

Town Council

December 2, 2008

*Clerks' notes are summary only of meeting.

Present: Donn Wooden, Shirley Brown, Mayor Victoria DeCora, Beau Taylor, Don Jorgensen, Attorney Stefan Fodor, Administrator Deb Wolfley and Town Clerk Whitney Heller.

6:00 pm pre-meeting all in attendance as well as Myers Anderson Architecture to discuss draft plans for the Civic Center.

Regular meeting called to order at 7:02 pm. Mayor DeCora led the Pledge of Allegiance, Clerk Whitney Heller called roll. A quorum was established.

Town Council Minutes and Planning & Zoning Minutes: None available for approval.

Ed Turner & Bob Norton Update on of WWTP and approval of pay application #11 for Moltz Construction. WWTP is moving along well there was an open house held at treatment plant last week and 14 people attended with a tour. Clean water test are being done through pumps and air-raters and should be done by tomorrow and sewage will be dumped in by end of week. Pay request for Moltz constructors for \$389,350.00 total amount of work completed 95%. **Mayor DeCora asks for a motion to approve pay application #11. Donn Wooden motions. Shirley Brown seconds. All Favor.**

Tiphany Gayhart: Discussion of reimbursement of weeping charges of car wash. Tiphany says the Town newsletter mentioned dripping of water so pipes wouldn't freeze. Mayor DeCora says ordinance 156 section 5 says there are no waivers on fees. Mayor DeCora says the newsletter was a recommendation only, was just to remind people if pipes are going to freeze to let them drip. Deb Wolfley says there has been only been one adjustment, typically water bills never gone over in winter. Tiphany says our lines are bigger and water usage bigger.

Discussion: (Proposed change to sewer ordinance) 2nd reading 185-Ordinance No. 2008-41 (replace & amend 178-Ordinance No. 2008-34) sewer. **Don Jorgensen ask to motion to table until public workshop until Thursday Donn Wooden seconds.** Donn Wooden says there is still much work to be done. The public hearing was not held and now there is an ordinance that is not held with financial plan. Mayor DeCora asks why you are focusing on business part when the residents are the ones who are suffering. Donn Wooden says we need to focus on community, we will not be able to annex north of the river with the rates we have now. (Discussion in audience) Mayor DeCora gives Donn Wooden past workshop minutes and states we are here now. Speaker also agrees to wait until Thursday's meeting and the town is in the right direction. Carla Stone says phase 1 is all business and it seems the businesses are being tapped. We do have attorneys and presenters to have at Thursday's meeting to go over our financial plan. Stefan Fodor says the DEQ violation prompted the new plant. Don Jorgensen says maximum flow is also based on bacteria, River View Meadow needs to be taken care of and the benches and the DEQ agreed to this plant. Steve Fusco as a homeowner with 15 year septic tank and I will be forced to abandon tank when it is good for another 15 years I cannot hook into sewer. Stefan Fodor says there is a

motion pending to table 2nd reading. This will keep 178 ordinances in effect Jan 1 2009. Mayor DeCora reiterates Attorney Stefan Fodor said if this second reading is not read the old ordinance will be in effect January 1st 2009. Stefan Fodor says there can be amendments to ordinance 185 and the fact remains the loan payment will still be due. Stefan Fodor says there is a legal problem with proposal from the Business Alliance plan; you cannot tax a property that is not going to benefit. Wyoming State Statute requires property tax to be specifically benefited. Your proposal is illegal says Attorney Fodor. Diggs Lewis would like the people to vote for this. Mr. Fodor says constitutional article says you can not tax past your mill levy. Donn Wooden says the cemetery district can impose tax on the people what is the problem? Stefan Fodor says Hospital and Cemetery's are exempt from this by the Wyoming Supreme Court as they are non-essential government services. Stefan Fodor says when phase 2 and 3 hook in those will have to pay connection fees also; financial plan is for phase 1 only right now. Don Jorgensen says this plant was built to accommodate all 3 phases and would benefit all phases. Stefan says the business proposal of phase 1 is paying for plant at this time, where will the money come to pay for phase 2 and 3, you are going to double tax phase 1 and your plan will not benefit those not hooked in of other phases. Beau Taylor says we need to discuss Phase 2 we do have money left over. Mayor DeCora says we will continue this on Thursday, now we have a motion on table to table the 2nd reading. **VOTE: 3 yes; 2 oppose; 0 abstain; 0 absent. Motion carried.**

