

TOWN OF ALPINE

MINUTES

JUNE 19, 2007

Mayor DeCora called the meeting to order at 7:04 pm and held the pledge of allegiance.

A quorum was established by the treasurer through a roll call. Council members present: Don Wooden, Shirley Brown, Don Jorgensen, Town Turner. Other staff in attendance: Town Police – James Phillips, Town Attorney – Elizabeth Koeckeritz, Town Clerk – Kimberlee Jansen absent & excused. .

COUNCIL MINUTES: June 5th, 2007. Mayor DeCora asked for a motion to pass the council minutes for June 5, 2007. **Don Jorgensen so moved. Tom Turner seconded. Vote: 5 – Yes; 0 – Opposed; 0 – Abstain; 0 – Absent. Motion carried.**

PLANNING & ZONING MINUTES: No minutes were available at this time.

PUBLIC HEARING SALL ENTERPRISES: re –plat request. Conceptual plat review for proposed re-plat of Lot 3-A.2 of the Palispark Subdivision. Planning & Zoning recommended approval of the conceptual plat pending the Fire Departments review. Leon Kjellgren comments are included in the building packet. Council was given the plat map and the recommendations from the fire department. The Town of Alpine will be responsible to move an old fire hydrant across the street. The fire department wants to see two new hydrants put in place at the developers expense to bring the development up to fire code, as there needs to be a hydrant every 500 feet. Fire department has stated the fire access is great. Mayor DeCora asked for a motion to approve the conceptual plat for SALL Enterprises with the stipulation that the developer will at their expense put in the two fire hydrants that are located on the map per the fire departments recommendations for code purposes. **Tom Turner so motioned. Don Wooden seconded. Vote: 5 – Yes; 0 – Opposed; 0 – Abstain; 0 – Absent. Motion carried.**

PUBLIC HEARING E & D INC. / ROBINSON LLC: re – plat request. Conceptual plat review for the proposed re – plat of part of Lake View Estates incorporated Tract F. P & Z recommended approval with the condition of no further development of the lots due to setbacks and existing

buildings. Council was giving the plat map and the recommendations from the fire department. The fire department wants to make sure the egress easement is appropriately marked as per the Fire Apparatus Access Roads code. The road is over 150 feet, so there must be an approved turn around which needs to be shown on the plat map. The developer needs to add a fire hydrant at their expense at the back of the lot. The developer has to keep and retain the 10 foot set backs along the propane tank next to Yankee Doodle's. Paula from Surveyor Scherbel's office arrived and will come to the office to get the list of things that need to be done on the plat map. Mayor DeCora asked for a motion. **Don Wooden motioned to table this until the next meeting when they can have the road and other corrections made and put on the map. Shirley Brown seconded. Vote: 5 – Yes; 0 – Opposed; 0 – Abstain; 0 – Absent. Motion carried.**

ALPINE CDC PROJECT: Update and presentation by Kay Gogal and the architect Newell Goldberry.

Kay said that the square foot cost back in 2005 was \$125.00, now that cost is \$145.00. So they are back looking for what they can build with their grant money. They cannot build with the money they have so they have put together a proposal (see attached). They want to continue to use the money to secure a building just like the new library. There are two options which they would like the town to consider, they would like to go with option two which is a bigger building for approximately \$50,000 more. The town would not be responsible for that cost, it would be up to LUCDA to write grants to get the rest of the money. They would like to secure the building, do the concrete, footings, and foundation with the money that is available now then continue forward with grants to finish the building. You only have so much time to spend the grant money or it will go back so they want to get going on this now. What they need from the town is a letter of approval to accept option #2 so they can go forward. This will not cost the town anything extra, LUCDA will have to come up with the rest. Actual construction on site will not begin until next April of next year. **Don Wooden asked the Mayor for permission to keep this going forward to make a motion that we approve option #2 with the provision that no direct costs will be accrued by the town.**

Shirley Brown seconded. Vote: 5 – Yes; 0 – Opposed; 0 – Abstain; 0 – Absent. Motion carried.

Kay also had one other request. In the original grant there is an estimated 26 thousand dollars cost to run and hook up water and sewer to the building. She wanted to know if there was any way that this cost could be waived for this project. If so, that would be added monies to be re-put into other costs for the building. Mayor DeCora said she could not answer that at this time, but it will be considered.

