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**TOWN OF ALPINE  
COUNCIL MINUTES  
AUGUST 2ND, 2005**

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Mayor David Lloyd, called the meeting to order at 7:02 p.m. and held the pledge of allegiance. A quorum was established by the clerk through a roll call. Council members present: D.R. Hutchinson, Steve Fusco, Don Jorgensen, and Kathy Swiston. Also present Mayor David Lloyd. Others present: Brenda Bennett, Treasurer; James Phillips, Chief; Garren Stauffer, S.V. Independent; Jeremie Moore, Big-D/ Signature Construction; Donn Wooden; and Bob Pelletier.

**A. ACTION ITEMS AND NEW BUSINESS:**

- **COUNCIL MINUTES:** Mayor Lloyd called for a motion to approve the July 19th, 2005 minutes. **D.R. Hutchinson motioned to approve. Kathy Swiston seconded. VOTE: 5– Yes; 0 – No; 0- Abstain; 0- Absent**
- **PLANNING & ZONING MINUTES:** - *None Available – pending chairman approval.*
- **1st National Bank --- C-04-05 Commercial Building Permit** – Jeremie Moore, Contractor, advised the Council the bank's building permit is pending approval from the Planning & Zoning Commission which should come at next Tuesday's meeting. Essentially, Mr. Moore asked council to give a conditional approval of the permit as long as the conditions ordered by the P&Z Commission are met by next Tuesday P&Z meeting. The conditions are:
  - 1) Obtain an easement from the Hunsakers to allow access near the grocery store parking lot
  - 2) Verify engineering for the roof trusses
  - 3) Add 2 parking spaces into the design of the parking plan
  - 4) Define the species of landscaping foliage

Mr. Moore advised he has no problems with adhering to these requests and should meet the deadline by next Tuesday's, P&Z meeting. Mr. Fusco felt like he would like to wait until the P&Z Commission meets and approves the permit before the Council passes an approval. **D.R. Hutchinson motioned to approve the commercial building permit subject to the P&Z Commission's approval. Kathy Swiston seconded. VOT: 4-Yes; 1-No (Steve Fusco); 0- Abstain; 0-Absent**

- **Lighting Entrances to River View Meadows-** Mary Flowers failed to show for Council meeting.
- **Water Restriction Schedule:** Bob Pelletier advised the council he is giving up on watering his lawns around and near his apartment complex due to the fact in two years he will be building in the area, his complex only has a ½ inch line to service the entire grounds, and that it is beyond his ability currently.
- **1ST READING: 128 ORDINANCE NO. 2005- 18- DICENSO KILROY SUBDIVISION REZONING:** Mayor read the ordinance in its entirety. No protests or comments were received. **D.R. Hutchinson motioned to approve the passing of 128-Ordinance No. 2005-18 as a 1st reading. Don Jorgensen seconded. VOTE: 5-Yes; 0- No; 0- Abstain; 0- Absent**
- **1ST READING: 127- ORDINANCE NO. 2005-17- Building Department Fees:** Mayor Lloyd read the ordinance in its entirety and asked for comments. Steve Fusco questioned what the fees would be for a

detached garage. According to Bennett, fees would be determined the same as a residential building permit as the P&Z Commission requested this fee amount.

**Kathy Swiston motioned to approve 127-Ordinance No. 2005-17. Don Jorgensen seconded.  
VOTE: 5- Yes; 0- No; 0- Abstain; 0- Absent**

- **HIRING JIM PEDERSON – PLANNER:** The Council reviewed Mr. Pederson's quote for updating the Town's P&Z Ordinances as well as Town of Alpine Master Plan. He strongly suggests the master plan is finished prior to or along with updating town codes. Costs to finish the Town's master plan and ordinances will be a total of \$52,174.00 which is extremely cheap in comparison to area communities who have completed a master plan. Mr. Pederson is willing to allow the Town to pay in installments out of the next two budgets if need be. **D.R. Hutchinson motioned to approve the hiring of Jim Pederson as quoted. Steve Fusco seconded. VOTE: 5- Yes; 0 – No; 0- Abstain; 0- Absent**
- **PURCHASING NEW TOWN WATER/ MAINTENANCE TRUCK:** Treasurer Bennett advised that money was set aside in this year's budget to purchase a new maintenance truck. The Town in years past has purchased used vehicles and all of which are close to permanently breaking down. The Town's sander truck will be left for that use only and the new truck will replace the old blue truck and gray dodge trucks. The invitation to bid the new truck will be advertised in the local newspaper for the next two weeks. Currently, the Dodge dealership, for example, is offering truck purchases at an employee discount rate. Additionally, the Town should receive a Wyoming Rural Water Association fleet discount. The old blue truck will be placed up for auction/ bids once the new truck is purchased. The old gray truck will be kept. **D.R. Hutchinson motioned to approve moving forward on purchasing a new maintenance truck. Don Jorgensen seconded. VOTE: 5-Yes; 0- No; 0- Abstain; 0- Absent**

