



**Town of Alpine
COUNCIL MEETING MINUTES**

DATE: March 15, 2016

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:** The roll call was conducted by Sharon Backus, Clerk. Council Present: Robert Kinn, Jeremy Larsen, Larry Rosenwinkel and Mayor W. Kennis Lutz. Councilman Timothy Foppiano was absent and excused. A quorum of the Council was established.

- 3. APPROVAL OF CONSENT AGENDA:** (Town Council Meeting Minutes of February 16, 2016; Public Hearing Minutes of February 23, 2016 and Special Council Minutes of February 23, 2016; Planning and Zoning Minutes of February 9, 2016.)

Councilman Larry Rosenwinkel moved to approve the Consent Agenda (Minutes). Councilman Robert Kinn seconded the motion. Vote: 4 Yes, 0 No, 0 Abstain, 1 Absent, (Foppiano). Motion Carried

4. ON – GOING BUSINESS:

- **PAYMENT OF TOWN BILLS** – (See Attached Check Detail of Bill Payments)

Councilman Jeremy Larsen moved to approve the check detail of bill payments. Councilman Larry Rosenwinkel seconded the motion. Vote: 4 Yes, 0 No, 0 Abstain, 1 Absent, (Foppiano). Motion Carried.

5. ACTION ITEMS & NEW BUSINESS:

- **Lincoln County Weed and Pest Presentation:** Mr. Travis Osmond thanked the Council and introduced Mr. Bob King, Lincoln County Commissioner. Mr. Osmond then presented a very informative slide show about the noxious weeds in Alpine and surrounding areas. Mr. Osmond showed a model of Dyer's Woad and the rapid spread of the weed if left unchecked. Of major concern to Alpine is the invasive species, Spotted Knapweed. Alpine is the hotbed of Spotted Knapweed in Wyoming and the Western States. This invasive species is moving on to the Greys River, down the Snake River to Palisades Reservoir and into Idaho. If you could rank Spotted Knapweed on a scale of 1-10, with 10 being the

most invasive; Spotted Knapweed would be a 9.5 so has earned a place on everyone's watch list. Noxious weeds are the single greatest threat to natural ecosystems here in the West. The Spotted Knapweed is from 8" to 50" tall with up to 300 purple flowers per plant with 400-500 seeds per flower. One plant can have 140,000 seeds. It is spread through the soil. Each plant will spread by 27% per year. The plant produces a toxin, "catechin" which poisons the soil, rendering it useless for grazing or agriculture. Mr. Osmond encouraged Alpine to be proactive in the fight against noxious weeds. This can be done with weed clean up days or an ordinance that is supported by State Statute. The Weed and Pest has done some spraying on the perimeter of Alpine, but it would be helpful if the town residents could put on backpack sprayers and start in the middle of town and work outward to help control the infestation. The best defense is to pull the plant but the crown has to be pulled or it grows back. The prime time to destroy Spotted Knapweed is late summer and into fall before the plant goes to seed. Mr. Osmond provides free chemicals, but he cannot do the spraying without the landowner being present.

This was followed discussion of ideas to get the public involved. Mr. Osmond is to send a copy of an ordinance to the Mayor.

- **Discussion on Snow Mobile Trail:** Mr. Dave Walters was not in attendance.
- **Jackson Hole Moose Rugby:** Mr. Wes Farley, representative of the Jackson Hole Moose Rugby (JHMR) team addressed the Council. This is a semi-amateur, senior rugby team. Mr. Farley stated that Alpine is the rugby team's home field. The team has four home games this year, on May 28; July 25; August 20 and August 27, 2016. There will be teams from Bozeman, Missoula and Rexburg. The game on August 20 will be the "Battle of the Buses". We are looking for sponsorships to heighten awareness of the sport of rugby and develop a fan base. The team is trying to get some tournaments scheduled. Mr. Farley said he would appreciate any help the Town of Alpine can give the team. The JHMR is a non-profit organization. The Tavern has pledged to assist with sponsorship. Sarah Hale from Star Valley Media pledged to do a remote broadcast of one or more of the games.

The Council offered to advertise the games on their social media page and webpage. It was suggested that the JHMR could have a banner made listing their home games, and this could be displayed at Mountain Days.

Mr. Farley gave the following contact information for the JHMR:
Anthony Campolattaro (201) 417-8932
Wes Farley (307) 887-1963.

