

# Town Council

## November 6<sup>th</sup> 2008

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Pre Meeting was held at 6:00 pm attending: Donn Wooden, Don Jorgensen, Shirley Brown, Beau Taylor, Mayor Victoria DeCora, Val Jensen, Attorney Stefan Fodor and Town Clerk Whitney Heller.

Mayor DeCora called regular meeting to order at 7:02 p.m. Mayor DeCora led the pledge of allegiance. Clerk held roll call, all present.

- ❖ Approval of town council minutes October 21<sup>st</sup> 2008. Don Wooden motions to approve said minutes. Don Jorgensen seconds. **VOTE: 4 yes; 0 no; 1 abstain; 0 absent. Motion Carried**
- ❖ Approval of planning & zoning minutes September 23<sup>rd</sup> 2008. Beau Taylor motions to approve said minutes. Don Jorgensen seconds. **VOTE: 4 yes; 0 no; 1 abstain; 0 absent. Motion carried**
  
- ❖ Ed Turner Update WWTP and discussion on change orders No. 1 & 2. Mr. Turner says the WWTP is nearing completion. Most of the pipe and fitting are installed and being tested. Enviroquip engineers were at plant Thursday, inspected and there is a checklist being completed. There is an open house scheduled for Monday the 24<sup>th</sup> from 4-6 pm. November 17<sup>th</sup> is the scheduled week of start -up date to see if all is working properly. Application for payment #10 for \$330,080.00 Donn Wooden makes motions to pay order #10 Shirley Brown seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion carried.** Approval of payment #2 for Enviroquip Don Jorgensen makes motion to approve payment #2. Beau Taylor seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion carried.** Change order # 1 and change order #2. Mayor ask for a motion to approve. Attorney Stefan Fodor asks to review the change orders before motion to approve. Mayor DeCora asks for a motion to approve change orders subject to Attorney Fodor's review of the change orders. Donn Wooden motions to approve subject to Attorney's approval to pay. Shirley Brown seconds. **Vote: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried.**
  
- ❖ Steve Chichinsky: Discussion donation of his land for daycare to Town of Alpine. This issue has been to P&Z and then received an ok from River View Meadows Home Owners Association. (Steve gave council handout with map). Says he has talked with Mary Flowers with River View Home Owners Association and there were improvements and then it was adjusted, talked with surveyor Lloyd Baker and calculations of common open space is a little over an acre Land will be deeded to daycare, the other commercial units will be approximately 1750 sq ft ea. Mayor DeCora ask what the plans are for developing? Mr. Chichinski says he is trying to sell property. Mayor DeCora asks if donation is to daycare provider. Steve Chichinski says no this is a donation to the town in the intent to provide a non profit daycare. Shirley Brown asks about snow

storage? Steve says the corners are designed for that purpose. Mayor DeCora says this is very generous and thanks him for his gesture. Mayor DeCora would like Attorney Fodor to review legalities of donation. Steve Chichinski agrees and says the legal language needs to be clear. Stefan Fodor adds that Steve's building application extension expires November 11<sup>th</sup> 2008 and in order to comply needs another extension applied for. Steve says he will write letter to council for an extension of permit.

- ❖ Tiphany Gayhart discussion of overcharging of water being turned on & off at car wash. Tiphany says she owns the Alpine car wash and the last several years has the water shut off for the winter, in the spring the water is then turned back on by the Town of Alpine. Tiffany Gayhardt would like clarification on charges of \$150.00 for each turnoff. Attorney Stefan Fodor says the fees are referenced to 156-Ordinance No 2007-12. Mr. Fodor reads Ordinance and says that the ordinance states the \$150.00 disconnect fee to turn water off and the \$150.00 fee to turn water back on for are for instances where the Town has taken action for non-payment. By contrast if the customer requests that the service be interrupted, the \$30 fee applies. He then stated that if the facts are as presented by Ms. Gayhart, then the car wash is entitled to a refund. Attorney Stefan Fodor suggests bringing in cancelled checks for refund for the years that were over-charged.

