



**Town of Alpine
COUNCIL MEETING MINUTES**

DATE: November 18, 2014
TIME: 7:00 p.m.

PLACE: Town Council Chambers
TYPE: Regular Meeting

- 1. CALL TO ORDER:** Mayor Kennis Lutz called the meeting to order at 7:00 p.m.

Mayor Lutz led the attendees in the pledge of Allegiance.

- 2. ROLL CALL:** Sharon Backus, Clerk/Treasurer conducted the roll call: Council Present: Tim Foppiano, Robert Kinn, David Jenkins, Larry Rosenwinkel, and Mayor W. Kennis Lutz. A quorum of the Town Council was established.
- 3. 385-Resolution 11-18-2014, A Resolution to Designate the Official Appointment to the Position of Clerk/Treasurer and Town Attorney of the Town of Alpine, Wyoming:** The Resolution was read by the Clerk. (The resolution may be viewed on alpinewy.org)

Councilman David Jenkins moved to adopt 385 Resolution 11-18-2014. Councilman Tim Foppiano seconded the motion. Vote: 4 Yes, 0 No, 0 Abstain. Motion carried.

The Oath of Office was administered to Sharon L. Backus, Clerk/Treasurer by Mayor Kennis Lutz. Mayor Lutz thanked John Bower and Spencer Allred for their service as Town Attorneys.

- 4. APPROVAL OF CONSENT AGENDA:** (Town Council Meeting Minutes of October 21, 2014; Planning & Zoning Minutes of October 14 and October 28, 2014, and Public Workshop Summary of November 5, 2014.)

Councilman Larry Rosenwinkel moved to approve the Consent Agenda (Minutes). Councilman Tim Foppiano seconded the motion. Vote: 4 Yes, 0 No, 0 Abstain. Motion Carried.

- 5. ON – GOING BUSINESS:**
- **PAYMENT OF TOWN BILLS** – (Attached Bill Detail)

Councilman Robert Kinn moved to approve the payment of the Town Bills. Councilman Tim Foppiano seconded the motion. Vote: 4 Yes, 0 No, 0 Abstain. Motion Carried.

- 6. ACTION ITEMS & BUSINESS:**
- **Alpine Air Park Information.** Mayor Lutz prefaced the discussion by informing the public that Mr. Rodgers had asked to be put on the agenda so he was placed on the agenda. The flyer Mr. Rodgers prepared indicated that the Town of Alpine would be holding a public hearing for discussion of the Alpine Air Park. Mayor Lutz explained that to have a Public Hearing, the Town

would have had to legally notify the public of the intention to hold a Public Hearing. This was not done and this is a regularly scheduled Council Meeting not a Public Hearing. The number of people in attendance at the meeting indicates there is a great interest in this matter. We will not hold a Public Hearing tonight, but Mr. Rodgers will be allowed to speak. This is out of the Town boundaries and the Town has no authority with respect to the Alpine Air Park. The Lincoln County Commissioners should be hearing this, not the Town of Alpine. It is the Town of Alpine's desire that all of our neighbors come together through this issue and we have no desire to see it turn into a big spitting match. Mr. Rodgers will be allowed to speak and a representative from the Air Park will as well. It is hoped that the two parties can come together to find an equitable solution.

Comments: Mr. Todd Rodgers

Mr. Todd Rodgers addressed the attendees by stating he lived in "Old Alpine" and has been watching the progress of the Air Park from a small residential airstrip to a large commercial airstrip. Residents were told this was a private airstrip but it is a public strip. The Air Park Board controls the Air Strip and the public is not represented on this Board. The County was contacted regarding the public complaints and Mr. Rodgers was told that the County could do nothing as there are no regulations in place at the County level to govern this type of situation. A copy of the Forest Service Lease was handed out by Mr. Rodgers. A chief complaint is that no environmental impact study has been performed to see what effect the noise has on the wildlife or landscape. There have been twenty to thirty jet planes per weekend recently, where there used to be only single or twin engine planes allowed.