- **Planning and Zoning Update:** Mr. Brett Bennett of the Planning and Zoning Commission reported that the commission met on February 9 and March 8, 2016. In February, we discussed at length the Lakeview Estates re-plat. We also discussed several housekeeping items. The March meeting was busier. We prepared a recommendation to approve the Lakeview Estates re-plat and to approve the Boardwalk Development subdivision. The third recommendation was to appoint Mr. Ankeny to the Planning and Zoning Commission. On March 8, we approved a residential building permit, a deck permit, and we are sending out about a half-dozen letters for expiring permits. Mr. Bennett stated that the new residential

building permit included a request for a waiver for Certificate of Placement. Page 34 of the Land Use Development Code reads, "Upon completion of the foundation walls and structure, a Certificate of Placement will be issued and submitted to the Town Office." This verifies the location of the structure and that the structure complies with the setbacks and the platted land. These owners have surveyed and re-platted and joined the lots and have spent a great deal of money so I understand their frustration. There is no foundation in place to verify at this point. There is a house just down the street from this location that was built before we required the Certificate of Placement and it was built over the property lines. In my mind this requirement is the lesser of two evils. Get a surveyor to sign off on the foundation so the Town does not have to deal with it later in any way, shape or form. Robert Point Construction applied for the permit and he had personally had a problem with a house being over the lot line. This turned out to be very expensive. This is the Commission's take on this and we are supported by the LUDC.

- **Boundary adjustment for Alpendorf Subdivision:**

Mr. Marlowe Scherbel of Surveyor Scherbel's office he was present representing the developer. Mr. Scherbel presented the map of the area formerly known as Alpendorf Subdivision but which has been renamed to Boardwalk Development property. This property is located at the corner of the only stoplight in Star Valley. This land is also part of the land represented in the Petition for Annexation. The developers wanted to realign some lots. This is proceeding as a parallel consideration with the County Planning and Zoning.

Mr. Scherbel stated that a boundary adjustment does not require a signature like some plats do. The County wanted to get the Town's input and comments before they consider this at their meeting on March 22, 2016. Assuming the annexation will be accepted, it will become part of the Town of Alpine. There were nine lots here. We rearranged lot lines and added some roadways all of which have hammerhead turnarounds. The plats have been trimmed from nine to eight lots. Lot numbered 5 is where the Chevron station is located. At this time the developer does not plan to change the use of the area. If you change the use, you have to change the approach which requires permitting with Wyoming Department of Transportation.

Mr. Scherbel stated that the developer plans to have a "Business Owner's Association" similar to an HOA which would be responsible for the road maintenance. These will not become County or Town roads. Right now this property is hooked up to your sewer through a lift station in the NW corner. The old septic system was removed and they are now pumping into the new septic pipe line. Water is provided by two wells (locations were pointed out on map) and a tank up above the Alpendorf. There is an easement for that tank which runs through Ridge Estates. The wells and tank have been there since the eighties and currently supply culinary water. There has been some discussion of hooking to the Town's system at some future time. Obviously, at that time the current water system would be used by the HOA for landscaping water rather than potable water. The well would have to be placed in some kind of pit as it is in the road now and the well needs to be saved. There are still a couple of sewer lines on the property (Mr. Scherbel again referenced the development map).

Mr. John Woodward from the Lincoln County Planning and Zoning Office stated that the area is zoned mixed commercial and residential. By rearranging the lot lines, this will make the property more marketable.

Mayor Lutz and the Councilmen stated they no objection to the boundary adjustment.

- **Remove from table: "Application for Simple RE-Plat in Lakeview Estates":**

Councilman Larry Rosenwinkel moved to remove from the table the "Application for Simple Re-Plat in Lakeview Estates" (tabled by Council on February 16, 2016). Councilman Robert Kinn seconded the motion. Vote: 4 Yes, 0 No, 0 Abstain, 1 Absent, (Foppiano). Motion Carried.

Mr. Marlowe Scherbel presented a map depicting a portion of the Lakeview Estates that was filed in the late sixties. This was referred to as the "saddle blanket plat". This is what it looks like today (displayed second map). This plat is somewhat unique in that it leaves a lot of information to the imagination. There are descriptions around each lot and the roads show the center line but I have never been able to determine the width of the road. It was my father's opinion that the developers had a preliminary plat approved with the Commissioners back in the sixties. It is very difficult to find monuments; they may not have all been set. The first map shows Terrace Lane. At the end of Terrace Drive there was a strip of land at that time was to be a common area. Some of you will remember it referred as to as the "Bridle Path". It was never dedicated on the map as a common area. The County finally determined in the eighties that this was actually the developer's property and began to tax the owner accordingly. That road as you can see, ends in some kind of turn-around but I have no idea of the size of that turn-around. There is just a line drawn on a map with no dimensions but there is something at the end of that road. The location of the road does not match what is actually on the ground. We have tried over the years to solve problems in this area. If you look at lot 210, you will see two parallel lines which represent access to the lots we are discussing, lots 2A, 3A and 4A. Lot 210 has a 20 foot easement to the Lanphear's lot but if you look at the map the location is not where there has actually been travel; it is where everyone has agreed it is over the years.

