



ALPINE CITY COUNCIL MEETING - AMENDED

NOTICE is hereby given that the **CITY COUNCIL** of Alpine City, Utah will hold a **Meeting** on **TUESDAY, August 13, 2013 at 7:00 pm** at Alpine City Hall, 20 North Main, Alpine, Utah as follows:

I. CALL MEETING TO ORDER

- A. ***Roll Call** Mayor Hunt Willoughby
- B. **Prayer:** Bradley Reneer
- C. **Pledge of Allegiance:** By Invitation

II. **PUBLIC COMMENT:** The public may comment on items that are not on the agenda.

III. CONSENT CALENDAR

- A. **Approve the minutes of July 23, 2013**
- B. **EWPP Payment Request - VanCon - \$59,185.83**

IV. REPORTS AND PRESENTATIONS

V. ACTION/DISCUSSION ITEMS

- A. **Vallejo request regarding retaining wall adjacent to Lambert Park:**
The City Council will consider the request to trim some vegetation in Lambert Park in order to work on the park side of the retaining wall.
- B. **Sliding Rock Discussion:** The City Council will discuss the parking issue on Fort Canyon Road that is in relation to people visiting Sliding Rock.
- C. **Lambert Park Foundation:**
The City Council will discuss the potential creation of a program that will collect donations to be used for maintenance and improvements for Lambert Park.
- D. **No Motorized Vehicles in Lambert Park:**
The City Council will discuss the possibility of restricting motorized vehicles from entering Lambert Park.
- E. **Alpine City Pressurized Irrigation Water Discussion - Shane Sorenson**

VI. STAFF REPORTS

VII. COUNCIL COMMUNICATION

VIII. **EXECUTIVE SESSION:** Discuss litigation, property acquisition or the professional character, conduct or competency of personnel.

* **Some Council Members may participate electronically.**

ADJOURN

Hunt Willoughby, Mayor
August 8, 2013

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY COUNCIL MEETINGS. If you need a special accommodation to participate, please call the City Recorder's Office at (801) 756-6241.

CERTIFICATE OF POSTING. The undersigned duly appointed recorder does hereby certify that the above agenda notice was posted in three public places within Alpine City limits. These public places being the bulletin board located inside City Hall at 20 North Main and located in the lobby of the Bank of American Fork, Alpine Branch, 133 S. Main, Alpine, UT; and the bulletin board located at The Junction, 400 S. Main, Alpine, UT. The above agenda notice was sent by e-mail to The Daily Herald located in Provo, UT, a local newspaper circulated in Alpine, UT. This agenda is also available on our web site at www.alpinecity.org and on the Utah Public Meeting Notices website at www.utah.gov/pmn/index.html

ALPINE CITY COUNCIL MEETING
Alpine City Hall, 20 North Main
July 23, 2013

I. CALL MEETING TO ORDER: The meeting was called to order at 7:00 pm. In the absence of Mayor Hunt Willoughby, the Council elected Kimberly Bryant to act as Mayor Pro Tem.

MOTION: Will Jones moved to nominate Kimberly Bryant as Mayor Pro Tem. Bradley Reneer seconded. Ayes: 3 Nays: 0. Motion passed. Mel Clement was not present at the time of the motion.

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

Mayor Hunt Willoughby was excused.

City Council members: Kimberly Bryant - Mayor Pro Tem, Bradley Reneer, Will Jones, Mel Clement.

Members not present: Troy Stout was excused.

Staff: Rich Nelson, Charmayne Warnock, Shane Sorensen, Jannicke Brewer, Ron Devey, David Church, Brad Freeman.

Others: Clark Healey, Eugene Healey, Amy Thackery, Chelsie Thackery, Traci Jensen, Danny Jensen, Joe McRae, Rabecca Cisneros, Ben Cisneros, Vernon Utley, James Dunn, Margie Holmes, Blair Holmes, Mark Wells, Taylor Smith, Skylor Smith, Jeff Chapman, Andrea Chapman, Nancy Brown, Darrell Duty, Angie Duty, Keith Gregory

B. Prayer:

Kimberly Bryant

C. Pledge of Allegiance:

Clark Healey

II. PUBLIC COMMENT

Darrel Duty - Sliding Rock: Mr. Duty said he lived up Fort Canyon and he wanted to address the activity at Sliding Rock. He said he understood that the site had been exposed by KSL, Pintrest and Fox 40. He said he didn't have a problem with people going up there but there was no parking for them. As a result, people were parking along both sides of the road, double parking, and the road was narrow. He said the police had told him they would not respond to calls up there so he started a petition, which he submitted, and came to City Council.

Rich Nelson said that there was an article on KSL about Sliding Rock but the news agency received a call that it was private property and it was taken down.

Mr. Duty said it had been a problem for years. He and his neighbors would like to see NO PARKING signs along both sides of the road. The road was just not wide enough for people to park safely along there. He suggested that parking be made available inside the gate. He suggested the City put up a temporary fence with a turnstile, and open the gate so people could park off the road. The police could ticket people for speeding up and down the road.

Kimberly Bryant said that the Sliding Rock area was private property and the City could not force them to open their gate and provide public parking. Mr. Duty asked about the possibility of eminent domain. Rich Nelson said it was a very long process and he'd not seen it done for a parking lot.

Mr. Duty said that someone was going to get killed on that road. He'd seen people lying in the road, tanning. People were getting high and drunk. His neighbor was assaulted by two guys when he confronted them about peeing in his yard. Kimberly Bryant said he should have called the police about that.

Mr. Duty said the police had said they would not respond to Sliding Rock because it was private property. He passed around photos of the parking along the road. He said that no one picked up their trash; he and the neighbors had to go around and pick it up.

Bradley Reneer asked if they could designate parking on one side of the street. Rich Nelson said he'd been up there several times and it was a difficult situation with a blind corner.

1 Kimberly Bryant asked how people were getting into Sliding Rock, and if the private property owners were okay
2 with people using it. Will Jones said they were not okay, but they hadn't forced the issue.

3
4 David Church said the City could condemn some ground for parking, but why would they? Sliding Rock was on
5 private property. It was more likely that the City would prohibit parking up both sides of the road. Parked cars could
6 be ticketed or towed.

7
8 Angie Duty said the police didn't say they weren't going to come up. They said there was nothing to enforce and the
9 residents in Fort Canyon should go to the City Council.

10
11 The Council discussed what might be a solution to the problem. Mel Clement said that if they posted No Parking in
12 Fort Canyon, it would make it harder to get in. They would need to put signs at the mouth of Fort Canyon saying
13 Sliding Rock was closed.

14
15 Rich Nelson said the City Council had two options. They could give staff a sense of what they wanted done up there,
16 then bring it back to the next meeting for ratification, or the Council could come back to the next meeting with a
17 plan.

18
19 Darrell Duty said he knew there were already lawsuits concerning the property. What would happen if the City
20 blocked it altogether?

21
22 Rich Nelson said they couldn't have it both ways. The City either had to take action to prohibit the use or continue
23 the way they were. There were no parking slots. There was no City-owned property and no money to buy property.

24
25 Bradley Reneer said it wouldn't make sense for the City to put in a parking lot so people could trespass.

26
27 Margie Holmes said she was happy the parking situation was being addressed. She asked what could be done if the
28 City banned parking and some residents up the canyon had a bridal shower? David Church said they could
29 designate resident parking only.

30
31 Rich Nelson suggested that the Council give staff a sense of what they wanted to happen for the next two weeks,
32 such as signage, barricades, etc. Then at the next Council meeting they could work on a plan.

33
34 Mel Clement said he wasn't sure they wanted to close Sliding Rock at that moment. It was still hot weather. They
35 could take it up at their next meeting.

36
37 Bradley Reneer said he would be okay with parking on one side of the road.

38
39 Jeff Chapman said he came out of his house to see some guys peeing in the front yard. When he confronted them,
40 someone else sucker punched him in the back of the head. He said another concern about the overgrown trees. The
41 road was so narrow and curved that he was almost hit head-on.