Mr. Rodgers cited the main problems are the noise, blast factor and dust. The Air Park Board wants to solve the problem by putting up a six foot fence. This will not mitigate the blast factor at all. Mr. Rodgers produced photographic evidence of the dust generated by the jet engines covering his trash can, vehicles, outdoor tables and other furniture and that the Sheriff's Deputy had witnessed the procurement of said evidence. In addition to this, there is a safety issue due to the proximity of County Road 100. Possible safety issues include flying debris, a blast could startle a passing vehicle, and this road is used by pedestrians and bicyclists. Mr. Rodgers made the suggestion that the jets be required to warm up in or by their owners' personal hangars. The problems are bad now, but how much worse will they be when another twenty or thirty houses are added to the area.

To summarize, Mr. Rodgers said his property had lost its value. He believes the FAA should be involved with some oversight. The Board is not governed. This is a private air park on public land. There is a Board that makes rules and regulations and no one has authority or oversight over this Board nor is there a representative of the general public on this Board.

Comments: Brian Rowser

Mr. Rowser spoke as a partner of the Air Park and someone who flies a jet in and out of the Air Park but he is not a member of the Air Park Board. Mr. Rowser said that the Air Park Board wants to be a good neighbor. The HOA has identified seven spots of sound sensitivity but no one polices this, they expect self-policing by the pilots. Mr. Rowser has however, received a letter of censure because he violated a suggested noise level.

The air park is sovereign because it is on private land but because they purchased a lease for

public land they must allow the public to land on the airstrip; but they are treated as a private strip. The public can fly in but the Board is not in charge of them. The airstrip is not now nor will it ever be a commercial airstrip. Mr. Rowser said the Air Park Board is willing to engage with the community regarding the idea of a blast fence.

Mr. Rowser addressed the pictures depicting dust on the vehicles, furniture and other belongings. He coordinated a fly-in for 20-30 jets and despite his best efforts to keep people from firing up the jets while facing County Road 100, some pilots did and this is what generated the dust. This was accidental and a one-time occurrence.

Mr. Rowser summarized his comments by stating that they can single out a plane that is not following protocol and write the pilot to correct the violated protocol.

Mayor Lutz thanked the public for their attendance and encouraged them to meet with the Air Park Board to open dialog to solve the problems between the two groups. He admonished all present that this is not something the Town of Alpine can control.

The Council went into recess at 7:29.

The Council resumed at 7:38. There was still a quorum of the Council present.

- **Public Liquor License Hearing for Tavern LLC, Rocky Mountain Rogues; Yankee Doodle, LLC; Broulim Supermarket; Tootsies North; Rocky Mountain Welding; BAAM, Inc.**

Mayor Lutz asked if there was a representative present from Tootsies North. No representative was present. The Mayor informed the public that the Council was going to table the application from Tootsies North as the application was incomplete. They will still have time to complete the application and turn it in for consideration at the December Council meeting and meet the December 31, 2014 deadline.

Councilman Tim Foppiano moved to approve the renewal of the liquor licenses for The Tavern, LLC, Rocky Mountain Rogues; Yankee Doodle, LLC; Broulim Supermarket; Rocky Mountain Welding; BAAM, Inc.; and to table the license renewal from Tootsies North. Councilman Jenkins seconded the motion. There were no public comments. **Vote: 4 Yes, 0 No, 0 Abstain. Motion Carried.**

- **#385 Resolution No. 11-18-2014 - Signatories on Town of Alpine Bank Accounts**
Clerk Sharon Backus read #385 Resolution No. 11-18-14 into the record. (The resolution may be viewed on alpinewy.org)

Councilman Jenkins moved to adopt #385 Resolution No.11-18-2014. Councilman Kinn seconded the motion. There were no public comments. **Vote: 4 Yes, 0 No, 0 Abstain. Motion Carried.**

- **Special Events Fund Tracking – Carla Stone** Ms. Stone addressed the Council regarding the Special Events fund tracking. Ms. Stone said she volunteers on several community events including the Pumpkin Patch event. She has left over funds from the Pumpkin Patch with which she would like to set up a separate bank account. Ms. Stone indicated that she had

discussed this with the Mayor and other Committee Chairmen of different events. With separate accounts, each event could earmark their funds. Julie Draper expressed similar concerns with the Easter Event as did Melody Rosenwinkel on behalf of the Jubilee. Mayor Lutz said that we now had in place the staff who could track this however the groups decide to proceed with the accounting. John Bower, Town Attorney recommended that the various functions set up their own EIN and entity, and then open their individual bank accounts. Mr. Bower also suggested they check with Jim Dubisz, CPA, and Town Accountant. Discussion between several committees ensued. No final decision was made on this issue.