The positive things we are doing here are two-fold. First we are taking three lots and open space where the cul-de-sac was to be, which the Worthen Estate has title to, and downsizing to two lots. The Worthen Estate added this open area to their lots 2A, 3A and 4A. By downsizing to two lots, there will be less density in this area. When they purchased the Bridle Path piece of land, the Worthen Estate had access to Terrace Lane. Some of the neighbors did not think they should have this access to this so in the nineties, there was a court case with a settlement that stated that the road is where it appears and everyone had a right to use that road. This road is dedicated to the public; it is not a private road.

In 1989 when the Town of Alpine was incorporated, the County Commissioners were happy to turn over the streets in Lakeview Estates to the Town as public roads. These are maybe

twenty foot roads and in my personal opinion, this was to be a summer place; never meant to be plowed in the winter. This area is something that has evolved over time.

Mrs. Worthen passed away about a year ago, and the hashed area on the map represents the area where we are trying to create a common easement for these lots. These lots border Terrace Lane and Lodge Lane. This is where the Town's jurisdiction stops and the roads become public roads. The driveway that goes through here would be common to both lots.

Mr. Scherbel stated that the grade on Terrace Lane at the beginning probably exceeds 10%, and then when you get up to lot 215, it flattens out into that boot-looking cul-de-sac. The way this has been operating for the last 10-20 years, is that the Town maintains it to the fire hydrant and the landowners took it from there. There has been a sort of verbal cooperative agreement as to how this is done. The only thing I see that is of consequence is that there is some kind of cul-de-sac. Does the Town really want to enforce a public right when we do not know where it is? Maybe the Town should consider an official vacation of the cul-de-sac at the end of Terrace Lane. That would be my suggestion. If you want to have more of a cul-de-sac there, then the Town and the landowners need to meet and decide where to put the cul-de-sac. Mr. Scherbel stated that he can find most lot lines, but cannot find the cul-de-sac dimensions. It would have to be a cooperative agreement to decide if the Town really wants this. If it is not needed, and in practice, it has not been needed, then officially get rid of this cul-de-sac.

Mr. Scherbel stated that one of the recommendations from the Planning and Zoning Commission was to place a disclaimer on the plat map stating that the area was indefensible against fire. There needs to be some kind of warning for people who may follow as owners. It is my understanding from speaking to your attorney is that this may not be a good thing for the Town to post on a public document from a liability standpoint. Mr. Scherbel stated that he believes that any buyer that goes up there will recognize the limited access. The attorney did not share with me the opinion he would give to the Town. We are making the best of what we have up there. There was never adequate access, but we are using what was platted and available to us. If the town wants to have an adequate cul-de-sac here, you will have to move a lot of dirt.

Mr. Scherbel referred to the map and stated that this road is accessible with a pickup. Now, whether a long fire truck can get in and out of there is another question, it would be tight. A smaller, quick-response truck would be easier. Mr. Scherbel stated that downsizing and making the best of the situation seems the best solution. The Town needs to make a good decision here. The Town should consult with their attorney regarding the language if any for the plat map.

Councilman Larsen stated that it is not just about getting the fire truck into the area, but that you do not want to get trapped by wildfire in the area with no exit. Councilman Larsen stated his concerned that if this is not disclosed, future owners may not readily see the threat to the area. It comes down to this, from the fire department perspective; the area will be indefensible to fire fighting vehicles.

Mayor Lutz asked, "why this cul-de-sac"? It will then be expected that the Town will do the next one and the next one and so on.

Councilman Larry Rosenwinkel moved to table the Application for Simple Re-Plat in Lakeview Estates. Councilman Jeremy Larsen seconded the motion. There was no discussion. **Vote: 4 Yes, 0 No, 0 Abstain, 1 Absent, (Foppiano). Motion Carried.**

- **Second Reading: 238 – Ordinance No. 2016-01; "AN ORDINANCE PROVIDING FOR THE VOLUNTARY ANNEXATION OF A TRACT OF LAND INTO THE TOWN OF ALPINE, LINCOLN COUNTY, WYOMING; CHANGING THE CORPORATE LIMITS OF THE TOWN OF ALPINE TO INCLUDE SAID TRACT; AND ESTABLISHING AN EFFECTIVE DATE"**

Sharon Backus, Clerk read 238 Ordinance No. 2016-01 into the record for the second reading.