42
43 Will Jones said that even if the City could get something in by tomorrow, it was the 24th of July. He wondered if
44 they couldn't put up a barricade and allow parking only on one side of the road. He asked if the NO PARKING signs
45 were still there. Darrell Duty said there were signs that said not to block the driveway but trailers still parked there.

46
47 David Church said that other than resident parking, what was the purpose of having parking up there. It was not a
48 public trail head. There were lots of things the Council could do. If residents needed street parking they could do
49 that. The issue was did they want people who didn't live in the neighborhood to park on the road. If the City wanted
50 to be aggressive on parking, they could enter a contract with a towing service. They needed to decide what was
51 important to them. They needed to decide if the cars parking along Fort Canyon Road was a problem for the City.

52
53 Keith Gregory said he lived across from the entrance. If the City allowed parking on only one side of the road, it
54 would make it easier for people to park in his yard. Sometimes it was difficult for him to get into his house.

55

1 Bradley Reneer said that if someone was blocking a driveway, it was illegal. Residents needed to call the police if
2 they were being assaulted or their driveway was blocked.
3

4 David Church said that if the landowners wanted to put up NO TRESPASSING signs, they could have the police up
5 there.
6

7 Will Jones said there were already NO TRESPASSING SIGNS but they were concerned about the retaliation that
8 might result if they closed off Sliding Rock. He said he was up there on the 4th of July and there were people from
9 town up there. Others times it was a different group. He said owners of Three Falls didn't want the public outcry if
10 they shut it down. People had been going up there for 26 years.
11

12 Darrell Duty said he would like to see something from the City where they towed cars at the owner's expense.
13 People could park at the church and hike up there. He said he was okay with people going to Sliding Rock. They just
14 needed to be sensible.
15

16 Rich Nelson said it would be on the agenda in three weeks at the August 13th meeting.
17

18 Brad Freeman said they had a medical call up there and they couldn't get through with the fire truck because it was
19 so busy up there. If there was a fire, they couldn't get the trucks past the cars.
20

21 Angie Duty asked if the City could take care of the problem before the next meeting and put up signs. Shane
22 Sorensen said it took about two weeks to get signs.
23

24 Clark and Eugene Healey - Deer Problem. Clark Healey said he lived on 100 South and would like the Council to
25 discuss what could be done about the deer problem. He said that every year the deer destroyed their grapes, their
26 gardens, and their apple crop.
27

28 Kimberly Bryant said there had been a lot of input on the deer in Alpine from both sides of the fence.
29

30 Clark Healey asked if the City would allow them to use blanks in a shotgun and shoot it a couple of times to scare
31 the deer away. It would be a way to control them legally.
32

33 Mel Clement said Highland City was working with the Division of Wildlife Resources (DWR) on a select hunt
34 which looked like it would be in effect this season. Rich Nelson said Highland and Bountiful were on a two-year
35 pilot project to see how the hunt worked.
36

37 Jannicke Brewer said she had a deer fence around her garden and roses which worked well.
38

39 Clark Healey said the problem with fences was that they were ugly and expensive. He said that as the deer became
40 accustomed to people, they got worse. And then the cougars came. He said they had lived on their same property
41 since forever and never had a problem with deer until the last ten years. It was noted that homes have been built on
42 ground that was previously the deer's range.
43

44 Kimberly Bryant said Mayor Willoughby was watching how the select hunt worked in other cities.
45

46 Amy Thackery - 5K Benefit Run: Ms. Thacker said she was there on behalf of the Utley family who had a seven-
47 year-old named Adler with stage 3 kidney cancer. The family had no insurance and she would like to do something.
48 Since she liked to run and Alpine did a 5K, she would like to have a jar with a sign letting people know they could
49 donate when they signed up for the race. In exchange for donating, they would get a free pair of socks which they
50 could wear in Adler's honor when they ran. The family had a Foundation. She suggested that since they had a 5K
51 every year, maybe they could do it every year for someone in Alpine.
52

53 The Council indicated it would be fine to have a jar in City Hall when people were signing up for events. However,
54 the staff would not be responsible for it. Ms. Thackery said they would be there and be responsible. David Church
55 recommended she talk to the race official. Will Jones said he would contact Mike Evans who was in charge of the
56 5K.

1
2 Lon Nield - Olde Moyle Mound. Mr. Nield said he thought he was on track to record the first phase of his 10-lot
3 subdivision. The Council had granted final approval for 10 lots but he wanted to phase it and initially record only
4 five lots. He wanted to know if he could do that or if he had to record all ten. Nothing had changed on the plat since
5 final approval.

6
7 Shane Sorensen said that typically final approval was granted for each phase and then each phase was recorded.
8 However all ten lots were given final approval. The mylar Lon Nield wanted to record showed five lots plus the
9 open space and the road.

10
11 Jannicke Brewer said that when he came to the Planning Commission he talked about phasing the development.

12
13 Rich Nelson said that in other cities such an action was approved by staff. Shane Sorensen suggested that the City go
14 ahead and record the first phase (Plat A), then have the Planning Commission and City Council ratify it.

15
16 David Church said recording it should be fine as long as the first phase could stand on its own. All the
17 improvements and open space dedication would need to be included with the first phase.

18
19 Shane Sorensen said they would bring it back so there was a paper trail.

20
21 Brad Freeman - Water Trucks. Chief Freeman said Alpine had passed an ordinance stating that construction or
22 excavation with heavy equipment had to have a water truck present. He said Lehi City was working up in the
23 Schoolhouse Springs area to build road access to their streams. He had been concerned because of the potential for
24 fire so they contacted Lehi City and had been working with them. They came up with a fire mitigation plan that was
25 working well. The Lehi fire chief had approved the plan as well. He said Lehi would be working for another two and
26 a half weeks. It was for information only.

27 28 **III. CONSENT CALENDAR**

29
30 **A. Approve the minutes of July 9, 2013**

31 **B. Bond Release #3 for Bennett Farms, Plat A - \$45,056.52**

32 **C. Bond Release #2 for Bennett Farms, Plat B - \$70,479.60**

33 **D. Award bid for overlays to Staker Paving - \$142, 536**

34
35 **MOTION:** Will moved to approve the consent calendar with a payment of \$142,536 to Staker Paving. Bradley
36 Reneer seconded. Ayes: 4 Nays: 0. Motion passed unanimously.

37 38 **IV. REPORTS AND PRESENTATIONS:** None

39 40 **V. ACTION AND DISCUSSION ITEMS**

41
42 **A. Bennett Farms, Plat D - Final Approval - Roger Bennett:** Mr. Bennett said that Bennett Farms Plats
43 A, B and C had been recorded. Plat D consisted of five lots. He requested that he not be required to put in a
44 temporary turnaround at the north end of Country Manor Lane. Instead it would be stub street. He said the Planning
45 Commission had recommended that a temporary turnaround not be required.

46
47 Shane Sorensen said the DRC had recommended that the north end of Country Manor Lane be a stub street instead
48 of a temporary turnaround subject to the condition that the City would not plow it. He said the City had similar stub
49 streets that were not plowed. No lots would front on the stub street in this phase.

50
51 Will Jones said he had a conflict of interest and would not vote.

52
53 **MOTION:** Bradley Reneer moved to approve Bennett Farms plat D with the following conditions:

- 54
55 1. A temporary turnaround at the north end of Country Manor Lane would not be required with the
56 understanding that the stub street would not be plowed by the City.

2. The developer work with City staff to obtain the necessary SWPPP permits and approvals for this plat.
3. The water policy be met with Alpine Irrigation Company shares.
4. A bond be provided for the required improvements.
5. Errors on the final plat be corrected.
6. The debris flow hazard study be tied to the title of the properties in the same manner as previous plats to make potential lot buyers aware of the potential risks of building in the area.

Mel Clement seconded. Ayes: 3 Nays: 0. Motion passed. Bradley Reneer, Mel Clement and Kimberly Bryant voted aye. Will Jones abstained.

Roger Bennett said his subdivision was paying a lot for park impact fees. He asked if the City could spend some money on Legacy Park and put in some play equipment that appealed to kids who were 13 years old and younger. He said his five-year-old nephew didn't like Legacy Park because they just had little kid stuff.

