



TOWN OF ALPINE

**COUNCIL MEETING
MINUTES**

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

DATE: November 3, 2009

PLACE: Town Hall

TIME: 7:00 p.m.

TYPE: Regular Meeting

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: Troy Johnson, Shirley Brown, Don Jorgensen and Mayor Victoria DeCora. Beau Taylor was absent and excused. A quorum was established. Also in attendance were Town Administrator Deb Wolfley and Town Attorney Stefan Fodor.

Minutes:

- (a) Approval of Town Council Meeting Minutes of October 20, 2009.

Councilman Jorgensen motioned to approve Town Council Meeting Minutes of October 20, 2009. Councilman Johnson seconded the motion.

Vote: 4 yes, 0 no, 0 abstain, 1 (Taylor) absent. Motion carried.

- (a) Planning & Zoning Meeting Minutes of October 13, 2009.

Councilwoman Brown motioned to approve the Planning & Zoning Meeting Minutes of October 13, 2009. Councilman Johnson seconded the motion.

Vote: 4 yes, 0 no, 0 abstain, 1 (Taylor) absent. Motion carried.

- (b) Planning & Zoning Report: Joshua Floyd of the P&Z commission gave a brief report on the activities from the October 28, 2009 Commission meeting. Mr. Floyd wanted to thank Dave Jenkins, Melisa Wilson and their volunteers for getting the roofing done on Ernie Scott's residence. They discussed a current non conforming use residence and how to make it back into a conforming use residence. Mr. Dave Jenkins was also in attendance and spoke to the Council about the lift station and the issues that they have incurred with the carport company, in which we still do not have a firm set plans. The Commission talked about this issue Mr. Jenkins is taking the initiative to work up a set of plans for this structure that will be submitted to the P&Z Commission for review. Mr. Jenkins asked Council about their thoughts on this. It was discussed that winter is rapidly approaching and this project need to get completed. Discussion was held by Council regarding the project and the legalities of changing directions, with a preliminary contract signed by the town. It

was again reiterated by Mr. Floyd that the specs for the cover were not meeting with the current rules and regulations that the town has in place. It was again reiterated the carport company has not gotten a firm set of plans to the Commission. Town Administrator stated that they have finally gotten everything from the carport company (that was requested) and the Town Inspector has reviewed those plans. Should we decide to go the stick built route the costs will be higher. Mr. Jenkins stated that those costs do include labor.

Public Comment was taken by Mr. Diggs Lewis, as the adjoining business he would like to know if they have any say in the structure. Ms. Carla Stone commented, as the adjacent land owner, that they were told at a previous meeting that they would be able to participate in on the decision making process. Ms. Stone was concerned because this was not on the agenda, and that plans have not been developed, therefore they are not ready to comment and/or review this issue, but nonetheless that would like to have some input on this project. She further stated just don't spend the money on something because it is a time factor.

P & Z Commission suggested that a meeting coordinating the business and town could be scheduled. They will be happy to work with the neighboring land owner. Mr. Josh Floyd commented that the Commission is trying to meet some middle ground with the residents and get this project accomplished. Council again revisited the issue to have the other company go to the work of getting this proposal together and now we will be switching to stick built. Council asked if there was a signed contract with the carport company. Town Administrator commented that they do have a preliminary contract. The Town Attorney commented that the Town is revisiting something that was decided months ago and due to the lack and/or late information he feels the Town can entertain another option. Mr. Jenkins stated that the Commission has not seen a current set of plans on the structures, there seems to be no effort on the part of the carport company, we need to be pro-active to get this project done. Councilman Johnson agreed that this structure must meet the Town's codes, just like all the other companies have to meet town codes. The P&Z will have to ask those questions, when they get this project next week. He would like to see the structure shorter, approximately six foot tall he does not want it to be an eye sore. It was stated that if they did go with the carport company, they will still have to get it ordered, which will be another two the three weeks.

