconded. Ayes: 3 Nays: 0. Troy Stout, Roger Bennett, Mel Clement voted aye. Motion passed.

The Council adjourned to executive session at 8:35 pm.

The Council returned to open meeting at 10:20 pm.

MOTION: Troy Stout moved to approve the two contracts with the law firm of Ray, Quinney, and Nebeker as written. Mel Clement seconded. Ayes: 3 Nays: 0. Troy Stout, Roger Bennett, Mel Clement voted aye. Motion passed.

MOTION: Troy Stout moved to adjourn. Mel Clement seconded. Ayes: 3 Nays: 0. Troy Stout, Roger Bennett, Mel Clement voted aye. Motion passed.

The meeting was adjourned at 10:24 pm.