Shane Sorensen said the impact fees had to be used on new parks but there were other ways to handle Legacy Park. He noted that it would be difficult to fit additional equipment inside the curbed area because there had to be a fall zone of a certain distance.

Roger Bennett said he was running for City Council and wondered if it would be better to seek final approval for the rest of Bennett Farms prior to the election.

David Church said that if he was ready to record, go ahead and record it. If he was asking for something special, don't.

B. T-Mobile Cellular Tower Modification Site Plan: Jannicke Brewer said T-Mobile came to the Planning Commission for modification of the existing tower on Shepherds Hill. The new equipment would be the same height but be a little wider. She said the staff would recommend what type of landscaping should be done.

David Church reminded the Council that the cell phone carriers would be making changes to their towers because of the change in the law. Cities were not to tell them no.

MOTION: Mel Clement moved to approve the T-Mobile cell tower modification plan for the tower located at 694 Rocky Mountain Drive with the following conditions:

1. A building permit be obtained prior to installation of the new equipment.
2. Request that the site be landscaped as recommended by City staff.
3. The color of the new equipment would be recommended by staff.

Bradley Reneer seconded. Ayes: 4 Nays: 0. Motion passed.

Shane Sorensen said this was the third cell tower upgrade this year. The landscaping for the first tower was left up to the City and they got in trouble with the residents about it. He said he would rather have a specific plan on record that was agreed on by the cell tower company. He added that the only tower the City had been involved with on color was the tower in Lambert Park. They hadn't heard any complaints about it.

Mel Clement said he'd talked to some people that wanted the tower to be blue and others wanted it gray. Will Jones said landscaping and color were two tough issues. The City couldn't require it.

Shane Sorensen said he would decide on the landscaping and design if the City would stick up for him when residents complained. He suggested that they first ask the cell tower company what landscaping they would be willing to do since it couldn't be required.

Rich Nelson said the lattice on the Digis tower should be covered by August. Although some residents were saying they now wanted it left open because it was less visible. Others wanted it covered for safety reasons.

1 **C. Eagle Pointe Subdivision PRD Determination:** Shane Sorensen said the City had seen this
 2 subdivision before under several other names including Summit Hills and Vista Meadows. That Planning
 3 Commission recommended that it be a PRD, but the City Council had sole discretion in deciding whether or not a
 4 subdivision should be a PRD. The developer would need to know how to design it before going to a public hearing.
 5

6 **MOTION:** Mel Clement moved that the Eagle Point Subdivision be a PRD. Bradley Reneer seconded. Ayes: 4
 7 Nays: 0. Motion passed.
 8

9 **D. Ordinance No. 2013-12, Amending Article 4.5 of the Development Code Regarding Minor**
 10 **Subdivisions.** Rich Nelson said the Council had seen this before. The original proposal was that the DRC approve
 11 minor subdivisions but the Council voted to have the Planning Commission and City Council continue to review and
 12 approve them. The Council approved some other changes in the ordinance relative to notification and submitting
 13 plans, and they wanted to see a clean copy before approving the ordinance.
 14

15 **MOTION:** Will Jones moved to adopt Ordinance No. 2013-12 amending Article 4.5 of the Development Code
 16 relative to Minor Subdivision. Mel Clement seconded. Ayes: 4 Nays: 0. Motion passed unanimously.
 17

18 **E. Ordinance No. 2013-11, Amending Article 2013-11 Regarding Site Plans:** Rich Nelson said the
 19 Council had previously reviewed the proposed amendment that would allow the DRC to approve site plans, but the
 20 Planning Commission said they wanted to continue to review the site plans. The Council agreed with the Planning
 21 Commission and asked to see a clean copy of the ordinance before they approved it.
 22

23 **MOTION:** Will Jones moved to approve Ordinance No. 2013-11 amending Article 4.14 of the Development Code
 24 relative to Site Plans. Mel Clement seconded. Ayes: 4 Nays: 0. Motion passed unanimously.
 25

26 Bradley Reneer said there was a discussion about the Planning Commission meeting more often. Rich Nelson said
 27 they would be meeting twice a month when they began work on the General Plan.
 28

29 **F. Approve Poll Workers for the 2013 Municipal Election.** Will Jones asked what criteria there was in
 30 selecting poll workers. Charmayne Warnock said they had to be registered voters, they could not be related to or an
 31 employee of any of the candidates, and could not be a convicted felon. The poll workers were:
 32

33 Doug Braithwaite	Andrea Chapman	Teresa Cospser	Marla Fox
34 Dan Garrison	Diane Hunsaker	Linda Higgins	Lynn Higgins
35 Alane Kester	Caroldean Neves	John Pool	Janet Rogers
36 Wayne Walker	Janis Williams		

37
 38 Rich Nelson said the Council approved the workers in the event there was a charge of voter fraud, then the City
 39 could say the poll workers had been approved.
 40

41 **MOTION:** Will Jones moved to approve the poll workers for the 2013 Municipal Election. Mel Clement seconded.
 42 Ayes: 4 Nays: 0. Motion passed.
 43

44 **G. Fire District Consolidation Report - Brad Freeman, Lone Peak Fire Department:** Brad Freeman
 45 said that at one time the fire chief from American Fork and city manger of Highland (John Park) thought it would be
 46 a good thing if the American Fork Fire Department and Lone Peak Fire Department joined forces. When they
 47 approached Brad Freeman about it, he told them they should include the north end of Utah County including
 48 Pleasant Grove, Lehi, Saratoga Springs and Eagle Mountain. But Lehi dropped out because they had so much tax
 49 base and growth they could staff their own stations as needed. When Lehi dropped out, Eagle Mountain dropped out
 50 too and went to the Unified Fire Authority in Salt Lake. Saratoga Springs said they had a hard time covering their
 51 large land area and wanted to be part of the Unified Fire District, but dropped out anyway. It came down to the
 52 Lone Peak Fire District, American Fork and Pleasant Grove. The County would also pay a bit for the unincorporated
 53 area. They contracted with Matrix Consulting Group to do a feasibility study. He said the draft that came back was
 54 quite inaccurate. They went through it and made some changes and the second draft was better, but Brad Freeman
 55 said he was still not impressed with it. They could have done as much themselves.
 56

1 Brad Freeman said Cedar Hills had contemplated going with Pleasant Grove or American Fork, which would force
2 the Lone Peak PSD to reduce their staff by one-third. Alpine and Highland would have to make up the difference.
3 But Cedar Hills decided to stay with Lone Peak. Since then, the fire department had been pushing forward and
4 looking at a fire district with just Alpine, Highland and Cedar Hills. Chief Freeman said it would make more sense
5 than the interlocal agreement that they currently had. If they became a District, it would become a taxing entity and
6 it would lower the amount the cities paid to the District. The make-up of the Board would stay the same. Everyone
7 including people in Alpine Cove and the County would be taxed for fire service. The City would pass a resolution
8 and put the issue on the ballot. The people would vote on it.
9

10 Will Jones asked if it would money neutral for the residents. Rich Nelson said it was still in the discussion stage. It
11 needed to be fleshed out and reviewed.
12

13 Brad Freeman said they had originally wanted to have it on the ballot for the November election but they wouldn't
14 have enough time to get the information out to the people.
15

16 VI. STAFF REPORTS

17
18 Rich Nelson said he was aware of the problem at Sliding Rock. He would talk to Chief Brian Gwilliam about it.
19

20 Charmayne Warnock reported that Early Voting would be available at City Hall beginning July 30th from 1 pm to 5
21 pm. August 13th was Election Day and all precincts would be voting at City Hall in the vacated police station
22 instead of at the schools. Regarding construction in Alpine, she said the Building Department had issued permits for
23 13 new homes since January. There were three more permits for new homes that had been ready to issue for some
24 time but had not been paid for.
25

26 Shane Sorensen said that there was a big storm a week earlier. They had made some changes to the debris flow
27 channel the week before the storm and everything went where it was supposed to go. He said the NRCS project was
28 substantially complete. They were approved for up to \$400,000 on the project and they had spent about \$360,000.
29 There was still some seeding to be done but they were in good shape. The basins had worked well. With the money
30 they had left they could have a series of three basins. He said the first storm had scoured the hillside of debris and
31 now they were mostly seeing muddy water. They had a debris basin in Preston Canyon and one in Willow Canyon.
32 There was nothing in Wadsworth Canyon.
33