ALPINE MEADOWS ANNEXATION: Discuss and review information guideline from Elizabeth Koeckeritz. Elizabeth has given the Mayor and Council a guideline for annexation. The Town is just about ready to start annexing. There is a time line in the guidelines in which we have to follow in order to make this one go smoothly. The only property included in this will be Alpine Meadow's, she feels we need to do one at a time to make sure we have every thing figured out before we go forward. The only things that need to be finalized are the annexation agreement, impact fees, and the franchise agreement for water. There is a resolution that can be read tonight to get the ball going but that is up to the mayor and council to decide. Every thing we need to do is in the guideline packet that Elizabeth has given. Mayor DeCora has been working on the impact fees and has made a spread sheet for this. When it is final, she will make it available to council. So far in her findings she feels we are going to need over 7 million dollars over the next 5 years to pay for growth. Impact fees are a legitimate way to help pay for the growth. If monies received for impact fees are not used for what they were intended for, the money will have to be returned. The impact fees and the new zoning ordinance will have to be in place before annexation can begin.

Treasurer asked what the Mayor wanted her to do with this issue. Elizabeth and Mayor DeCora would like it placed under on going business.

3RD READING 154 – ORDINANCE NO. 2007-10: Municipal Tax Levy for Fiscal Year 2008. Mayor DeCora read title and asked for a motion to approve the 3rd reading of 154 – Ordinance No. 2007 -10. **Don Jorgensen motioned to pass the 3rd reading of Ordinance #154 – Ordinance No. 2007 – 10. Don Wooden seconded. Vote: 5 – Yes; 0 – Opposed; 0 – Abstain; 0 – Absent. Motion carried.**

3RD READING 156 – ORDINANCE NO. 2007 – 12: Water Fees. Mayor DeCora read title and asked for a motion to approve the 3rd reading of 156 – Ordinance No. 2007 -12. **Don Wooden so motioned. Don Jorgensen seconded. Vote: 5 – Yes; 0 – Opposed; 0 – Abstain; 0 – Absent. Motion carried.**

2nd & 3rd READING 157 – ORDINANCE NO. 2007-23: Town of Alpine budget FY 07/08. Attorney Koeckeritz informed all that state statute states you have to read them on 3 different days. The 3rd and final reading could be read tonight as an emergency but she suggests to read it again a 3rd time. She feels that this is a justified emergency. Treasurer stated in the past the council has come in before a Planning & Zoning meeting to have the final reading. It will have to be advertised at least in 3 different public places. Mayor DeCora read the title for the 2nd reading of 157 – Ordinance No. 2007 -23. Mayor DeCora asked for a motion to approve. **Shirley Brown so motioned. Don Wooden seconded. Vote: 5 – Yes; 0 – Opposed; 0 – Abstain; 0 – Absent. Motion carried.**

The next reading (3rd reading) will be read Tuesday the 26th of June at 6:30 so as not to cause problems with the Planning & Zoning meeting.

DEPARTMENT UPDATES:

Legal: There is an irrigation well ordinance that was put in the packets late today. It has been shared with Terry Moore (Grey's River Cove issue); he has no problems with the ordinance. She feels that it is important to pass this ordinance incase some one else comes in and wants to get their well up and running. There is a sunset date of February 28th, 2008. Grey's River Cove is ready to come in to pay their fees and get the permit. There is an attachment A which can be used as a draft or the permit itself. There is a spot for additional comments or stipulations. That is where we write in that they understand that this will be gone at the end of this summer. Mayor DeCora added that the fees imposed for this didn't even cover Elizabeth's legal fees. Shirley Brown feels we should amend it to at least cover the attorney fees and the town employee's time. We cannot do this with Grey's River Cove as the price was already set for them. If we do this in the future the cost will be looked at again. Mayor DeCora read the title of ordinance 158 – Ordinance No. 2007 -14 as council was comfortable with it. Mayor DeCora asked for a motion to

approve. **Don Wooden so motioned. Don Jorgensen seconded. Vote: 4 – Yes; 0 – Opposed; 1 – Abstain (Mayor DeCora); 0 – Absent. Motion carried.**

