



**Town of Alpine
COUNCIL MEETING
MINUTES**

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

DATE: April 6, 2010
TIME: 7:00 p.m.

PLACE: Town Hall
TYPE: Regular Meeting

1. **Call to Order:** Mayor Victoria DeCora called the meeting to order at 7:03 p.m.
 - (a) Pledge of Allegiance: Mayor DeCora led attendees in the Pledge of Allegiance
2. **Roll Call:** Office Assistant Christine Wagner conducted roll call: Present: Troy Johnson, Shirley Brown, Don Jorgensen and Mayor Victoria DeCora, Councilman Beau Taylor was absent and excused. A quorum was established. Also in attendance were Town Administrator Deb Wolfley and Town Attorney Stefan Fodor.

Mayor DeCora took a minute to thank Mr. Paul Lucia, Councilwoman Brown and Mr. Deb Wolfley for their attendance at the County Commissioner meeting today in Kemmerer on the 5th penny sales tax.

3. **Approval of Consent Agenda** – Council reviewed the documents/materials on the Consent Agenda.

Councilman Jorgensen motioned to approve the Consent Agenda. Councilwoman Brown seconded the motion.

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

4. New Business:

- (a) **Planning & Zoning Report:** Ms. Melisa Wilson, of the P&Z Commission had a brief report for the Council. Ms. Wilson stated they are still looking for an interested party for the open P&Z position, the individual who previously expressed an interest has decided not to take the position. The Commission is continuing its work on making the LUCD user friendly. Final inspections have been done and the Town Civic Center and the Child Development Center.
- (b) **Water Account Billing – 334 Meadows Drive:** Ms. Kris Buche – Ms. Buche was unable to attend the meeting, she asked her realtor (Ms. Tiphany Gayhart) to read her previously prepared letter, dated March 22, 2010. (Refer to letter attached hereto the public record). Ms. Gayhart had a couple of copies of the letter available for the Council.

Ms. Tiphany Gayhart stated that she has been to several public meeting and has heard this from several individuals, her question was when is the Council going to listen to the public, there are numerous individuals in the town that are facing hardships. (Refer to audio for complete details.) Council discussed this issue and at the current time there is not a provision in the ordinance that will allow for hardships and/or grace periods. Council decided to table this discussion until Ordinance #199 is read for more discussion and criteria on this particular subject.

Councilman Johnson motioned to table this request and/or issued until after the discussion of Ordinance #199 is brought before the Council. Councilman Jorgensen seconded the motion.

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

- (c) **LUCD – Lease of Child Development Center** – Ms. Kay Gogol – Ms. Gogol was unable to be at the meeting, so the Town Administrator addressed the Council on her behalf. The lease was presented to the Council for

approval. The agreement is patterned just like the other LUCD centers leases such as; Afton, Thayne, Kemmerer and the Uinta County Centers. The center will be taking care of the insurance issues and they will be given a dollar amount to insure the building. The lease is for a term of five (5) years at the amount of a dollar (\$1.00) per year. It is anticipated to have classes start for students on April 14th, with a parent open house to be held on the evening of April 13th. Councilman Johnson stated that it is important to get the children into the center.

Councilman Johnson motioned to approve the lease and have the Mayor sign the agreement for the Alpine Child Development Center. Councilwoman Brown seconded the motion.