34 Mel Clement said he supported a third debris basin. Rich Nelson said they needed a consensus. Kimberly Bryant and
35 Bradley Reneer said they were in favor of it.
36

37 Brad Freeman said he didn't see a fire break at the end of Moyle Circle. Shane Sorensen said they had taken out
38 some trees and put in a box culvert. There was about 25 feet of clearing.
39

40 Shane Sorensen reported on the road maintenance that had been done.
41

42 Jannicke Brewer said that at the last Planning Commission they had approved a home occupation for James
43 Lawrence for auto repair. It was only prohibited in the Business Commercial zone. The home occupation ordinance
44 did not prohibit auto repair in the residential zone. Mr. Lawrence did his work in an attached garage and the
45 Planning Commission felt it complied with the ordinance.
46

47 Will Jones asked if he had to be living in the home where he conducted business because James Lawrence was not
48 living there. He owned the home but did not live there.
49

50 Jannicke Brewer said they did have to be living in the home and the Planning Commission was not aware that Mr.
51 Lawrence was not living in the home. He had not told them that. They would look into it.
52

53 Will Jones said there were two other auto repair business in town that were being conducted in detached garages.
54 Jannicke Brewer said that in order to qualify as a home occupation, it had to be in an attached garage.
55

1 Rich Nelson said they would investigate to see if a business owner had to live in the home to have a home
2 occupation.

4 VII. COUNCIL COMMUNICATION

6 Will Jones

- 8 • Mr. Jones said he listened to the tape from the last meeting of July 9, 2013, from which he was absent. He
9 said one thing that aggravated him were the comments about the work done in Moyle Park. There was a
10 Moyle Park Committee approved by the Council which made a list of jobs and assignments. They got
11 incredible support from the public works department and about 50 residents in the area. Then two weeks
12 ago at the Council meeting, the Committee was blasted and the work they did was called a butcher job. He
13 said other members of the Council had an opportunity to be on the Committee and chose not to, yet they
14 decided they were an authority on the work. He said there was one individual who complained about the
15 vegetation that was cut down, and that person did not even own property in Alpine. It was owned by
16 another family member. He said the complaining family were originally invited to serve on the Committee
17 and chose not to. He asked why the Committee got slammed when it was authorized by the Council. As
18 Shane Sorensen commented earlier, "You gotta get my back." How easy was it going to be to get
19 volunteers when they were not supported by the Council? He said the best part of the Moyle Park Cleanup
20 event was that the new caretakers saw that the citizens cared.
- 21
- 22 • Regarding accessory apartments and fences, Will Jones said that if they were going enforce regulations on
23 fences they should enforce the regulations on accessory apartments. The regulations on the books stated
24 that a home with an accessory apartment had to be owner occupied. He said he didn't think they should
25 allow duplexes in every home in town.
- 26
- 27 • Mr. Jones asked if the second Planning Commission meeting of the month would be only a work session.
28 Jannicke Brewer said if things came in, they would handle them.

30 Bradley Reneer

- 31
- 32 • Mr. Reneer said his cul-de-sac had flooded because the storm drain drained extremely slow. He asked what
33 could be done. Shane Sorensen said it was just a sump. Staff had talked about it and would like to pipe the
34 storm drain to the creek. It would involve crossing private property.

36 Mel Clement

- 37
- 38 • Mr. Clement said he would like to discuss garbage at the next meeting. He'd been told that residents were
39 getting a cranky reception at North Pointe. There were also some issues with the Dunn's Transfer Station.

41 Brad Freeman said that Joe McCray said he would be Alpine's representative from the Fire Department and would
42 be at every meeting. He was the public information officer for the Fire Department

44 Shane Sorensen asked for clarification on what the Council expected staff to do up Fort Canyon. He said they didn't
45 have a lot of barricades and they didn't want them thrown in the creek.

47 Will Jones showed on the map where they needed to put up some barricades. Shane Sorensen said they would also
48 order signs.

50 **VIII. EXECUTIVE SESSION:** None held.

52 **MOTION:** Will Jones moved to adjourn. Bradley Reneer seconded. Ayes: 4 Nays: 0. Motion passed.

54 The meeting was adjourned at 9:40 pm.

PAYMENT REQUEST No. 3

Name of Contractor:		VanCon, Inc.	
Name of Owner:		Alpine City	
Date of Completion:		Amount of Contract:	
Original:	21-Aug-05	Original:	\$398,893.90
Revised:		Revised:	\$340,799.45
		Dates of Estimate:	
		From:	1-Jul-13
		To:	7-Aug-13
Description of Job: Alpine Emergency Watershed Protection Project			
Original Contract Amount			
	Amount	This Period	Total To Date
Amount Earned		\$44,381.85	\$340,461.35
Amount Retained		\$2,219.09	\$17,023.07
Retainage Paid		\$17,023.07	\$17,023.07
Previous Payments			\$281,275.53
Amount Due		\$59,185.83	\$59,185.83
Days Remaining	14	of	122
Estimated Percentage of Job Completed			99.90%
Contractor's Construction Progress IS on schedule		Percent Time Used: 88.5%	

I hereby certify that I have carefully inspected the work and as a result of my inspection and to the best of my knowledge and belief, the quantities shown in this estimate are correct and have not been on previous estimates and the work has been performed in accordance with the Contract Documents

Recommended by: Alpine City Engineering Dept.

Date: 8/7/2013


Shane L. Sorensen, P.E.
City Engineer

Accepted by: VanCon, Inc.

Date: _____

VanCon, Inc.

Approved By: Alpine City

Date: _____

Hunt Willoughby
Mayor

Project Owner: Alpine City
 Project: Alpine Emergency Watershed Protection Project

Date: 5-Jun-13

Contractor: VanCon, Inc.