Public comment by Juliene Christopherson asked who will be hired to manage the project. Mr. Jenkins commented that it will be local contractors he has gotten two bids from local contractors. The price is approximately thirty six hundred dollars. The Town Administrator asked the council what direction they wanted to go. Councilman Jorgensen does like what he sees here. He further likes the fact that locals are doing the work! All Council Members stated they appreciate the work that has gone into this. Councilman Johnson commented that we make the other company jump through the hurdles, with the engineering we need to make sure that this structure also meets those requirements. Mr. Jenkins reiterated that as of the last P&Z meeting we did not have any documentation to make any suggestions or decisions, nothing to look at and approve he knew that this is time sensitive, due to the weather. That is why he took the initiative to get this preliminary set of plans together.

Public commented made by Ms. Stone she commented that they are extra cautious when it comes to the lift station, the original measurements vs. the actual measurements are off. It is light permanently over night, she would like to see something presented and that includes the adjacent business. She also likes the fact that it is local workforce.

Councilman Johnson motioned to entertain Mr. Jenkins plan to move forward with this set of plans for the next P&Z meeting, so a decision is made and present their recommendation at the

next council meeting. As long as, the price tag does not exceed \$3676.00, and the previous contract with the carport company is checked into. Councilman Jorgensen seconded the motion.

Vote: 4 yes, 0 no, 0 abstain, 1 (Taylor) absent. Motion carried.

Mr. Floyd's final comment was the out of town position still needs to be filled and this winter they will be fine tuning the LUCD to make it a little more user friendly for the citizens.

New Business:

(a) Update on Phase II Sewer Project – Ryan Erickson, Sunrise Engineering – Plans and specs have been completed and submitted for the DEQ permits, received back quickly with a couple of comments, nothing major, we have no permit in hand, but should be here shortly. He is still waiting on the review for the stimulus monies on this project. There will be a pre-bid meeting on the 4th of November, with the bid opening scheduled for the 23rd of November. Construction is scheduled to start next spring. One of the requirements is that the contractor has to be signed and be on board before the end of the year.

Town Attorney asked about the estimated date of completion. Mr. Erickson responded that they have a 180 construction time on that. Depending upon when spring comes. Mr. Erickson stated that there are a couple of properties that will need easements for the project, there will be surveyor costs and legal expenses costs incurred due to these easements. Town Attorney suggested getting the aerial photos for those properties, talking with the landowners and/or sending letters and seeing what they say. Mr. Erickson further commented on the drainage at the Civic Center and the permits on those, have not gotten those back for the State yet. Should be hearing back shortly.

(b) Town Civic Center - Change Order/Pay Request – Jerry Myers/Lou Christofferson – Asked Council if they had a chance to review the pay request. Upon reviewing the site, some items have not been authorized for payment and on the change order some item have been removed and adjustments made, they will authorize 97% to JL Hardy for the roofing and it has been adjusted on the request.

Councilman Johnson motioned to pay the pay request pursuant to the architect's numbers of \$296,897.25. Councilman Jorgensen seconded the motion.

Vote: 4 yes, 0 no, 0 abstain, 1 (Taylor) absent. Motion carried.

Mr. Christofferson would like to request approve for three items previous discussed. Adding lights to the stairs and under the mezzanine (\$920.00), re-routing duck work to run under the trusses (\$517.50), trenching for phone conduit (\$632.50). Council discussed these issues.

Councilman Johnson motioned to approve those three items, with the curtain replacement on hold, the new mezzanine on hold and the AV equipment additional hardware is already approved, just waiting on the grant funding. Councilman Jorgensen seconded the motion.

Public Comment by Town Attorney, where are we on the actual percentage of the grant. Mr. Christofferson responded that there is eighty thousand dollars left in the grant. We are currently at eight-one percent of the total costs expenditures from a cost perspective.

Vote: 4 yes, 0 no, 0 abstain, 1 (Taylor) absent. Motion carried.

The Town Administrator asked about the conduit expenditures for the building. Councilman Johnson discussed that it would have to be a low number under two thousand dollars. Mr. Christofferson asked about the paving issue over by the electrical box, the Council discussed this issue and also if we could ask if the power company could put in two cement posts for additional protection.

Councilman Johnson motioned to approve additional paving costs, with a cost not to exceed \$1,500.00 Dollars, for the asphalt. Councilman Jorgensen seconded the motion.