Contract for Nelson Engineering design of Town Maintenance Shop: Deb Wolfley says Stefan Fodor has changes worked out and Nelson Engineering is agreeable to contract. Jeff Attwood says this did not go out to bid. Stefan Fodor states that a services contract need not be bid. Deb Wolfley says preliminary work was done already as far as soil samples saving time and money for the town. Decision was made to have contract with Nelson for maintenance shop, the grant money is from the state to use for this. Mayor DeCora says the building will go to bid. Kennis says we paid for the information and that information should be shared to any other engineer to move forward with where we are at. Sue Attwood asks for a second opinion. Administrator Deb Wolfley says it is not required for this to go out for bid and we already had engineering services at this time. Don Jorgensen says this will be a storage shed for equipment and water pits and so forth. Mayor DeCora asks for a motion **Beau Taylor motions to approve Shirley Brown seconds. VOTE: 4 yes; 0 no; 1 abstain; 0 absent. Motion Carried.**

Application for payment No #8 Johanson Construction Inc (collection system). Leon Kjellgren says he is surprised that you wanted breakdown as nothing is new as per all other payments in past. Stefan Fodor says he is pleased with the breakdown. **Mayor DeCora asks for a motion to approve payment #8. Beau Taylor motions to approve. Don Jorgensen seconds. All in favor. Motion carried**

Speaker comments about line going over Snake River and heard it is not in regulation and would like Nelson Engineering to explain. Leon Kjellgren says he cannot speak for DEQ. Nelson Engineering has not approved the crossing and can not make that determination will have to call in to Ty Ross to know the end result. North Star is maintaining line the town has no liability, the town will not accept any infrastructure for NSU until it is tested. I do not want to see any pollution but until I get information of profile under the river bed I cannot make that comment.

Meeting Recessed at 8:15 pm Meeting reconvened at 8:25 pm

Architecture Jerry Myers (civic center) would like to know on police department needs. There was discussion on raising pitch for playing basketball. Deb Wolfley says we would like to go to bid in February 2009 for construction.

Department Updates:

- Stefan Fodor: 185- Ordinance appears will not pass at end of year, Leon Kjellgren resigned at the end of 2008 and feels it is in town's best interest to have Leon Kjellgren see this ordinance out. If not, this will cost the town a lot of money.
- I handed letter to you today in regard to Chichinsky and summarizes what happened and basically explains what has transpired in past and what steps need to be done to keep moving forward. The letter to him explains this clearly.
- Spoke at length with Casper attorney about donation of land to town and it has been a potential pitfall there are things to consider and I will be sending an email to council at a later time in reference to this.

Troy Johnson asks what is time frame of new engineering company after Nelson engineering resignation. And feels Leon Kjellgren staying on through passing of 158-ordinance is a good idea and beneficial to town. In regard to donation of land it is given to specific use, the town is not in business of daycare. And then changing the land to commercial and feels the need to watch when people want to donate land. All it is for the town to maintain. Mayor DeCora says she agrees.

Discussion: procedures of Thursday's workshop amongst council and public.

Deb Wolfley says he concurs with Stefan Fodor recommendation of Leon Kjellgren staying on throughout reading of 185- ordinance. There were water breaks in town 2 weeks ago they were very old, there is funding from SLIB Board for infrastructure and engineering services. We do have projects that we need to get working on. Handed in packets of resumes of Jorgensen & Associates and Sunrise engineering both companies have good qualifications. What step would you like to take on decision of who to go with or follow up interview? I have given you mileage rates and prices of 2 engineers. We need to get something decided. Mayor DeCora would like to see the mileage negotiated and would rather have a fixed charge than a mileage rate and to have the engineers come back on January 6th at workshop of both engineers.

Unpaid Bills: N/A

Deb Wolfley gives handouts of Alpine Fire Department from 7/1/08 to 12/01/08. Mr. Wolfley says the Wyoming Rural Development council would like a follow up report in spring. There are a few things that we can start doing. Mayor DeCora says there are many resources in review.

Don Jorgensen motions to adjourn meeting. Beau Taylor seconds. All Favor. Meeting adjourned at 9:29



Victoria DeCora

Victoria DeCora, Mayor

ATTEST:

Whitney Heller

Whitney Heller, Town Clerk