Elizabeth Koeckeritz gave her letter of resignation due to conflict of interest with in her firm (see attached). She will be resigning at the end of the month. Over the last couple of weeks she along with the Mayor and Shirley Brown has been talking to different attorneys to take her place. She along with the Mayor and Shirley Brown would like to introduce Stefan Fodor as the potential new Town Counsel. He was asked how long he has been an attorney, if he had any municipal back ground, if his firm had any thing to do with any of the development going on down here at this time. Mr. Fodor did say that at one time his firm did in fact do some work for Mike Halpin regarding road application. Mr. Wooden would like to get some body that has prior municipal experience and the state of Wyoming. Some one that is total disengaged from any thing that is going on up there some one that will concentrate right here. He feels that we are totally vulnerable right now. He would like to take more time to look longer. Elizabeth gave names of all attorneys' that have been contacted and declined. Mr. Fodor wanted to know what Mr. Wooden meant by allegiance to the town and if he said that because his firm is based in Teton County and they had done work for Mr. Halpin in the past. Mr. Wooden said it was related to a past association, more directly they had done work for Halpin who is a developer who is looking out for his self. Which means the Town is going to have to find some one that can be just as strong and look out for our end. Mr. Wooden would like to make a couple of phone calls and to broaden our search a little bit. Mr. Wooden was concerned that the Council hadn't had a chance to visit or interview Mr. Fedor. Mayor DeCora said that that is why he is here tonight so they could meet him and ask questions. Don Jorgensen agrees that it is not easy to find any one as most firms are busy or do not want to deal with municipal laws. He feels that it may be an asset as he has dealt with developers up in Teton County so he might have some inside knowledge to help approach developers here. Elizabeth has made herself a resource to Mr. Fodor. Shirley Brown also mentioned that Mr. Fodor has dealt with sewer issues before so he knows about DEQ, impact fees, violation notices. Mayor DeCora asked for a motion to approve Stefan Fodor as our new town attorney. **Don Jorgensen so moved. Shirley Brown seconded. Vote: 4 – Yes; 0 – Opposed; 1 – Abstain (Don Wooden); 0 – Absent. Motion carried.**

Mr. Fodor wanted the entire council and Mayor to know that he would like to get a representation agreement to the council so they can review it before the next council meeting so we can formalize the relationship. He also wanted the council to know that not only did they just hire him, they hired the whole firm. That is the way they work. The firm will be paid the same amount that Elizabeth was making.

Streets & Roads: No bid packets were turned in on the RVM project. Elizabeth talked with WAM and was told the best thing to do is to contact a couple of contractors to let them know it is out there. Talk to the people who did pick up packets and see if there is some thing we can change to make the bid look more attractive to them. When we do get interested parties we will have to re-advertise for the bid. It will still have to be a sealed bid to be opened in a council meeting. We need to make it more biddable to contractors. Shirley Brown said we need to get it done as soon as possible as it is getting late. If we wait till next year, costs will go up.

Water: Ordinance No. 160 is an ordinance for the water franchise. It is does not need to be passed tonight as it came in very late. This does need to be passed before annexation can occur. Mayor DeCora asked if the council would like to review this or read it. **Don Jorgensen motioned**

to be able to review this before it's first reading. Don Wooden seconded. Vote: 5 – Yes; 0 – Opposed; 0 – Abstain; 0 – Absent. Motion carried.

Sewer: Policy & Procedure on grease trap order. Elizabeth made the ordinance clearer to understand. That is the only changes that have been made. She would like the council to review it. She would also like to make it an ordinance instead of just a policy & procedure for better back up and more strength as the council would have put it to a formal vote.

Mayor DeCora met with Leon, John, Maria, and Lee at the sewer plant on Monday night. All four of the experts recommended that we do not lift the moratorium on our sewer. On June 4th, the Mayor, John, Maria, and Lee sat down to have a meeting trying to figure out where to go from here. There has been a lot of conflict with our operator and the consultants on how the plant should be run. The question was asked who was in charge. We are obligated to our operator's license so therefore Lee is in charge. In the last 10 days we have gone back wards with our plant. Clear Water Operations resigned today for specific reasons (see attached letter).

Police Department: Chief Phillips wanted to thank Attorney Koeckeritz for all she has done for the police department and her good work. He also wanted to welcome Stefan. He informed the council about the dunk booth at Mountain Days, the use of a tazor cartridge on a local pit bull that decided he did not want to be nice, and that a drug bust Officer Gizas was in on helped to put a guy in prison for 3 to 5 years. Recently Chief Phillips with a little bit of help from a nice letter Don Wooden wrote received a safety award for excellence in law enforcement. He feels this is a very positive thing for the Alpine Police department and the Town in general.

Mayor DeCora asked for a motion to pay the bills. **Shirley Brown so motioned. Don Wooden seconded. Vote: 5 – Yes; 0 – Opposed; 0 – Abstain; 0 – Absent. Motion carried.**

Mayor DeCora asked for a motion to go into executive session to discuss employee issues. **Don Wooden so moved. Shirley Brown seconded. Vote: 5 – Yes; 0 – Opposed; 0 - Abstain; 0 – Absent. Motion carried.**

Meeting closed at 8:25 pm to go into executive session.

ATTEST:

Victoria DeCora, Mayor

Date

Brenda Bennett, Treasurer

Date

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