Vote: 4 yes, 0 no, 0 abstain, 1 (Taylor) absent. Motion carried.

(c) Child Development Center – Change Order #1 & Payment Request – Jerry Myers/Lou Christofferson - Asked Council if they had a chance to review those documents.

Councilman Johnson motioned to approve the change order for \$800.00 Dollars, out of the capital account to pay for the change order on the Child Development Center. Councilman Jorgensen seconded the motion.

Vote: 4 yes, 0 no, 0 abstain, 1 (Taylor) absent. Motion carried.

Pay Request for Child Development Center – Architects have reviewed the pay request and Council reviewed the pay request asking about completion.

Councilman Johnson motioned to approve the pay request for the Child Development Center in the amount of \$52,104.73, the current payment. Councilman Jorgensen seconded the motion.

Vote: 4 yes, 0 no, 0 abstain, 1 (Taylor) absent. Motion carried.

Town Administrator discussed a letter received from Ms. Gogol in reference to materials that have been donated to the Child Development Center.

PUBLIC COMMENT WAS TAKEN AT THIS TIME REGARDING THE PHASE II SEWER PROJECT - Mr. Andy Gavin resident of Forest Meadows Subdivision asked when the residents of Forest Meadows would get the chance to review the plans for the expansion of the sewer collection system. Mayor DeCora stated that plans are in the Town office, should anyone like to review them. Mr. Ryan Erickson, Sunrise Engineering, stated that there is a pre-bid meeting tomorrow and he can go over them at that time. Town Administrator reiterated that anyone can come in and look at the plans. Mr. Dave Higgins commented on the letter he received, stating that it will cost \$7,500 for the system. This is \$4,500 more than what citizens in Phase I paid. Mayor and Council discussed this issue with the public, stating that the costs have NOT been determined or approved as of yet. This letter was notification to the citizens that Phase II is in the works. The Town is working on a plan to hopefully to give Phase II citizens the same costs and rebates that were offered to the Phase I property owners. Mr. Higgins asked that the Town re-issue another letter to the Forest Meadows citizens stating this. Discussion was held on the letter and the last paragraph that was included in the letter (no costs have been determined). Councilman Jorgensen commented that the price for new construction is \$7,500 and that is basically where that \$7,500 comes from, but the Town is working on the same program for the same as Phase I citizens. A discussion on the costs and the rebates that were offered for Phase I property owners was held by those in attendance. Costs based per ERU and on the age of the septic systems.

Mr. Grant Galloway commented and/or requested getting this information on line or sent to individuals, as he works a lot and is not available for a majority of these meeting. Mr. Galloway stated he is disgruntled by the system and will not suggest Alpine to his multitude of friends. Mayor DeCora did inform Mr. Galloway that we do have a web site and that is a good place to find information.

Mr. Kennis Lutz commented on Mr. Gavin's request for the Forest Meadows input into the collection line. The Approved Master Plan states that Forest Meadow citizens have input. We were sent aerial photos, with lines on it, which included no depths of these lines. Master Plan was signed off by Mayor DeCora for the review and recommendations, they are just asking for the opportunity, which has not been given to them. The County stated that their density is fine; and they do not need this collection line as stated by the County Commissioners at their de-annexation request. Furthermore there is no reason to condemn the septic tank in 15 years; we do not need this collection line.

(d) Restaurant, Retail and Special Malt Beverage Liquor Licenses Renewals for:

- a. Familee Thriftway dba Alpine Market**
- b. House of Philly, LLC dba Gunnar's Pizza**
- c. Rocky Mountain Rogues, Ind., dba The Bull Moose Saloon**
- d. The Coffee Cabin LLC, dba The Coffee Cabin**
- e. The Tavern LLC dba Tavern on the Grey's**
- f. Yankee Doodle's LLC dba Red, White and Brew**

Town Clerk/Treasurer Brenda Bennett addressed the Council regarding the licenses. Ms. Bennett commented that all applications had been sent to the State and have been approved. A couple of the applications were missing some items, that has been taken care of Mr. Montoya from the State Liquor Division has given verbal approval that these licenses can go before the Council tonight.

