



TOWN OF ALPINE  
**COUNCIL MEETING**  
*MINUTES*

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*\*\* Minutes are a summary only of a tape recorded meeting \*\**

**DATE: August 18, 2009**  
**TIME: 7:00 p.m.**

**PLACE: Town Hall**  
**TYPE: Regular Meeting**

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Call to Order: Mayor Victoria DeCora called the meeting to order at 7:04 p.m.

Pledge of Allegiance: Mayor DeCora led attendees in the Pledge of Allegiance

Roll Call: Office Assistant Christine Wagner conducted roll call: Present: Shirley Brown, Troy Johnson, Don Jorgensen, Beau Taylor and Mayor Victoria DeCora. A quorum was established. Also in attendance was Town Administrator Deb Wolfley.

Minutes:

- (a) Approval of Town Council Meeting Minutes of July 21, 2009, Town Council Meeting Minutes of August 4, 2009 and Approval of Town Planning & Zoning Minutes for July 28, 2009.

**Councilman Taylor motioned to approve Town Council Meeting Minutes of July 21<sup>st</sup>, Town Council Meeting Minutes of August 4<sup>th</sup> and to Approve Town P&Z Minutes for July 28, 2009. Councilman Jorgensen seconded the motion.**

**Vote: 5 yes, 0 no, 0 abstain, 0 absent. Motion carried.**

- (b) Planning & Zoning Report: David Jenkins of the P&Z commission gave a brief report, from the August 11<sup>th</sup> meeting. The commission has approved a fence permit in Riverview Meadows they also approved a remodel permit in Lakeview Estates. The P&Z commission discussed the proposed shed over the lift station, the commission feels that they town should represent and set an example for the community and build to the town standards that have been established. Therefore the roof pitch on the project would need to be a 4/12 roof pitch.

New Business:

- (a) Myers-Anderson Architects, Mr. Jerry Meyers gave a brief update on the activities of the Civic Center project and additions on building schedule. Basically he is recommending the Council look at approving items on this list (Potential Scope Changes). These would be items the Council would like to see upgraded and/or any items that were deleted from the original bid. Because of the amount that the bid came in at, the original grant money is available so Council can think about adding items back into the building. Mr. Myers went over the list; there was approximately thirteen items that were previous cut from the budget and/or upgrades and there are approximately four additional items and/or requests by the State Fire Marshall for Council's consideration. The approximate costs are Two Hundred Sixty Thousand and there is approximately Four Hundred

Twenty Six Thousand Dollars in the budget; that comes out to a little over ten percent left for contingencies in the grant funding.

Public comment - Dave Jenkins asked about contractor bids and was this the only bid received. Mayor DeCora commented that the Town has hired a general contractor. Mr. Jenkins further asked can the general contractor get other estimates or are they only going to get this one. Mayor DeCora commented that the general contractor is responsible to get the bids from the sub contractors. Mr. Myers commented that the general contractor has gone back and revised their estimates several times. But, they have not gone back out to a competitive re-bid. Mayor DeCora stated that the general contractor is responsible for hiring the sub contractors however there is a contract limit on mark ups for the general contractor. Mr. Myers commented the numbers have been checked and balanced and the initial numbers were significantly higher. Mr. Myers further stated that he asked them to budget high and then bring numbers back in line with the budget. Mr. Jenkins asked about the insulation line item and stated the cost seems a lot for that upgrade. Mr. Jenkins, Mr. Myers and the Council discussed the type and style of insulation to be installed. Dave's concern that some of these seem to be high. Dave also asked about the thickness of the asphalt, it was stated that it would be four inches.

**Councilman Jorgensen motioned to approve all of the items discussed during the workshop to go forward with the Civic Center Project. Councilwoman Brown seconded the motion.** (Items discussed in workshop were not to exceed line item dollar amounts, green section of potential scope changes)

**Vote: 5 yes, 0 no, 0 abstain, 0 absent. Motion carried.**

(b) JL Hardy – Civic Center Payment Request #2 - Council reviewed the payment request, which includes the steel currently on the job site.

**Councilman Taylor motioned to approve payment request #2 for JL Hardy Construction in the amount of \$92,017.00. Councilman Johnson seconded the motion.**

**Vote: 5 yes, 0 no, 0 abstain, 0 absent. Motion carried.**

(c) 196 Ordinance No. 2009-52: Governing Rights-of-Way in Alpine – Council reviewed the Ordinance which will become a permanent ordinance that follows up the emergency ordinance. Council discussed some corrections that need to be made to the ordinance; Section IV - Limited Exceptions, 24 hours shall be replaced to **48** hours. Section II- Effective Date, shall have the 1<sup>st</sup> sentence deleted from the ordinance. Councilman Johnson asked what if someone wanted to asphalt the right of way. Council discussed low level- grade based improvements of no more than three inches above grade. The intent of the ordinance is to let the people still improve the right of way, but they are not allowed to impede the travel paths.