#### **B. DEPARTMENT UPDATES:**

- **STREETS & ROADS:**
- **SEWER DEPARTMENT:**
- **WATER DEPARTMENT:** D.R. Hutchinson asked the council to consider researching the hiring of an additional worker in the maintenance department due to last weekend's water main break. Val Jensen was camping during the incident on his first vacation while working for the Town and happened to come back early from vacation. The amount of overtime the Town is spending on Mr. Jensen may more than pay for a third maintenance person who will take care of the water, sewer, and maintenance needs. Treasurer Bennett advised the position should be part-time and possibly seasonal as a full-time, third position is not warranted at this time. Kathy Swiston requested a spread sheet be completed by the Treasurer which details whether a third position is feasible.
- **PARKS & RECREATION DEPARTMENT: BALL FIELD FENCE:** Mr. Hutchinson advised the only item left for the fence permit is to string and stake the fence for Mr. Sender's inspection. The fence permit should be issued by the P&Z Commission next Tuesday and dirt moving will begin this Thursday to prepare for the fence installation.
- **PLANNING & ZONING COMMISSION:**
- **POLICE DEPARTMENT/COURT:**
  - 1) July 2005 Court Report;
  - 2) July 2005 Police Department Report
  - 3) Purchasing two tasers for the Police Department- Chief Phillips asked council for two taser guns as invariably having only one taser will create problems for times they are on-call and sharing may create issues. Mr. Phillips explained the taser, like his billy club and pepper spray, will be used only when needed and presented statistics of how the creation of the gun has reduced statistics nation-wide on unnecessary drawing

of lethal force. For liability purposes tasers are much more acceptable. Costs for the guns are \$800.00 per gun. Mr. Phillips has been shocked by a taser gun as part of his police officer training so that each officer truly knows what the gun feels like. **D.R. Hutchinson motioned to approve purchasing 2 taser guns for the Police Department. Kathy Swiston seconded. VOTE: 5- Yes; 0- No; 0- Abstain; 0- Absent**

- **PERSONNEL/ ADMINISTRATIVE:**

C. ON-GOING BUSINESS/ INFORMATION:

- NORTH STAR UTILITY AGREEMENT/ DONN WOODEN'S July 19th, 2005 Letter: Mr. Wooden advised council his intent by writing the letter is to express his concerns regarding any agreement with North Star Utility and that he is not opposed to the project in general. Mr. Wooden expressed concerns that after reviewing the information, he does not see where the Town is getting anything in return. After discussing the issue with Mr. Halpin recently, Mr. Wooden advised Mr. Halpin does not plan to annex and would leave it up to the people. Mr. Halpin intends to retrieve his money he puts into the water and sewer systems. Then he would turn the project over to the Town for annexation at a later date. Mr. Wooden questioned whether anything is in writing or whether a 'sunset agreement' has been agreed upon. Mr. Wooden asked why if there is no intent to annex, why an annexation committee was formed. Mayor Lloyd advised he had talked with Mr. Halpin approximately 2 hours ago and Mr. Halpin advised he plans to annex. Again, Mr. Wooden reiterated that his understanding was that Halpin. Mr. Wooden advised that the only way the Town should work with Mr. Halpin is if the fact Mr. Halpin intends to annex immediately.