Councilman Johnson motioned to approved the Liquor License Renewals for Familee Thriftway dba Alpine Market; House of Philly, LLC dba Gunnar's Pizza; Rocky Mountain Rogues, Ind., dba The Bull Moose Saloon; The Coffee Cabin LLC, dba The Coffee Cabin; The Tavern LLC dba Tavern on the Grey's; Yankee Doodle's LLC dba Red, White and Brew; contingent upon received the written approval letter from State Liquor Division, Mr. Tom Montoya, that the three applicants (Alpine Market, The Coffee Cabin and Gunnar's Pizza) applicants are approved. Councilman Jorgensen seconded the motion.

Comments were made by Councilwoman Brown with regards to alcohol related crashes in the State of Idaho there were 807 for a percentage of 83.11% for the year 2009. In Alpine, alcohol was involved in 32% of all incident reports filed this year by the department. Alcohol was involved in 83% of all arrests this year. Drugs were involved in 3% of all incident reports filed this year by the department and drugs were involved in 12% of all arrests this year. This does not take into consideration the physical damage and our taxes will be paying for the rehabilitation for these individuals.

Vote: 3 yes, 1 (Brown) no, 0 abstain, 1 (Taylor) absent. Motion carried.

- (e) Change Order #1 - Nelson Engineering for Maintenance Shop (Steel Vision) – Town Administrator Deb Wolfley commented on the change order for the Maintenance Shop and the decision to cut costs the Town would reuse the doors from the Civic Center. However, that was not able to happen because of the size of the door, insulation and the missing hardware and other parts were damaged and old. It was suggested that new doors need to be purchased. This will put the project over budget. Mr. Wolfley has spoken with the State Office (Land Investment) on the**

consensus block grant they have given permission to transfer monies from the Civic Center consensus block grant to the maintenance shop consensus block grant to pay for those items. Based on that information he recommends that they get the new doors. This will take approximately \$5,820.00 away from the Civic Center grant. The concept of using the old doors was a good idea but it did not work out. Council discussed this issue in length about the old doors, the hardware and modifications that need to take place in order to get them to work properly. It was also discussed that these old times could be sold or given the opportunity to have those items bid out.

Councilman Johnson motioned to approve the doors as long as we have in writing that we can use \$5,820.00 of the monies from the Civic Center grant and that these grant monies are watched closely. Councilman Jorgensen seconded the motion.

Vote: 4 yes, 0 no, 0 abstain, 1 (Taylor) absent. Motion carried.

An additional comment was made by Councilman Johnson, he requested that we notify Myers-Anderson Architects and inform them that we will be transferring the monies out of the Civic Center grant and those funds are not available. He further commented that we need to watch the costs very closely and any overruns will be very closely scrutinized. Discussion on the front entrance of the maintenance shop and the work will be done by the Town, using the existing material on the site. Once we are done with the building and additional road base material is needed, we can get them then the council will support it then.

(f) 190 – Ordinance No. 2009-46: Breach of Peace – 3rd & Final Reading - Council reviewed and discussed the Ordinance.

Councilman Jorgensen motioned to approve Ordinance #190 No. 2009-46: Breach of Peace 3rd & FINAL Reading. Councilwoman Brown seconded the motion.

Vote: 4 yes, 0 no, 0 abstain, 1 (Taylor) absent. Motion carried.

Councilwoman Brown asked about the enforcement of “jake brakes” within the incorporated limits of the Town. A brief discussion was held by the Council on placing signs at the entrance of town limits pursuant to this ordinance.

Councilman Johnson motioned to approve the purchase of signs at the town limits. Councilwoman Brown seconded the motion.

Vote: 4 yes, 0 no, 0 abstain, 1 (Taylor) absent. Motion carried.

Tabled Items – On Going Business:
Impact Fees

Department Updates:

Legal/Attorney: Mr. Stefan Fodor - Briefly discussed the following items:

1. Amending the water ordinance for billing purposes, proposed changes have been made and after the necessary advertising, it will be on the agenda for the next Council meeting.
2. Asked about the thirty day extension on the Civic Center for the completion date, pursuant to the change orders and if it was approved.