- **# 226 – Ordinance 2014-05 AN ORDINANCE TO ESTABLISH COMPENSATION AND/OR AMEND ANY PRIOR COMPENSATION FOR THE MAYOR OF THE TOWN OF ALPINE.**

Mayor Lutz invited Councilman Jenkins to preside.

Councilman Jenkins prefaced the reading of the ordinance by stating that he was near the end of this four year term and he has seen how hard Mayor Lutz has worked during his term as a Mayor. The Mayor puts in many hours of labor at the Town Offices; it is truly a full-time job for him. Councilman Jenkins said he does not think that the compensation now allowed is sufficient for a Mayor who works as much as Mayor Lutz. Councilman Jenkins said that the Council would need to evaluate each new Mayor in the future and if that individual is an administrator as well as the Mayor, the Council can evaluate their salary. This new Ordinance gives the Town the opportunity to award the maximum compensation allowed by State Statute which is \$2,000.00 per month or \$24,000/year. Councilman Jenkins said this was a small amount of money considering all the Mayor does for the Town. The Council appreciates all the work the Mayor does.

The Clerk read 226 Ordinance 2014-05 for the record for the first reading.

Public comment: it was suggested that the word "assign" be amended to "assume" in section IV.

Councilman Foppiano moved to amend #226 – Ordinance 2014-05 to change assign to assume in Section IV and then to adopt the Ordinance. Councilman Kinn seconded the motion. Public discussion ensued. Vote: 4 Yes, 0 No, 1 Abstain (Mayor Lutz). Motion Carried.

Councilman Jenkins invited the Mayor to preside.

- **Website Design Update** – Mr. Bob Strobel reported that the new updated website was released October 1, 2014. Mr. Strobel with the assistance of Councilman Rosenwinkel and Christine Wagner are "working out the kinks" of the new website. Mr. Strobel has redirected legacy URL so that individuals visiting the old website are directed to the new website destination. He is currently working with staff to get signature events on the website. Mr. Strobel requested additional pictures of Alpine should anyone be willing to share their pictures. The new website address is alpinewy.org. It should be noted that the business listed have a license with the Town. If you are a business and do not see your name listed under the Business section, please realize this has to be updated but please let us know. The current list is in a Word Document but would work better as an Excel document because the

data is easier to manipulate. Mr. Strobel asked for that the public provide feedback on the new website.

- **Alpine Fuel Reduction Project Update** – Ms. Terri Potter was not present.
- **Planning and Zoning Update:** Mr. Pat Marolf of Alpine Planning and Zoning Commission reported that the Planning and Zoning Commission has been working on wrapping up loose ends, permits that were overdue, inspections required and finalizing permits. Mr. Marolf stated that the Planning and Zoning Commission is very interested in the new proposed Ordinance to be drafted by the Council with regard to the items discussed at the Special Meeting on October 9 and the Public Workshop on November 5, 2014. They see the biggest hurdle is the enforcement issue. Mr. Marolf also addressed the Land Use and Development Code regulations and the struggle with the enforcement of the municipal codes. Mr. Marolf stated that he thinks that the ability to issue citations would make the Town better, if there are “teeth” in the Ordinance.
- **Lincoln County Sheriff’s Office:** Lt. Brian Andrews of the Lincoln County Sheriff’s Office thanked the Council and said that the LCSO appreciated the working for Alpine. He encouraged the public to send e-mail to the Sheriff or himself or to call if you have questions for the Sheriff. The LCSO has applied for grant funding to assist with patrols and coverage during events such as July 4th and Mountain Days. Mr. Andrews was asked if he supported lowered speed limits in the Town where the crosswalks are. Mr. Andrews responded that the State determines the speed limits.
- **Payment Requests:**
 - **MRG # 13116-Payment Request # 10 (\$2,697.37) SRB Sewer Force Main** Councilman Foppiano moved to approve payment request # 10 in the amount of \$2,697.37 for the MRG # 13116; Sewer Force Main. Councilman Rosenwinkel seconded the motion. **Vote: 4 Yes, 0 No, 0 Abstain. Motion Carried.**
 - **NSU Payment Request # 10 (\$899.12)** Mayor Lutz explained that in the agreement with North Star Utility that the request for the 25% match must be approved the Council and then NSU has 25 days to pay the pay request.