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

- (d) Town Budget Issues** – Ms. Tiphany Gayhart - Mr. Kennis Lutz addressed the Council, he stated that they really do not have much that they wanted to discuss on the budget issues, however they would like to talk about Trail Drive.
- (e) Turning Water Off (Sewer Hook Up Fee)** - Ms. Tiphany Gayhart/Mr. Kennis Lutz – Mr. Lutz address the Council regarding a letter they received from the Mayor dated March 30, 2010, which is in response to letter submitted Ms. Gayhart. Mr. Lutz stated that they feel that they are not being heard, when they come to these council meetings and they are not getting anywhere. They are very frustrated; they have been over and over these fees numerous times, he strongly feels that the commercial is treated differently than the residents. At the last meeting it was suggested that an emergency ordinance would be looked into. He has talked to Council members outside of the Council meetings and now here we are today. He wants to know where this issue stands. Mr. Lutz went on to talk about the hardships of the town residents, with the water/sewer rates, hookup fees and ready to serve fees. Citizens cannot afford these fees it is a great financial burden and soon there will be no one here to pay for it. Dialogue ensued with Ms. Gayhart regarding the Mayor's personal finances. Verbal attacks were made on the Mayor. (Refer to audio tape.) Mayor DeCora recessed the public meeting at 7:35 pm.

Mayor DeCora reconvened the meeting at 7:47 pm. Discussion continued with Mr. Lutz about the fees. Mr. Lutz was requested by Mr. and Mrs. Gary Lanphear to convey a message to the Council about the Senior Citizen lunches that are currently being held at Yankee Doodles and the idea of moving the lunches to the Town Civic Center. It was stated, by Mr. Lutz that Yankee Doodles would like to keep the Senior Citizen lunches at Yankee Doodles. Ms. Councilwoman Brown stated that this is an issue that needs to be taken up with the Thayne Senior Center Organizer and Yankee Doodles, not the Town of Alpine. Ms. Tiphany Gayhart commented on what she heard at a previous council meeting regarding costs and expenditures and those comments are on the record.

- (f) Paving on Trail Drive** – Ms. Tiphany Gayhart/Mr. Kennis Lutz – Mr. Lutz asked if the Council was going to have Trail Drive paved, but it back to its original state.

Councilman Jorgensen stated that the Council made an obligation to the citizens last fall that they would pave Trail Drive. He feels that they need to honor that obligation. However, they have a dilemma. They have failing water lines along Meadows Drive. The State told the Town to raise the water rates to cover those expenditures. The Council does not want to raise the water rates! Therefore, a decision needs to be made to either pave Trail Drive and/or fix the water lines. If the water lines are not fixed and/or replaced the Town would be liable for more claims. The problem is there is only so much money to go around taking care of these issues. They are still working towards the paving, but are also trying to get some of the Meadows Drive water problems fixed. Councilman Johnson stated to the public that the Council does care what is going on in this town! The Council does not want to raise the water fees! The Council is looking into different sources of funding for these projects. Mr. Lutz stated that this should have been address in the beginning, returning the road back to its original state. Planning ahead would have taken care of this issue. This problem is affecting his business. Mayor DeCora stated that they are working on this issue.

- (g) Greys River Cove Subdivision** – Ms. Carla Stone - Ms. Stone is here at the Council's request. Mayor DeCora stated that after further research; if they want to go forward with the subdivision, they need to fill out the application, go through the P&Z process for re-platting. This is because the application has expired. Ms. Stone asked if she has to go through the whole six (6) week process again, after it was suggested they wait. She further asked the Council if there was anything they could do to expedite the process. Council discussed the issue of a final plat. Melisa Wilson of the P&Z Commission commented on her recollection of the previous application. It was her

understanding that Ms. Stone would come to the P&Z Commission for discussion on this project. The Commission will try their best to facilitate their needs; they are in favor of growth and will help the best that they can.

- (h) #199 – Ordinance No. 2010-01:** An Ordinance to Repeal & Replace Ordinance 194-2009-50 Establishing Sewer Connection Requirements. – **3rd & Final Reading** – Council reviewed the ordinance and it was decided that further discussion was needed on this ordinance.

Councilman Johnson motioned to approve the 3rd reading on the ordinance. Councilman Jorgensen seconded the motion.