Meeting recessed at 7:55 pm Meeting reconvened at 8:05 pm

- ❖ P&Z Recommendation for open seat of Planning & Zoning. Mayor DeCora says she would like to nominate Carla Stone for the open outside seat for Planning & Zoning. Beau Taylor accepts, Donn Wooden accepts, Don Jorgensen accepts, Shirley Brown accepts. Carla Stone will be appointed next council meeting November 18<sup>th</sup> 2008.
- ❖ **1<sup>st</sup> Reading : 184-Ordinance No. 2008-40 AN ORDINANCE TO REPEAL AND REPLACE 156-2007-12 TO ESTABLISH AN ORDINANCE REGULATING WATER CONNECTION FEES, WATER USAGE RATES, AND WATER BILLING AND COLLECTION POLICY.** Mayor DeCora says the council had refunded a bill at last council for water fees, there is an ordinance 156 in effect and there is a misunderstanding to why there was refund of water bill. Mayor DeCora says we had made a mistake. There was full service to property with pit set and charges do apply. Beau Taylor says there was indeed a misunderstanding when pit was dropped. Stefan Fodor suggest reading the first ordinance and if any changes could be submitted to council prior to the next readings. Mayor DeCora asks for a motion that 156-Ordinance No. 2007-12 to stay in effect. Don Jorgensen makes motions to leave 156- Ordinance No. 2007-12 in effect and table 1<sup>st</sup> reading of 184- Ordinance No. 2008-40 for further review. Beau Taylor seconds. **Vote 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried.**

❖ Discussion 1<sup>st</sup> reading on proposed 185-Ordinance No. 2008-41. AN ORDINANCE TO REPEAL AND OR REPLACE 178-ORDINANCE NO. 2008-34, 150-ORDINANCE NO. 2007-06 and 107-ORDINANCE NO. 2004-04 AND TO ESTABLISH AN ORDINANCE REGULATING SEWER CONNECTION FEES, SEWER USAGE RATES, AND SEWER BILLING AND COLLECTION POLICY. Beau Taylor motions to table 185-Ordinance No. 2008-41 for further review. Don Jorgensen seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion carried.** Josh Floyd asks to update the Council about the sewer committee meeting held last week and suggestions were heard and the committee did agree on issues in regard to sewer connections. The recommendations of the committee were to adopt the foundation plan with financing for all mandatory connections and it was suggested to be at 4% for 20 years which works out to be around \$28/month for residential users. It was also recommended that there be a discount for old and disabled residents that meet certain income limits.

Stefan Fodor asks for an executive session as to State Statute 16-4-405.

Unpaid Bills: Beau Taylor motions to pay unpaid bills Don Jorgensen seconds. **Vote: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried**

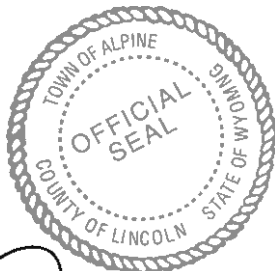
Regular meeting recessed at 8:46 to go into executive session as per State Statute 16-4-405

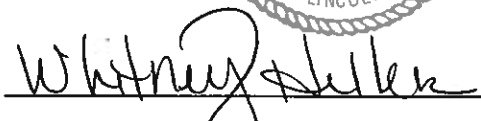
Regular meeting reconvened at 9:20 pm. Donn Wooden motions to ratify action taken in executive session. Beau Taylor seconds. **Vote: 5 yes; 0 no; 0 abstain; 0 absent. Motion carried.**

Issue of Margine Jensen refund request, Donn Wooden would like to see a refund of fees and sees this more as a regular building permit. Stefan Fodor suggests that this is a plat review and the fees are set out in ordinance and building permit application (discussion on appropriateness of fees). Don Jorgensen would like to see a line item cost on this case. Attorney Fodor will draft letter in regard to fees under ordinance and explain actual costs in this instance for the plat review.

Regular meeting recesses at 9:30 pm. Beau Taylor motions to recess regular meeting. Don Jorgensen seconds. **Vote: 5 yes; 0 no; 0 abstain; 0 absent. Motion carries. Meeting recessed at 9:30 pm.**

ATTEST:



  
Town Clerk, Whitney Heller

  
Mayor, Victoria DeCora