**Councilman Taylor motioned to approve the first reading of the Ordinance #196 No. 2009-52, Governing Right-of-Way in Alpine with the correction as discussed. Councilman Jorgensen seconded the motion.**

Mr. Dave Jenkins asked why the need for this ordinance, Council responded that this is a follow up to the emergency ordinance. Mr. Jace Walsh asked how this would affect vehicles remaining in the right of way during the winter with snow removal. How would the Town address that? Councilman Taylor stated that the snow removal ordinance would address that issue. He feels that it would be nice if there was language in this ordinance that would refer citizens to the snow removal ordinance. This would certainly help out with the confusion and clarify the issue. Councilman Taylor suggested the following language in the ordinance; notwithstanding the provisions of ordinance number XXX for snow removal. Tiphany commented that snow

removal is a whole other situation but maybe in the summer time it could be 72 hours for weekend visitors, just giving a little extra time for individual that do vacation here. Councilman Johnson addressed the 48 hours vs. the 72 hours and the Council felt that 48 hours was adequate, again it was stated the purpose of the ordinance is not to have vehicles parked in the road or to impede the travel path and/or right of way.

**Vote: 5 yes, 0 no, 0 abstain, 0 absent. Motion carried.**

- (d) Amendment to Snow Removal Contract – Town Administration Deb Wolfley discussed this amendment with the Council, as per Council’s previous discussion to change the entrance of the lift station road to a different location (River Bench Road). That would make the road 300 feet shorter and a costs savings of \$654.00; right now the figure for the road is \$3400. However, keeping in mind the Civic Center now will have additional parking area that will require snow removal and also the Child Development Center will also require snow removal. Mayor DeCora stated this is open for consideration, based on contract and the scope of work. Councilman Johnson asked about the road going to the waste water treatment plant and if it goes in front of the Child Development Center. Councilman Taylor commented on the shorted road and that there were two roads that were not included in the original bid, so Northstar is going to exchange the shorten road for the Child Development road and the additional parking lot, in exchange for the current bid.

**Councilman Taylor motioned to approve the amendment to the snow removal contract. Councilman Jorgensen seconded the motion.**

Public comment made by Tiphany Gayhart, she asked if it is possible would there be an avenue to open up new snow removal bids for other people to bid and possibly come in with a better rate. It has been mentioned at the last couple of meetings that it is a three year bid and concerns about locking into a three year bid. Mayor DeCora commented that the town is locked into a three year contract to lock into a certain costs. It is amended due to additional work as well as a cost of living index that were previous incorporated into the contract. Councilman Taylor stated they cannot renew the bulk of the contract, they can only amend it. Mr. Jace Walsh asked what year of the contract they are on; Mayor DeCora responded we are in year two of the contract.

**Vote: 5 yes, 0 no, 0 abstain, 0 absent. Motion carried.**

- (e) Resolution #309 Authorizing the submission to the State Loan & Investment Board for a loan through the State revolving funds on behalf of the governing body of Town of Alpine for the purpose of the Alpine Water System Improvements – Town Administrator clarified for the Council, this is an amended resolution that was passed in July and clarifies a couple of items as requested by the State. Council discussed the resolution, Mayor DeCora asked about 100% principal forgiveness, Councilman Taylor asked about the contributions made by Northstar. Councilman Johnson asked about the transmission line, he further commented that this can be changed and the monies do not have to be used. Mayor DeCora commented that this is for the stimulus monies from the Federal Government and there is a deadline to apply for the money. She further reiterated that we do not have to use the monies. Councilman Johnson again reiterated for the record that this resolution/grant can be changed, if we do not put the transmission line in, if we choose to go a different route. We are not obligated; he does not feel the need to charge residents more money to put this transmission line in for Northstar Utility.

**Councilman Johnson motioned to go ahead and apply for the Fifty Thousand Dollars which will be principal forgiveness, as long as this is can be revised and changed according to bids and Northstar Utility contributions. Councilman Jorgensen seconded the motion.**

Public comment by Ms. Tiphany Gayhart she wanted to go on record stating that in this current administration, over the past two and a half years there have been two major water fee rate hikes and our water usage was gone down. There has been some tremendous rate hikes, we do not have a water problem, what we have is an infrastructure that we are paying for on the other side of the bridge that is not contributing! If we take this to level three, in which applying for this stimulus money is doing, and getting this grant monies and proceeding with putting the infrastructure for the other side, we are committing ourselves to level three. Which she believes will then make this town responsible for paying back up to approximately 35% of this grant money used for this whole well project, people that is a lot of money. She cannot afford to pay these costs, please before you commit think about what is going on!