Original Contract Amount: \$398,893.90
 Revised Contract Amount: \$419,731.75

Item	Description	Quantity	Units	Unit Price	Amount	Payest #1		Payest #2		Payest #3		Total Billing		Percent Complete
						Quantity this Month	Earnings this Month	Quantity this Month	Earnings this Month	Quantity this Month	Earnings this Month	Quantity to Date	Earnings to Date	
BID SCHEDULE 1														
1-1	Mobilization	1	LS	\$20,000.00	\$ 20,000.00	0.85	\$17,000.00	0.15	\$3,000.00		\$0.00	1	\$20,000.00	100%
1-2	Demolition - Rock and Tree Removal	1	LS	\$80,000.00	\$ 80,000.00	1	\$80,000.00		\$0.00		\$0.00	1	\$80,000.00	100%
1-3	Construction Surveying	1	LS	\$2,850.00	\$ 2,850.00	0.75	\$2,137.50	0.25	\$712.50		\$0.00	1	\$2,850.00	100%
1-4	Riprap Bank Stabilization (import)	1,155	CY	\$40.00	\$ 46,200.00		\$0.00		\$0.00		\$0.00	0	\$0.00	0%
1-5	Riprap Bank Stabilization (native)	600	CY	\$37.00	\$ 22,200.00	400	\$14,800.00	592	\$21,904.00	326	\$12,062.00	1,318	\$48,766.00	220%
1-6	Geotextile Filter Fabric	1,722	SY	\$1.50	\$ 2,583.00	500	\$750.00	492	\$738.00		\$0.00	992	\$1,488.00	58%
1-7	Grout for Grouted Rip Rap	635	CY	\$90.00	\$ 57,150.00		\$0.00	120	\$10,800.00	21.00	\$1,890.00	141	\$12,690.00	22%
1-8	Erosion Control Matting	2,230	SY	\$1.50	\$ 3,345.00		\$0.00		\$0.00		\$0.00	0	\$0.00	0%
1-9	Concrete Floodwall (Detail F/S-4)	220	LF	\$198.00	\$ 43,560.00	185	\$36,630.00		\$0.00		\$0.00	185	\$36,630.00	84%
1-10	Straw Wattle Installation (Detail 1/C-1)	1	LS	\$1,680.00	\$ 1,680.00		\$0.00		\$0.00	1	\$1,680.00	1	\$1,680.00	100%
1-11	Debris Rack (Dwg S-1)	1	LS	\$10,600.00	\$ 10,600.00		\$0.00	1	\$10,600.00		\$0.00	1	\$10,600.00	100%
1-12	APWA Type A Curb and Gutter	24	LF	\$82.00	\$ 1,968.00		\$0.00		\$0.00	24	\$1,968.00	24	\$1,968.00	100%
1-13	Concrete Sidewalk	144	SF	\$12.50	\$ 1,800.00		\$0.00		\$0.00	144	\$1,800.00	144	\$1,800.00	100%
	Schedule 1 Sub-Total				\$ 293,936.00									
BID SCHEDULE 2														
2-1	Mobilization	1	LS	\$1,500.00	\$ 1,500.00		\$0.00		\$0.00	1.00	\$1,500.00	1	\$1,500.00	100%
2-2	Silt Fence Installation (Detail C/C-6)	370	LF	\$4.00	\$ 1,480.00		\$0.00		\$0.00	316	\$1,264.00	316	\$1,264.00	85%
	Schedule 2 Sub-Total				\$ 2,980.00									
BID SCHEDULE 3														
3-1	Mobilization	1	LS	\$1,500.00	\$ 1,500.00	0.85	\$1,275.00	0.15	\$225.00		\$0.00	1	\$1,500.00	100%
3-2	Construction Surveying	1	LS	\$2,700.00	\$ 2,700.00	1	\$2,700.00		\$0.00		\$0.00	1	\$2,700.00	100%
3-3	Demolition and Tree Removal	1	LS	\$28,500.00	\$ 28,500.00	0.75	\$21,375.00	0.25	\$7,125.00		\$0.00	1	\$28,500.00	100%
3-4	Not Required - Removed from Contract													
3-5	Channel Repairs Station 13+25 to Station 14+86	175	LF	\$42.50	\$ 7,437.50		\$0.00	175.00	\$7,437.50		\$0.00	175	\$7,437.50	100%
3-6	Debris Basin and Riprap Spillway	1	LS	\$9,100.00	\$ 9,100.00		\$0.00	1.00	\$9,100.00		\$0.00	1	\$9,100.00	100%
3-7	8' x 4' Box Culvert and Headwall Repair (Dwg S-3)	1	LS	\$34,900.00	\$ 34,900.00		\$0.00	0.80	\$27,920.00	0.20	\$6,980.00	1	\$34,900.00	100%
3-8	Diversion Structure Repairs (Dwg S-2)	1	LS	\$14,250.00	\$ 14,250.00	1	\$14,250.00		\$0.00		\$0.00	1	\$14,250.00	100%
3-9	Reseeding	8160	SY	\$0.44	\$ 3,590.40		\$0.00		\$0.00		\$0.00	0	\$0.00	0%
	Schedule 3 Sub-Total				\$ 101,977.90									
Total Bid/Contract					\$398,893.90									
Partial Payment Sub-Total														
Additive Alternates							\$190,917.50	\$99,562.00	\$29,144.00		\$319,623.50			
Change Orders														
C.O. No. 1	Additional Labor and Materials for Concrete Floor at Diversion Structure	1	LS	\$ 800.00	\$ 800.00		\$0.00	1	\$800.00		\$0.00	1	\$800.00	100%
C.O. No. 2	60" Reinforced Concrete Pipe	24	LF	\$ 200.00	\$ 4,800.00		\$0.00	24	\$4,800.00		\$0.00	24	\$4,800.00	100%
C.O. No. 3	Channel Work	1	LS	\$ 4,395.00	\$ 4,395.00					1	\$4,395.00	1	\$4,395.00	100%
C.O. No. 4	Debris Removal	1	LS	\$ 5,517.85	\$ 5,517.85					1	\$5,517.85	1	\$5,517.85	100%
C.O. No. 5	Additional Debris Basin at Mid-Channel	1	LS	\$ 5,325.00	\$ 5,325.00					1	\$5,325.00	1	\$5,325.00	100%
	Change Order Sub-Total				\$20,837.85		\$0.00		\$5,600.00		\$15,237.85		\$20,837.85	
Total Revised					\$419,731.75		\$190,917.50	\$105,162.00	\$44,381.85		\$340,461.35			
5% Retainage							\$9,545.88	\$5,258.10	\$2,219.09		\$17,023.07			
Add Retainage														
Total					\$419,731.75		\$181,371.63	\$99,903.90	\$42,162.76		\$323,438.28			

ALPINE CITY COUNCIL AGENDA

SUBJECT: Vallejo Request to use City Property

FOR CONSIDERATION ON: 13 August 2013

PETITIONER: Noel Vallejo

ACTION REQUESTED BY PETITIONER: Allow property owner to temporarily use 5 feet of city property so a retaining wall can be constructed on private property.

APPLICABLE STATUTE OR ORDINANCE: Zoning

PETITION IN COMPLIANCE WITH ORDINANCE:

BACKGROUND INFORMATION:

Noel Vallejo lives at 1663 Box Elder Drive (just south of the Rodeo Grounds and Lambert Park). He is working on building a retaining wall around his property. At the north property line, there are a few areas on his property that are too tight and he is requesting that the city allow him to access city property so equipment can get in a spot to construct the retaining wall.

Councilman Trout agreed to meet with the Vallejos at the site to look at the details of the request and potential impact on city property.

RECOMMENDED ACTION:

We [grant / do not grant] the request to allow Noel Vallejo to temporarily use 5 feet of city property in Lambert Park as discussed so that machinery can get sufficient access to construct a retaining wall on private property.

ALPINE CITY COUNCIL AGENDA

SUBJECT: Sliding Rock Parking Issues

FOR CONSIDERATION ON: August 13, 2013

PETITIONER: Rich Nelson, City Administrator

ACTION REQUESTED BY PETITIONER: Council approval of an approach to deal with the parking issues and trespass issues relating to Sliding Rock.

APPLICABLE STATUTE OR ORDINANCE:

BACKGROUND INFORMATION: At the last City Council meeting, the City Council heard from residents living near Sliding Rock about the parking and other problems associated with Sliding Rock visitors. The City was instructed to put “No Parking” signs on cones around a blind section of the Fort Canyon road and prepare a report back to the Council on a way to address the issue.

Staff, including the Police Chief, met with the owner of Sliding Rock, to develop an approach to solving or mitigating this issue. The results of that meeting are attached.

<p>Council Action: The Council will approve an approach to mitigating or solving the parking problems faced by the homeowners who live adjacent to Sliding Rock.</p>

Potential Sliding Rock Solution

Now

1 - "No Parking" signs at corner of Meadowbrook Drive & Fort Canyon Road (Both Residents and Non-Residents on the basis that the road is too narrow and not safe for on-street parking).



2 - Police Enforcement (Parking Tickets)

3 - Start informing public of restrictions through Newline, Facebook, Twitter, KSL, Utah Valley Magazine, Pintrest, etc.

Spring 2014

1 - Police Enforcement (Trespassing Tickets)

2 - Update "No Trespassing" signs (Private Land Owners)

ALPINE CITY COUNCIL AGENDA

SUBJECT: Lambert Park Foundation

FOR CONSIDERATION ON: August 13, 2013

PETITIONER: City Council Member Troy Stout

ACTION REQUESTED BY PETITIONER: Approval to establish a fund receiving mechanism for people who wish to donate to the upkeep and improvement of Lambert Park.

APPLICABLE STATUTE OR ORDINANCE:

BACKGROUND INFORMATION: Council Member Troy Stout is interested in establishing a funding mechanism, outside of the regular city budget, for the upkeep and improvement of Lambert Park and other City public open spaces. The purpose behind this is to give people who want to donate to the upkeep and improvement of Lambert Park a place to give to.

Other cities have approached this in three ways. One is to set up a City Foundation. For instance, Highland City has a foundation for people to donate to the city. The board of the foundation is usually the city council. Another way is to set up a restricted account in the city for keeping donations separate from the general fund. A restricted account allows funds in those accounts to stay in those accounts from fiscal year to fiscal year and to be only used for purposes as approved by the city council. The last way is that cities encourage others to set up a vehicle to receive funds for a city purpose. The city usually has a representative on the vehicle that is set up but does not manage the vehicle.