3. The Alpine Development Group requested to amend their PUD in the master plan. Mr. Fodor suggested informing them that they come before the town since the town is the current jurisdiction. The Town Administrator commented that he has been in contact with the County officials and the property owner in regards to this amendment.
4. Just wanted to comment on Nelson Engineering (Phase I sewer expansion project) and that there able to bring the project in under budget by approximately \$83,000. He feels that is pretty impressive numbers. Town Attorney has reviewed the final payment request and is ok to publish after advertising will be authorized for December payment.
5. As far as the Master Plan authorization and/or input from Forest Meadows Subdivision, he has requested that the Town Administrator look into it and update him on that.
6. Briefly discussed the financial plan for Phase II of the Sewer Project.

Town Administrator talked about a meeting with the Mayor of Kemmerer, will be coming to Alpine for a meeting on the 5th & 6th penny sales tax. Council, Town Attorney and Town Administrator briefly discussed this issue on passing ordinances and putting this issue on the ballot and what their opinions are.

Town Administrator: Deb Wolfley – A brief overview of the activities: The Town Clerk/Treasurer

1. The mayor commented on audit that was discussed at the previous meeting. She met with the Town Accountant and reviewed the report. The Town Clerk/Treasurer also commented on the audit and expenditures in the Professional Service category. Councilman Johnson asked about the professional services of the Prosecuting Attorney/Judge and asked what the court brings in and what it costs, if he could get a report that would be greatly appreciated. The Town Attorney reiterated to Council and staff, have the Town Administrator be the contact point.
2. It was reviewed how the Clerk/Treasurer works with the Town Accountant's office, audit are done twice a year and the CPA signs off on the audits.
3. Phase I of the Sewer Project and the monies available to proceed forward with Phase II of the project.
4. An item brought to the attention by the Town Attorney, which was reported that the Child Development Center had covered up some items. Town Attorney stated that this is just as unacceptable for the Child Development Center as it is for a private contractor. Council discussed this issue.
5. Payment request review for Nelson Engineering and then the final payment request will be in two weeks after the proper advertisement has been done for it.

Council reviewed the Payment Request #11 for Nelson Engineering in the amount of \$11,857.50. Councilman Jorgensen motioned to approve Pay Request #11 (Nelson Engineering/Johansen Construction) in the amount of \$11,857.50. Councilwoman Brown seconded the motion.

Vote: 4 yes, 0 no, 0 abstain, 1 (Taylor) absent. Motion carried.

6. Discussion with an agreement with Star Valley Ranch for assistance with vicious dogs. The Town Attorney briefly reviewed the agreement and made his comments on the agreement. Council reviewed the agreement and discussed the agreement. This issue will be discussed at the next Council meeting.
7. The old Town dump truck needs to be moved from the US Forest Service land. There is a limit of five hundred dollars on Town property to be sold. Council discussed that it can be moved down to the sewer plant.

8. Propane tank placement at the Child Development Center, the Council discussed this issue and agreed on the placement of the tank.
9. Have been responding to several calls from out town Real Estate Agencies requiring them to have a business license pursuant to the Business License Ordinance.

Parks & Recreation: Shirley Brown & Victoria DeCora – Town Administrator reported that the recent meeting they had on the Skate Park was very productive.

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 Council with a written report.

Clerk/Treasurer: Bills were presented to the Council for payment. **Councilman Johnson motioned to pay the bills. Councilman Jorgensen seconded the motion.**

Vote: 4 yes, 0 no, 0 abstain, 1 (Taylor) absent. Motion carried.

Sarah Hale commented on behalf of the Star Valley Arts Council about holding an open house to in conjunction to the opening of the civic center, brining in local artist and bring the community together to show off the new Civic Center Building, when construction is completed.

Council members also discussed the Town Park at the Civic Center and putting some plaques in the park around the trees.

Councilman Jorgensen motioned to adjourn the public meeting. Councilman Johnson seconded the motion.

Vote: 4 yes, 0 no, 0 abstain, 1 (Taylor) absent. Motion carried.

The meeting was adjourned at 9:14 pm.



Victoria DeCora

Mayor Victoria DeCora

11-17-09

Date

ATTEST:

Brenda Bennett

Brenda Bennett, Treasurer

Date