**Vote: 5 yes, 0 no, 0 abstain, 0 absent. Motion carried.**

- (f) CWSRF Loan Agreement #095 – State Lands & Investment/Town of Alpine for Phase II of the Sewer Collection System – Town Administrator address the council and commented on the principal forgiveness (page 9) Council reviewed the contract. Councilman Johnson mentioned to the rest of council and would like it noted, that this contract does require all USA made products. So when the contracts are reviewed they have to have the USA stamp. He thinks that is wonderful. Town Administrator also commented that this has been reviewed by the Town Attorney.

**Councilman Taylor motioned to approve the CWSRF Loan Agreement #095 – State Lands and Investments & Town of Alpine for Phase II of the Sewer Collection System. Councilman Johnson seconded the motion.**

Public comment made by Ms. Tiphany Gayhart, she asked about at the last town council meeting, we talked about the de-annexation of Forest Meadows Subdivision and that was tabled, she further stated the signatures are coming in and they are almost complete; so she would like to know why the Town would go ahead with Phase II in that area when you should save the money and put in into the Town of Alpine where it is really needed such as Lakeview Estates. Councilman Johnson commented that when he read the report the Council would still require them to hook into the water and sewer systems. Ms. Gayhart responded the report from Lincoln County stated that all they would have to do is to stay on the Town water system. In 1981 when Forest Meadows Subdivision was approved it was approved through Lincoln County, it is the lowest density area in the Town of Alpine and only requirement was they stay on the Town water system. Council discussed the de-annexation requirements and request. Councilman Taylor stated that Forest Meadows is just a part of Phase II, there are pump stations that will have to go in that area for Phase III of the system, plus there is other houses down in that area. Ms. Gayhart reiterated they are not surrounded by any other subdivisions they are boarded by the BLM by about 60 to 70 percent. Mr. Jace Walsh stated Phase I did not go along north south side of the bench and some parts of Meadows Drive is in Phase II. Mr. Walsh further asked if they had completely closed out Phase I. Mayor DeCora stated everyone is able to hook on to the system. Mr. Walsh asked if the contract was closed out, more specifically finished out with completing those roads. Town Administrator commented all the monies are allocated out; however there are a couple of issues as far as the survey markers, but there is still retain age as far as payment. Councilman Johnson asked about the asphalt on Trail Drive, what happened to that? Town Administrator stated that we were going to see where the bids came in on Phase II before committing to that. Councilmen Johnson, Taylor and Jorgensen stated that they committed to the repayment/asphalt on Trail Drive. Ms. Gayhart stated that it was committed; it was either 80 or 87 thousand dollars commitment and that affects everyone on Trail Drive. Mayor DeCora agreed to look into this matter. Mr. Walsh asked about the status of chip seal or anything along Meadows Drive; where it is all tore up. Councilmen Jorgensen and Johnson both stated that that was part of the repaving. Mayor DeCora made comments on the Trail Drive situation and until they get everyone hooked up to the system (south side of road); they will have to dig up across the road. Councilman Jorgensen stated, that is not so, they would be in contract

violation, there is a sewer stub to everyone's property. Mr. Diggs Lewis commented on how many people signed up on Phase I of the system. Mayor DeCora and Councilman Taylor responded that there were 55 of the 70 mandatory hook ups and of the non mandatory hookups there were approximately 45. Mr. Lewis asked when did this get turned in to the DEQ. Mayor DeCora stated that they can't and won't answer that question tonight.

**Vote: 5 yes, 0 no, 0 abstain, 0 absent. Motion carried.**

(g) Correspondence from Ms. Diana Taylor – Town Park - Town Administrator spoke to the Council in regards to the letter received, he had a meeting scheduled with Ms. Taylor, but was cancelled by Ms. Taylor. The meeting has been rescheduled for Thursday and he will be visiting with her about the plans for the Town Park.

(h) Contract with Steel Vision Contract for Maintenance Shop – The Town Administrator addressed the Council, stating in reviewing the tapes that it really was not clear as to the decision the Council made at the last meeting. The contract has been reviewed by the Town Attorney. Councilman Taylor stated that the P&Z Commission requested the four & twelve pitch roof it was emphasized that we should not be buying a building that our commission might not be able to approve. Councilman Johnson stated that he thought they were going to bring in the revisions for the roof plans. Town Administrator commented that we need to make sure that it is clear in the plans and with the Council. Mr. Dave Jenkins asked if it was already reviewed by the P&Z Commission. Town Administrator stated that the Town inspector has reviewed the initial plans, before the bids came in but we had to make some changes because of the price. Mayor DeCora stated that we need to have the plans approved by the P&Z Commission. Councilman Jorgensen reiterated that the roof pitch needs to be the 4 and twelve, because that is what the Town has adopted. Mayor DeCora proposed that we agree to sign the contract, pending review and approval of P&Z Commission for the current plans. Town Administrator commented that the contractor from Steel Vision stated that there will most likely be a price increase as it was bid as a summer project vs. a winter project such as additives in the concrete. For a saving on the price there is a deadline. Mayor DeCora stated that she is not going to sign a contract that P&Z Commission has not approved. Councilman Taylor stated he thought it was previously approved by the Council however the bays for the building have changed. Councilman Johnson agreed that we should have a set of plans before P&Z before anything is finalized and/or approved any payments.