<p>Council Action: The Council needs to decide if they want to be involved in setting up a vehicle for people to donate money for the upkeep and maintenance of Lambert Park and other city public open space. If the Council decides it wants to do this, then the Council should decide which vehicle it wants to use to do this.</p>

ALPINE CITY COUNCIL AGENDA

SUBJECT: No Motorized Vehicles in Lambert Park Discussion

FOR CONSIDERATION ON: 13 August 2013

PETITIONER: City Council

ACTION REQUESTED BY PETITIONER: For Council discussion and determination if a public hearing should be scheduled on limiting motorized vehicles in Lambert Park.

INFORMATION: The following is included for Council consideration:

1. Ordinance No. 96-07 (see attached ordinance and Council minutes). This included a discussion on whether to allow or not allow motorized vehicles in Lambert Park. No action was taken on Lambert Park.
2. July 16, 2002 PC Agenda Cover Sheet and Minutes (including a map of Lambert Park proposed areas that would allow motorized vehicles) and July 30, 2002 CC Minutes where the City Council adopted the PC recommendations with some modifications.
3. July 28, 2009 CC Agenda Cover Sheet and Minutes. The PRO Committee made a number of recommendations to the City Council regarding motorized vehicles in Lambert Park. The Council discussed the proposals at length but took no action. A map of how Lambert Park operates is included.

RECOMMENDED ACTION: For Council discussion and recommendation on whether to hold a public hearing on further limiting motorized vehicles in Lambert Park.

ORDINANCE NO. 96-07

AN ORDINANCE OF THE GOVERNING BODY OF ALPINE CITY REGULATING THE USE OF MOTORIZED VEHICLES IN CITY PARKS AND ON CITY TRAILS AND ESTABLISHING A PENALTY FOR THE VIOLATION

WHEREAS, Alpine City has and is establishing a park and trail system for the benefit of the citizens of the City and visitors; and

WHEREAS, the City wishes to protect the health safety and welfare of the users of the Alpine City park and trail system; and

WHEREAS, Alpine City has determined that its parks and trails are not appropriate for motorized vehicle use;

NOW, THEREFORE, be it ordained by the governing body of Alpine City that:

1. It shall be unlawful to use any motorized vehicle upon the parks and trails of Alpine City unless the area to be used is clearly posted by the City by sign as open to off highway vehicle use.

2. For purposes of this ordinance motorized vehicle shall include all motor vehicles designed for use on the highway, all recreational vehicles and all off-highway vehicles, whether registered with the State of Utah or exempt from registration by the State of Utah. For the purposes of this ordinance, motorized vehicles shall not include City maintenance vehicles, vehicles on official business or on City-sponsored activities.

3. A violation of this ordinance shall be a class C misdemeanor punishable by a fine not to exceed \$500.00 and or imprisonment for a jail term of not more than ninety (90) days.

4. This ordinance shall take effect immediately upon passage.

DATED this 14th day of MAY, 1996.



MAYOR:

James A. Hall

ATTEST:

Janis H. McLean
City Recorder

required as a condition of annexation. Mrs. Blackham said she was opposed to the amendment as written because she felt the City Council should be able to move forward on the annexation of parcels of less than five acres without waiting for a recommendation from the Planning Commission.

MOTION: Don Watkins made a motion to extend the meeting to 10:00 pm. Rob Bateman seconded. Ayes: 4 Nays: 0. Motion passed.

MOTION: Don Watkins made a motion to adopt Ordinance No. 96-06 which amended the Annexation Ordinance to allow the annexation of parcels of less than five acres without the preparation of an impact policy declaration, public hearing and 30 day waiting period. Kent Hanson seconded. Ayes: 2 Nays: 2. Mayor Hall voted aye. Motion passed. Pheobe Blackham and Rob Bateman voted nay.

Ordinance No. 96-07 - An Ordinance Regulating the Use of Motorized Vehicles in City Parks and Trails: Rob Bateman said there had been a lot of complaints about ATVs and other motorized vehicles tearing up the trails. This ordinance would prohibit motorized vehicles in parks and on trails, and attach a fine of up to \$500. An amendment was added excluding vehicles involved in official City business (such as lawn mowers and tractors) from the regulation. A notice would need to be placed in the Newsline informing people that motorized vehicles in such areas was a violation of the law and subject to a fine or imprisonment.

There was a discussion about providing a place where ATVs and dirt bikes could be operated legally, such as certain areas in Lambert Park. However, there was a lot of opposition to allowing motorized vehicle use in Lambert Park because it was suppose to be a natural park. Also, allowing such use would probably draw people from outside Alpine.

MOTION: Rob Bateman made a motion to adopt Ordinance No. 96-07 regulating the use of motorized vehicles in City parks and trails. A sentence would be added in part 2 stating that motorized vehicles did not include maintenance vehicles, vehicles on official business or vehicles at City-sponsored functions. Notification of this ordinance would be placed in the Newsline. Kent Hanson seconded. Ayes: 4 Nays: 0. Motion passed.

Ordinance No. 96-08 : This ordinance would amend the zoning ordinance relating to the permitted use of restaurants allowing drive-up service under certain conditions. The Council briefly discussed the possible ramifications of the ordinance, and a motion was made.

MOTION: Kent Hanson made a motion to deny Ordinance No. 96-08. Don Watkins seconded. Ayes: 3 Nays: 1. Motion passed. Pheobe Blackham voted nay because she felt such restaurants would be needed to expand the tax base.

Discussion on Business Licenses: Don Watkins suggested that, in the interest of time, this item be tabled, and be placed at the top of the agenda for the next meeting.

Payments on the Three Million Gallon Water Tank: Korey Walker represented Horrocks Engineers and informed the Council that there was a change order on the job which was included in the payment. Work was on schedule and he recommended approval of the payments.

MOTION: Rob Bateman made a motion to approve the partial payment to Paulsen Construction in the amount of \$28,316.00; the partial payment to Gerber Construction in the amount of \$183,604.68; and the final payment to Dunex, Inc. in the amount of \$71,251.80. Kent Hanson seconded. Ayes: 4 Nays: 0. Motion passed.

ALPINE PLANNING COMMISSION AGENDA

SUBJECT: Lambert Park- Motorized Vehicle Routes

FOR CONSIDERATION ON: July 16, 2002

PETITIONER: City Council

ACTION REQUESTED BY PETITIONER: Determine motorized vehicle routes in Lambert Park and make a recommendation to the City Council.