Councilman Larry Rosenwinkel moved to adopt 238 – Ordinance 2016-01 on the second reading. Councilman Robert Kinn seconded the motion. There was no discussion. **Vote: 4 Yes, 0 No, 0 Abstain, 1 Absent, (Foppiano). Motion Carried.**

This DRAFT Ordinance may be viewed in the Town Office or on the website at alpinewy.org.

- **Appeal P & Z decision not to grant waiver from Certificate of Placement on House residence, (waiver denied by P & Z Commission 3/8/16):** Mayor Lutz stated that this was discussed earlier under the Planning and Zoning update. Everyone in Alpine needs to be treated the same. This has been a requirement since 2008. The Town Council took no action on this matter.
- **Appointment to Planning and Zoning Commission and Administration of Oath:** Mayor Lutz appointed Mr. Sam Ankeny to fill the position on the Planning and Zoning Commission and administered the Oath of Office. Mr. Ankeny's term expires December 31, 2018. Mayor Lutz thanked the other applicant for his letter of interest.
- **400 Resolution No. 03-15-2016 Official Town Signatories:** Sharon Backus, Clerk explained that this resolution was to update the Town of Alpine signatories at financial institutions. Ms. Backus, then read 400 Resolution No. 03-15-16 into the record.

Councilman Larry Rosenwinkel moved to adopt Town of Alpine 400 Resolution No. 03-15-2016. Councilman Robert Kinn seconded the motion. There was no discussion. **Vote: 4 Yes, 0 No, 0 Abstain, 1 Absent, (Foppiano). Motion Carried.**

This Resolution may be viewed in the Town Office or on the website at alpinewy.org.

- **Reassignment of Consensus Block Grant for the Town of Opal:** Mayor Lutz stated that the Alpine had received a request to reassign \$26,126.00 toward completing an equipment shed project in Opal.

Councilman Jeremy Larsen moved to approve the Town of Opal request to reassign the Consensus Block Grant of \$26,126.00. Councilman Robert Kinn seconded the motion. There was no discussion. **Vote: 4 Yes, 0 No, 0 Abstain, 1 Absent, (Foppiano). Motion Carried.**

- **Payment Requests:** The Council Members reviewed the payment request that was submitted and presented; the Council approved the request individually as follows:
 - **Wyoming Business Council Payment Request #18 (\$9,836.00) – Melvin Brewery Project**

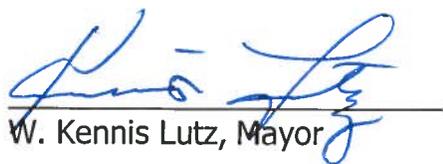
Councilman Larry Rosenwinkel moved to approve WBC Payment Request #18; in the amount of \$9,836.00 for the Melvin Brewing project. There was no discussion. **Councilman Robert Kinn seconded the motion. Vote: 4 Yes, 0 No, 0 Abstain, 1 Absent, (Foppiano). Motion Carried.**

- **Economic Development Update –** Councilman Jeremy Larsen gave the following report: The main item that impacts Alpine is the High School basketball tournament next December. They are looking at approximately 12 schools to participate in the tournament. The schools are from Wyoming, Utah, Idaho, Washington and Colorado. These types of tournaments typically bring in numerous people who will be looking for lodging, so Alpine may benefit from that. This tournament should bring substantial revenue to the area.
- **Public Comment – Additional Questions and/or Comments:**
 - Mayor Lutz thanked Commissioner Bob King for attending the meeting. Mr. King informed the public about two senate bills which had been passed, numbered 99 and 100 both of which were crafted by him and Mr. Dan Dockstader. These bills allow the Hospital Districts to spend money to fund Emergency Medical Services (EMS). The Hospital District currently receives 3 mils or approximately \$585,000 to be used on maintenance only. Now these funds may be used to support local EMS. The various EMS representatives can go to the Hospital Board and request funds.

Mayor Lutz and the Council commended Commissioner King for his efforts on behalf of the regional EMS.

Councilman Robert Kinn moved to adjourn the meeting. Councilman Larry Rosenwinkel seconded the motion. Vote: 4 Yes, 0 No, 0 Abstain, 1 Absent, (Foppiano). Motion Carried.

Mayor Lutz adjourned the public meeting at 8:47 pm.



W. Kennis Lutz, Mayor



Date

Minutes taken and transcribed by:



Sharon Backus, Town Clerk/Treasurer



Date

Attest:





Sharon Backus, Town Clerk/Treasurer



Date

** Minutes are a brief summary of the taped recording of the meeting **