Discussion – Town Attorney suggested a couple of minor revisions to the ordinance; these are sentence structure and typing errors. These changes are for Council consideration. Council agreed to these corrections. (Refer to final draft.) Council discussed at length the issue of hardships on town citizens who cannot get their bills paid in this time of a hard economy especially if they are making an effort to pay their bills. It was stated that it was nice that they sent a representative to state their request, but it would have been really nice if they would have made a phone call and/or been able to come and talk to the Council in person. Council discussed the concept of making initial monthly payments, plus one-sixth of their regular monthly payment during the extended timeframe, which would be a six (6) month extension to allow them to get caught up on their payments without having their water shut off. A decision of allowing a hardship (extension) once every eighteen (18) months was discussed and agreed upon. Individuals are requested to petition the Council with their hardship request. Individuals and business will be treated the same. It was mentioned that in the past the town has experience some problems with individuals have not been able to make up the difference for various reasons (foreclosures etc.). If any of the payments are missed, your water will be shut off within thirty (30) days. Council reviewed the language they suggested for the ordinance. It was agreed that the Buche's need to be contacted and explained what the Council is implementing into this ordinance. It was also discussed that this needs to be included into the unified utility billing ordinance.

Mayor DeCora recessed the public meeting at 8:33 pm. Mayor DeCora reconvened the meeting at 8:42 pm. Council discussed who would make these decisions. Council reviewed the language for the addition to the ordinance including the hardship grace period section of the ordinance (Refer to Ordinance #199, Section 3.2). Council briefly discussed sections of the ordinance; where it gives eligible senior and disabled citizens a discount and discounts for social service organizations. It was determined to leave those sections as they are.

Councilman Johnson motioned to withdraw his previous motion. Councilman Johnson motioned to approve the 3rd and final reading of #199 Ordinance No. 2010-01 to include all the changes made tonight, regarding the new section on hardship grace periods. Councilman Jorgensen seconded the motion.

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

- (i) #200 – Ordinance No. 2010-02:** An Ordinance to Establish a Unified Utility Billing Process & Requirements. **1st Reading** - Council reviewed the ordinance, this ordinance is taking the billing portions of the water and sewer ordinance and putting into one (1) ordinance, so that the shut off requirements are all on the same day to avoid any further confusion.

Councilman Johnson motioned to approve the 1st reading of #200 Ordinance No. 2010-02; Unified Utility Billing Process & Requirements. Councilwoman Brown seconded the motion.

Council, Town Attorney and Town Administrator discussed an email that was sent by the Town Treasurer regarding information which included figures on the operations and maintenance of the water budget. In which sixty-eight (68) percent of the revenue goes towards the fixed expenses. Council discussed the percentage for voluntary shut offs, it was determined that the percentage would be changed to seventy-five (75) percent of the monthly base rate; this would be on a going forward basis. For clarification anyone who chooses to voluntarily shut their water off, they will be billed seventy-five (75) percent of their current billing, with a thirty (30) dollar disconnect fee. When they reconnect to the system they will be charged thirty (30) dollar reconnect fee and then billed at their current rate.

Councilman Johnson AMENDED his previous motion to approve the 1st reading of #200 Ordinance No. 2010-02; Unified Utility Billing Process & Requirements, with the changes discussed and move forward on discussion for next reading. Councilman Jorgensen seconded the motion.

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

(j) #201 – Ordinance No. 2010-03: An Ordinance Amending the Fiscal Year 2009-2010 Budget - 1st Reading
Council reviewed and discussed the ordinance.

Councilman Jorgensen motioned to approve the 1st reading of Ordinance #201 Ordinance No. 2010-03; Amending the Fiscal Year Budget. Councilwoman Brown seconded the motion.

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

(k) Discussion on Municipal Court Attorney – Town Administrator addressed the Council regarding the Municipal Town Court Attorney and the individuals that have expressed an interest in the position. Council discussed their options on this issue. Council members expressed their thoughts and concerns. It was determined to offer the position to Mr. Spencer Allred with travel time one (1) way and no mileage costs. Councilman Johnson stated that if he accepts this, he would like to meet with the new Town Court Attorney.