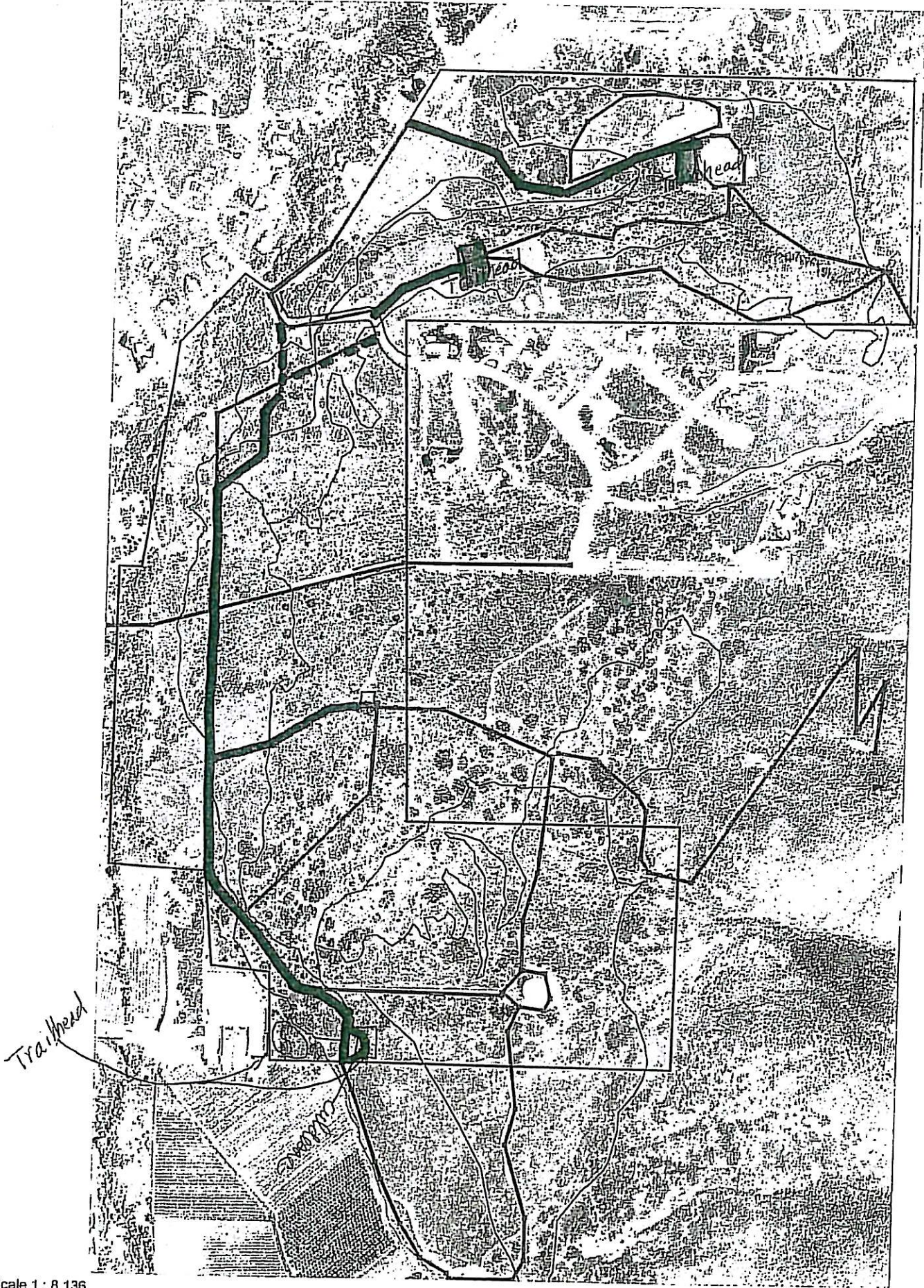
APPLICABLE ORDINANCE/STATUTE: Open Space

PETITION IN COMPLIANCE WITH ORDINANCE: Yes

INFORMATION: The City Council asked the Planning Commission and the Lambert Park Committee to determine routes for motorized vehicles to use in Lambert Park. I contacted Scott Frazier, Chairman of the Lambert Park Committee and invited the Lambert Park Committee to participate in the selection of routes for motorized vehicles. He felt that the Planning Commission was already familiar with the main alternatives for allowing motorized vehicles and he felt comfortable with the Planning Commission determining which routes would be approved for motorized vehicles

STAFF COMMENTS:

RECOMMENDATION: That the Planning Commission tour Lambert Park and determine the best routes to allow motorized vehicles and make a recommendation to the City Council



LAMBERT PARK MOTORIZED VEHICLE ROADS: Following the field trip to Lambert Park at the beginning of the meeting, and a discussion on the issue, the Planning Commission made the following recommendations on motorized vehicles in Lambert Park.

Shane Sorensen said City vehicles would need to get into the certain areas in Lambert Park for maintenance.

Jannicke Brewer said the Open Space Ordinance allowed City vehicles into the parks for maintenance already. She said she felt there should be a parking area at the Bowery and at the rodeo grounds. People could drive to that point and park, then walk or ride bicycles or horses if they wanted to go other places in the park.

The Commission discussed if they wanted to include off-road vehicles such as ATVs or snowmobiles on the roads where motorized vehicles would be allowed. It was agreed it would be dangerous to have ATVs or snowmobiles on the same roads as cars, and they decided to limit the vehicles to street-legal motorized vehicles.

The question was raised of allowing cars to the poppy fields and Lambert house. It was thought that the poppies would be further encroached on if cars were allowed to go up there and turn around. It was suggested a special permit be obtained at City Hall for the elderly, etc. who needed to drive to see the poppies.

MOTION: Steve McArthur moved to recommend to the City Council that the following roads in Lambert Park be open for use by motorized vehicles: 1) road to the rodeo grounds; 2) road to the Bowery; 3) Box Elder Drive to Moyle Drive; 4) the north/south road. The roads to the water tank and the Lambert House are specifically excluded. He further recommend that only street-legal vehicles be allowed on those roads recommended for motorized vehicle use based on a concern that further damage will be done to the environment by motorized vehicles. Phil Andrus seconded. Ayes: 5 Nays: 1. Motion passed. Mike Mickelson voted nay saying that he was opposed to motorized vehicles in the park except on the road to the rodeo grounds and to the Bowery.

OTHER BUSINESS: Shane Sorensen said there was an issue with the new junior high that needed to be resolved. Van Burgess hadn't liked the way the School District planned it and they had come back with another plan, which he showed the Planning Commission. No action was taken.

APPROVE MINUTES OF JULY 2, 2002

MOTION: Steve McArthur moved to extend the meeting to 9:40 pm, approve minutes of July 2, 2002 as corrected, and adjourn. Loretta Stevens seconded. Ayes: 5 Nays: 0. Motion passed. Mike Mickelson was not present at the time of the motion.

The meeting was adjourned at 9:40 pm.

to the Development Code regarding height of accessory buildings.

MOTION: Hunt Willoughby moved to schedule a Public Hearing for August 27, 2002 at 7:00 pm on the accessory building height requirements. Thomas Whitchurch seconded. Ayes: David Adams, Kent Hastings, Thomas Whitchurch and Hunt Willoughby. Nays: 1. Mel Clement voted nay. Motion passed.

E. LAMBERT PARK – MOTORIZED VEHICLES. Ted Stillman said the City Council referred the question of motorized vehicles in Lambert Park to the Planning Commission and the Lambert Park Citizens Committee. Scott Frazier, Chairman of the Lambert Park Citizens Committee, was contacted regarding their recommendation regarding motorized vehicles. Mr. Frazier stated that the committee had already addressed the vehicle issue and that he was comfortable with letting the Planning Commission address the issue. Mr. Stillman said the Planning Commission toured Lambert Park on July 16, 2002 and then made the following motion:

Steve McArthur moved to recommend to the City Council that the following roads in Lambert Park be open for use by motorized vehicles: 1) road to the rodeo grounds; 2) road to the Bowery; 3) Box Elder Drive to Moyle Drive; 4) the north/south road. The roads to the water tank and the Lambert House are specifically excluded. They further recommend that only street-legal vehicles be allowed on those roads recommended for motorized use based on a concern that further damage will be done to the environment by motorized vehicles. Phil Andrus seconded. Ayes: 5. Nays: 1. Motion passed. Mike Mickelson voted nay saying that he was opposed to motorized vehicles in the park except on the road to the rodeo grounds and to the Bowery.

Craig Skidmore showed the Lambert Park Committee's recommendation on the map the roads allowing motorized vehicles. Kent Hastings said he felt that sometimes we take the easy way out by limiting the park to licensed vehicles and felt that possibly we should allow everyone to enjoy this natural resource. Mel Clement said there were more residents who did not want ATV's in the park than those who want to see the ATV's continually tear up the park. Hunt Willoughby said he was willing to go with more signage and David Adams suggested that we try and allow the ATV's in the park but use plenty of signs, and then if it gets out of hand we could revisit this issue. Thomas Whitchurch made his recommendations and felt the loop road south of the rodeo grounds should be blocked and that this area should be preserved.

MOTION: Kent Hastings moved to adopt the Planning Commission's recommendation regarding motorized vehicles in Lambert Park but include the road to the Lambert house, the north/south road to the city boundary and delete all trails that connect to private property (map attached) and put signs up. Hunt Willoughby seconded. Ayes: David Adams, Kent Hastings and Hunt Willoughby. Nays: 2. Mel Clement and Thomas Whitchurch voted nay. Motion passed.