Councilman Jenkins moved to approve payment request # 10 in the amount of \$899.12 for the NSU Match on the Sewer Force Main. Councilman Foppiano seconded the motion. Vote: 4 Yes, 0 No, 0 Abstain. Motion Carried.

- **WBC – Payment Request # 9 (\$3,596.00) SRB Water Transmission Line**

Councilman Foppiano moved to approve payment request # 9 in the amount of \$3,596.00 for the Wyoming Business Council Water Transmission Line. Councilman Kinn seconded the motion. Vote: 4 Yes, 0 No, 0 Abstain. Motion Carried.

- **WBC – Payment Request # 2 (\$21, 760.00) Melvin Brewing Project**
Mayor Lutz explained that the draw request was being pulled. The request appears to be in order but all the invoices have not been received so this will not be submitted for approval until the December Council Meeting so we can make sure all required funds have been requested. This is a 100% match and the Town needs to put in the matching funds paid by Melvin Brewing before submitting the grant request.
- **ARDA – Request for Reimbursement of Grant Revenue Received**

Councilman Foppiano moved to approve payment reimbursement from the ARDA grant received earlier according to the schedule with disbursements totally \$2,35.65 for the Mosquito Abatement Program. Councilman Jenkins seconded the motion. Vote: 4 Yes, 0 No, 0 Abstain. Motion Carried.

- **Melvin Brewing Project Update** – Mayor Lutz commented on the status of the project and welcomed the Melvin Brewing representatives. Mayor Lutz reported that the Town received good news today, that being that the first part of the project grading was completed on Friday. The second bit of good news was that the DEQ permits came through for the utility trenching and we have received bids from the Power Company and Silver Star Communications for the telephone and internet. We are still awaiting the permit from WYDOT to pass through their property. The Town Engineer is working on the plans for the foundation. The Town is working with Melvin Brewing on the Letter of Understanding between the two entities. The Council received a copy of the draft Letter of Understanding today.

The representative of Melvin Brewing stressed the importance of having the Letter of Understanding in place and that the project keeps moving forward.

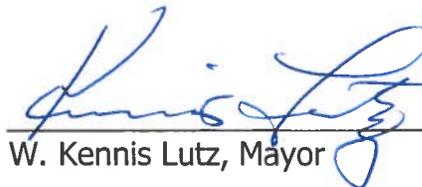
- **Snake River Bridge Sewer Force Main/Water Transmission Line Project** – Mayor Lutz stated that the transmission line was completed from the junction to the bridge. The portion of the line from the lift station to the bridge is still pending.

7. TABLED ITEMS:

- **RV Parking** – No action was taken on this item.
- **Water/Sewer Connection Fees** – No action was taken on this item.
- **Alpine Fire District** - No action was taken on this item.

Councilman Larry Rosenwinkel motioned to adjourn the meeting. Councilman Tim Foppiano seconded the motion. Vote: 4 Yes, 0 No, 0 Abstain. Motion Carried.

Mayor Lutz adjourned the public meeting at 8:25 pm.


 W. Kennis Lutz, Mayor


 Date

Minutes taken and transcribed by:

Sharon L. Backus
Sharon L. Backus Clerk/Treasurer

12-16-2014
Date

Attest:

Sharon Backus
Sharon Backus, Town Clerk/Treasurer

12-16-2014
Date



** Minutes are a brief summary a recording of the meeting is not available **