5. On Going Business:

(a) Payment of Bills: Council reviewed the Town Bills.

Councilwoman Brown motioned to pay the bills. Councilman Jorgensen seconded the motion.

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

Tabled Items – On Going Business:
Impact Fees

Department Updates:

Police Dept. /Court: James Phillips – Chief Phillips presented Council with a written report. Chief Phillips had a request for the Council regarding the new police station. The Council has already approved the alarm system and budgeted amount for the department he would like permission to delay the installation of the system until the next budget year. And in place he would like to get security bars for the windows and doors the approximate costs will be seven hundred (700) dollars instead of the two thousand (2,000) previously approved by the Council for the alarm system. Council discussed this issue. Chief Phillips will look into grant funds for the alarm system out of next year's budget.

Councilman Jorgensen motioned to approve the seven hundred (700) dollars out of this budget year for the police station bars for windows and doors, in place of the alarm system, upon request of the Police Chief. Councilwoman Brown seconded the motion.

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

Town Administrator: Deb Wolfley – A brief overview of the activities:

1. Town Civic Center – Town Administrator presented the previously approved change orders, for the extension of time at the Civic Center (asbestos & hand rail), that need to get the Mayor's signatures. Town needs to get some thermostat guards for the gym area. Council discussed an open gym night, it was decided that a schedule needs to be made up and adult supervision was needed, some volunteers have come forward. There is a possibility of exercise classes at the center, depending upon the costs. JL Hardy is finishing up on the punch list items, but it seems to be slow going. A discussion on the certificate of occupancy that was issued on March 19, 2010 and the amount of liquidated damages incurred on the project.

2. The 5th Penny Sales Tax has passed at the County level.
3. Mayor and Council received a letter from Peak Property Investments, concerning the Town's request for them to obtain a business license. Council stated that they are following the Town Ordinance; they need to comply or not do business in the town. It was decided that correspondence will be sent to them.
4. There are some toys that are stored over the Civic Center. What does the Council want to keep them? Council decided that they should be kept for future use.
5. The Town Parks and Recreation has been filled. The committee decided to hire Ms. Sally Martin for the position. Councilman Johnson stated that is great and wants to her started.
6. Xerox copier is yet to be looked into. Some of Council would like electronic packets and some would like paper packets. Draft copies will be fine, rather than additional final copies.
7. Brief discussion on a new dog ordinance, still in the working/planning stages.
8. A public hearing will be held by Robert Albondi on Monday, April 12, 2010 for the Water Project.

Legal/Attorney: Mr. Stefan Fodor – Briefly reported on these items:

1. Just wanted to note that he has reviewed the letters of intent submitted for the position of the Court Prosecuting Attorney, he feels that the Council has made a good decision.
2. No paper packets are required by him, as long as he has the electronic mail.
3. He thanked the Council for their support of his job performance despite the criticism from the public.
4. He reiterated that the Mayor's personal finances are not public information and he suggests that we stick to the meeting rules and the issues at hand. Council discussed the public meetings and keeping order at the meetings.

Parks & Recreation: Shirley Brown & Victoria DeCora – No report given.

Streets & Roads: Don Jorgensen – No report given.

Water & Sewer: Don Jorgensen & Mayor Victoria DeCora – No report given.

Planning & Zoning: Designated Board Member & Victoria DeCora - No report given

Alpine Fire Department & EMT: Beau Taylor - No report given

Clerk/Treasurer: Bills were presented to the Council (See Section #5)

Councilman Jorgensen motioned to adjourn the public meeting. Councilwoman Brown seconded the motion.

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

The meeting was adjourned at 10:01 pm.



Victoria DeCora
 Victoria DeCora, Mayor
 4-20-10
 Date

Minutes taken and transcribed by:

Christine Wagner
 Christine Wagner
 4/20/10
 Date

ATTEST:

Brenda Bennett
 Brenda Bennett, Treasurer/Clerk
 4/21/10
 Date