F. SECOND ACCESS FOR MORE THAN 20 LOTS. Ted Stillman said the current Subdivision Ordinance states "subdivisions with 20 or more lots shall provide two working accesses." This issue was debated by the City Council when Healey Blvd. was designated as the second access for Smooth Canyon Subdivision. The City Council asked the Planning Commission to review the second access issue and this was done at their meeting of July 2, 2002 with the motion being as follows:

Dale Porter moved to recommend to the City Council that no changes be

ALPINE CITY COUNCIL AGENDA

SUBJECT: Motorized Vehicles in Lambert Park

FOR CONSIDERATION ON: July 28, 2009

PETITIONER: PRO Committee

ACTION REQUESTED BY PETITIONER: Review PRO Committee's recommendation to restrict motorized vehicles in Lambert Park.

APPLICABLE STATUTE OR ORDINANCE: N/A

PETITION IN COMPLIANCE WITH ORDINANCE: N/A

INFORMATION:

Motorized Vehicles are currently allowed on many trails in Lambert Park (map attached). It has been an ongoing problem as motorized vehicles leave the roads and tear up the surrounding area. The PRO Committee addressed this problem at their meeting of June 17, 2009 and made the following recommendations to the City Council:

1. No motorized vehicles be allowed in Lambert Park except for on the main North/South road, the Bowery Road (ending at the Bower), and the Rodeo Grounds Road.
2. The designated roads be paved as soon as possible.
3. The PRO Committee plan parking areas near the roads.
4. Barriers and signage be erected as soon as possible.

RECOMMENDED ACTION: *Review the PRO Committee's Recommendations.*

C. MOTORIZED VEHICLES IN LAMBERT PARK

Ted Stillman explained that the City Council asked the PRO Committee to review the policy of allowing motorized vehicles on certain roads/trails in Lambert Park and showed the PRO Committee which trails in Lambert Park are approved for motorized vehicles. There has been a continuing problem of damage done to the park as motorized vehicles leave the designated roads. Jim Tracy said he had talked to the Fire Chief about this and said the Fire Chief's concern is that if any of these paths get overgrown he will not have emergency access. Ted Stillman said the main concern and problem is people leaving the road and tearing up the terrain. Another problem that has been occurring is the signs designating which roads are open to motorized vehicles have been destroyed. Jim Tracy said without proper signage that it is nearly impossible for people unfamiliar with the park to comply. April Cooper said motorcycles and four-wheelers probably cause most of the damage because they can get onto the really narrow paths.

Dave Fotheringham said the bottom line is if nothing is done, the problems will continue and asked if the status quo is acceptable or not. Jim Tracy said the police are not enforcing it. Ted Stillman said the issue was brought up at City Council and was referred back to the PRO Committee. April Cooper asked where the concern originated – if it came from someone who is just tired of hearing ATVs in the park or if it came from someone who really cared about the land. Jim Tracy said they do not know where it originated. April Cooper said she has been in the park on foot, horse, and in a vehicle in the past seven years and has not noticed any major deterioration. Larry Brown questioned if it were possible to talk to someone who was an expert in hillsides and get an opinion if it really is a big problem or if it could become one in the future. Bryce Higbee said most of the damage he has seen is along the trails, but does not know if there is damage in areas off the trails. Larry Brown said another problem is people have used it as a dumping ground in the past. Bryce Higbee says he has seen grass clippings dumped by the Lambert House ruins.

Jannicke Brewer said years ago when the City Council discussed this issue one of the main reasons motorized vehicles were allowed were so people could go up and see the poppies when they bloomed. Jannicke Brewer said she and Craig Skidmore would go up to Lambert Park quite often and saw a lot of damage done. Jim Tracy said many people are driving illegally on the streets to get to Lambert Park because they do not trailer them to the park. April Cooper said there are steps people can take to make their bikes street legal. Jim Tracy said one option to cut it down one step without completely banning them is to allow only licensed motorized vehicles. April Cooper said she thought whether or not an ATV was licensed, if someone saw other ATVs up there they would still ride without being licensed. April Cooper said she thought it would have to be all motorized vehicles or none at all.

Larry Brown asked what the vision for Lambert Park is and if it is going to remain open to motorized vehicle use then we have to openly accept that there is going to be some damage to the hillside. Jim Tracy asked if the police even drive into Lambert Park to enforce the ordinance. Ted Stillman said the police do have four wheel drive vehicles that can go in there and that Highland City is working closely with the police currently to eliminate motorized vehicle use along our shard boundary behind Pfeifferhorn Drive. Bryce Higbee wondered if we needed to have public input on this issue.

Jannicke Brewer said when the trail ordinance was first passed; the City had a committee that studied this issue in quite a bit of depth. In the hearings that have been held on this issue, public sentiment has been about 50-50. Bryce Higbee said most of the violators are people that live here in town. Dave Fotheringham stated he could see more trail development in Lambert Park and possibly some other improvements like picnic areas in the future. Jannicke Brewer pointed out that the Rodeo Grounds are within Lambert Park and we allow people to drive and park there and the City needs motorized access to the water tank. Jim Tracy said we could make those roads. Bryce Higbee said he would support paving a main road where people could drive through and park and access the park. Larry Brown said if we paved a couple of main roads those could

District has not cleaned up the easements for the past ten years but then this week crews were out taking down trees and structures that encroached on the easement. Jim Tracy asked about having a written agreement with the residents so they feel protected and also asked if there was some way the District could identify where their property begins and where the resident's property is. It was proposed that a gate be installed on the north side of Westfield Road and Shane Sorensen explained the history of the location of the Alpine City sign.

B. MOTORIZED VEHICLES IN LAMBERT PARK. Ted Stillman said that motorized vehicles are currently allowed on many trails in Lambert Park; however, it has been an ongoing problem as motorized vehicles leave the roads and tear up the surrounding area. The PRO Committee addressed this problem at their meeting of June 17, 2009 and made the following recommendations to the City Council:

1. No motorized vehicles be allowed in Lambert Park except for on the main north/south road, the bowery road (ending at the bowery) and the Rodeo grounds road.
2. The designated roads be paved as soon as possible
3. The PRO Committee plan parking areas near the roads
4. Barriers and signage be erected as soon as possible

Paving the roads in Lambert Park was discussed at length as well as signage on the trails. Thomas Whitchurch said there would be a learning curve and Jannicke Brewer said that signs were important. Ted Stillman said currently we have an ordinance that allows motorized vehicles in Lambert Park and said he was looking for direction as to whether to prepare an ordinance with this change. Jim Tracy asked if we couldn't use this as a survey item that was discussed in a previous City Council meeting. Mayor Hunt Willoughby said he would write his September Newsline article about this issue.

C. ACE DISPOSAL BOND. Ted Stillman introduced Richard Hammick from Ace Disposal and said the current Solid Waste Contract with ACE Disposal calls for a Performance Bond equal to four months gross revenue. ACE Disposal would like to amend the Contract to allow them to post a cash bond in the amount of two months of gross revenues. Richard Hammick said was a cost-saving measure for their company and David Church explained the purpose of the Surety Bond. We have had a good working relationship with ACE Disposal for seven years and there hasn't been any problems during this time. Jim Tracy asked Richard Hammick if ACE Disposal would consider lowering the cost of garbage service to the residents if we dropped the Cash Bond and Mr. Hammick said this could be looked at and considered. Mayor Willoughby said the driver who is in Alpine does an excellent job and the Council all said they hoped he would stay indefinitely.

MOTION: Tracy Wallace moved to approve the amendment to the Solid Waste Contract with ACE Disposal to allow for a cash bond. Thomas Whitchurch seconded. Ayes: Kimberly Bryant, Kent Hastings, Jim Tracy, Tracy Wallace and Thomas Whitchurch. Nays: 0. Motion passed.

D. OVERLAYS. Shane Sorensen said the 2009-2010 Budget includes funds for overlays. There were three firms who bid on the project as follows:

<u>Contractors</u>	<u>Bid Amount</u>
Staker & Parson Companies	\$144,880.70
Kilgore Paving	\$147,456.00
Geneva Rock Products	\$151,409.10
Engineer's Estimate	\$160,566.80

Shane Sorensen said that because of the amount of turns on the roundabout this will be included in the overlay project.

MOTION: Kent Hastings moved to award the bid for the 2009 Overlay project to Staker & Parson Companies