Mr. Wooden advised the Town's infrastructure would be used and taxed for this development as they are closer to the county's systems. The power and the structure of this community lies in annexation according to Wooden. Each and every one of the properties being proposed should be contributing to the Alpine community directly by helping to increase severance taxes, mineral royalty taxes, federal and state revenues. Mr. Wooden feels that if annexation does not happen right away, it may never happen. The Town has the power of eminent domain according to Wooden which can be used to compel surrounding property owners to tap the water and sewer systems. He reviewed past annexations and developments from Alpine's history. Mr. Wooden advised he is not against the project, however, is extremely concerned about whether the intent is there to annex immediately. Mr. Wooden cautioned that another, separate Town will be formed if annexation doesn't occur at the beginning. Mr. Halpin advised Wooden he has a bigger plan which entails all of the land to Abi Garaman's property, the junction area, and 'land swapping' land from the Jordan Canyon area trade for the McCoy Creek Property. Mr. Wooden's recommendation is that Mr. Halpin would agree to annex immediately in any agreement which is negotiated with the Town of Alpine. Part of Mr. Halpin's reasoning for not wanting to be annexed is that Halpin advised the Town drug their feet in the process and he cannot wait. If he stays in the county's jurisdiction the county will receive the revenue with the Town of Alpine supporting the effort at our loss. Kathy Swiston advised she doesn't feel the 'dragging of the feet' hasn't been on the Town's side. Mr. Wooden feels that part of his reasoning for not wanting to be annexed lies in the fact he will be able to control his own show better and not have to adhere to the Town's Planning and Zoning regulations and red tape. The county system is easier for Mr. Halpin. Mr. Wooden cautioned the Town Council that once the gears are in motion for the project he doesn't see where Mr. Halpin would chose to be annexed.

Irregardless of whether Mr. Halpin is paying the bill for the infrastructure installation, Mr. Wooden feels the caveat that he must annex immediately be included in any negotiated agreement. Mr. Wooden feels the main street will extend across the bridge and worries this side of the river may become the forgotten section. Mr. Wooden feels we may be selling ourselves down the tube if we do not attempt to mitigate the consequences of this development. Furthermore, he feels the Town should take a stand for what is best for residents. Mr. Halpin met with the Mayor at 5:00 p.m. today. The Mayor feels Mr. Halpin, in the long run, will agree with how the Town wants to proceed. Mr. Halpin advised the Mayor he plans to proceed with annexation now. Mr. Wooden advised he felt there is some willingness from the developer as he needs the Town's involvement on the PSE permit. The Town must consent to the PSE permit. Additionally, Mr. Wooden reminded the Council and Mayor their one-mile jurisdiction by statute is still in place and simply the muscle may only need to be flexed. The Town has the same

power as the county has over the project. According to Mayor Lloyd, Mr. Halpin questioned whether the Town was going to hold to the one-mile radius jurisdiction to which Mr. Lloyd the Town definitely would hold to the jurisdiction. Mr. Wooden advised he welcomes the project but doesn't feel any developer should be walking over the Town. Mr. Lloyd advised the council would not back down and fight for what the Town needs. Mr. Wooden expressed concern that the developer was asking for a letter writing campaign in support of the North Star Utility without hearing all views and sides. Mr. Wooden advised that during the early formation of the Alpine Water District he remembers being granted the power of eminent domain to compel outside users within 400 feet of the transmission lines to join the district. Mr. Wooden thanked the council for the opportunity to express his opinions.

D. INFORMATION DISTRIBUTED TO COUNCIL:

- PLEASE READ: July 19th, 2005 Letter from Donn Wooden – Opposed to North Star Utility
- PLEASE READ: July 22nd, 2005 Letter from Steve Chichinsky- Opposed to North Star Utility
- PLEASE READ: August 1st, 2005 Letter from Paul N. Scherbel – Opposed to North Star Utility
- WAM Newsletter July, 8th 2005; July 22nd, 2005; July 29th, 2005

E. FINANCIALS/ UNPAID BILLS:

**Mayor Lloyd called for a motion to pay the bills. D.R Hutchinson motioned to approve payment of the unpaid bills. Don Jorgensen seconded. VOTE: 5- Yes; 0- No; 0- Abstain; 0- Absent**

Meeting adjourned at 8:20 P.M.

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David H. Lloyd, Mayor

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Date

ATTEST:

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Tracy Matthews, Clerk

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Date