**Councilman Taylor motioned we accept the contract with Steel Vision for the new maintenance shop contingent upon the fact P&Z Commission signs off on the plans at their next meeting and the Town Attorney signs off on the contract and the project comes within the budget. Councilman Jorgensen seconded the motion.**

**Vote: 5 yes, 0 no, 0 abstain, 0 absent. Motion carried.**

Mayor DeCora recessed the meeting at 8:09 pm. Mayor DeCora reconvened the meeting at 8:19 pm.

Tabled Items – On Going Business:

190 – Ordinance No. 2009 - 46: Breach of Peace  
Impact Fees

Department Updates:

Legal/Attorney: Mr. Stefan Fodor was not in attendance – No report was given.

Town Administrator: Deb Wolfley – A brief overview of the activities:

1. Payment Request #10 from Johansen Construction, Council reviewed request.

**Councilman Taylor motioned to approve payment request #10 for Johansen Construction, contingent upon received the require documentation for the Engineer. Councilman Jorgensen seconded the motion.**

**Vote: 5 yes, 0 no, 0 abstain, 0 absent. Motion carried.**

2. Structure of the Lift Station Project - Discussion on the footing, pitch of roof, roof overhang and snow load of the project. Sent plans back to Coast to Coast Carports for revisions. Got back to them, changes have been made and should receive those shortly and he will get them off to the Town Inspector and then off to the P&Z Commission. Will be on the next agenda.
3. Terrace Lane Retaining Wall – Still working on this project, surveyor is getting a signature page ready for property owner’s signatures (Ross, Jennings & Bard). This page will be available for Town Attorney review. Received an email from Mr. Dobler had a problem with the tape that was sent to him, requested a new one be sent to him. Also, Attorney Fodor was going to send a letter out to Mr. Dobler in regards to his property on Terrace Lane, not sure when that will be sent out. The question is when Mr. Jennings signs, do we have to wait for the rest of the signatures before we can start work on the retaining wall. Mayor DeCora stated that we need to wait on the boundaries lines before starting the wall.

Parks & Recreation: Shirley Brown & Victoria DeCora – Brief report given on the Ferrys Peak Park much thanks to Tim & Cindy Butera they have been great.

Water & Sewer: Don Jorgensen & Mayor Victoria DeCora – No report given

Streets & Roads: Don Jorgensen - No report given

Planning & Zoning: Designated Board Member & Victoria DeCora - No report given

Alpine Fire Department & EMT: Beau Taylor - No report given

Police Dept. / Court: James Phillips – Officer Phillips presented a written report. He added that after the emergency ordinance passed at last Council he has been up on Mountain Drive to hand out letters in regards to the ordinance. Fraud cases for the year are up 325 percent. Councilman Johnson commented on the Greys River Road and vehicles have been slowing down tremendously. Just wanted to thank you for being up in that area and in those subdivision, it has made a big difference.

**Councilman Johnson motioned to recess the regular meeting at 8:26 pm and go into executive session pursuant to Section 16-4-405 a (iii) Wyoming Statutes. Councilwoman Brown seconded the motion.**

**VOTE: 5 yes, 0 no, 0 abstain, 0 absent. Motion carried.**

Regular Council session reconvened at 9:05 pm.

**Councilman Taylor motioned to ratify action taken in executive session. Councilman Johnson seconded the motion.**

**VOTE: 5 yes, 0 no, 0 abstain, 0 absent. Motion carried.**

**Clerk/Treasurer: Councilman Jorgensen made a motion to pay the bills. Councilman Taylor seconded the motion.**

**VOTE: 5 yes, 0 no, 0 abstain, 0 absent. Motion carried.**

**Councilman Jorgensen motioned to adjourn the public meeting. Councilman Taylor seconded the motion.**

**VOTE: 5 yes, 0 no, 0 abstain, 0 absent. Motion carried.**

**The meeting was adjourned at 9:07pm.**



*Victoria DeCora*

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Mayor Victoria DeCora

\_\_\_\_\_  
Date

ATTEST

*B. Bennett*

\_\_\_\_\_  
Brenda Bennett, Treasurer

*9/2/09*

\_\_\_\_\_  
Date

