



**Town of Alpine
COUNCIL MEETING MINUTES**

**DATE: July 19, 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: Timothy Foppiano (via telephone), Robert Kinn (via telephone at 7:05 p.m.); Jeremy Larsen, Larry Rosenwinkel and Mayor W. Kennis Lutz. A quorum of the Council was established.
- 3. APPROVAL OF CONSENT AGENDA:**
 - a. Town Council Meeting Minutes – June 21, 2016; Public Hearing Minutes –July 6, 2016**
 - b. Planning and Zoning Minutes – June 14, 2016 and June 28, 2016;**
 - c. Payment of Town Bills – See Attached Check Detail of Bill Payments**
 - d. WBC – Payment Request # 19 (\$36,530.00) – Melvin Brewing**
 - e. 408-Resolution No. 07-19-2016 – Ratify Intradepartmental Loan and Terms**
 - f. 409-Resolution No. 07-19-2016 – Allow Town of Alpine to Apply for a Private Commercial Loan**
 - g. 410-Resolution No. 07-19-16 Resolution in support of Business Readiness Grant for Lincoln County Economic Development’s Glencoe Junction Facility project**
 - h. Catering Permit – Bull Moose Saloon in Thayne on July 23, 2016 (Copy to Lincoln County Commissioners)**

Councilman Larry Rosenwinkel moved to approve the Consent Agenda. Councilman Jeremy Larsen seconded the motion. There was no discussion. Vote: 4 Yes, 0 No, 0 Abstain, 1 Absent, (Kinn). Motion Carried.

The aforementioned Resolutions may be viewed in the Town Office or on the website at alpinewy.org.

4. ACTION ITEMS & NEW BUSINESS:

- **Presentation to Thayne Senior Center:** Mayor Lutz presented a check to the Thayne Senior Center in the amount of \$3,000. Representatives of the Thayne Senior Center were Dan Carter and Don Snider, Board Members. Mr. Carter thanked the Town of Alpine for the generous donation and stated that Alpine’s support was appreciated.

- **Presentation to Star Valley Chamber of Commerce:** Mayor Lutz presented Ms. Joni Moffett of the Star Valley Chamber of Commerce with a check in the amount of \$1,500 and thanked her for a job well done. Ms. Moffett thanked the Alpine Town Council for their continued support and presented the Town of Alpine with the yearly plaque update.

Councilman Robert Kinn joined the meeting at 7:05 p.m. there was still a quorum of the council present.

- **Planning and Zoning Update:** Ms. Christine Wagner, Planning and Zoning Commission Secretary reported that the commission currently had thirty-five active permits on their books. There are an additional eleven tabled permits which will be considered at the next commission meeting. Ms. Wagner stated that the commission is working very hard as they are currently a three-man crew having to cover all of the demands of the commission. There are two open seats on the commission, one for an out-of-town member and one for an Alpine resident.

Mayor Lutz stated that he had two people interested in the out-of-town position so he has asked each to attend the next Planning and Zoning Commission meeting to be interviewed. The commission will then send their recommendation to the council.

Ms. Wagner then referenced the information that had been distributed to the council which included the commission recommendations and permit affidavits for extensions, fence and sheds less than 200 sq. ft. Ms. Wagner summarized the recommendations as follows. The commission recommends that the extension affidavit be filled out on the spot and issued at that time as long as there are no substantial changes to the project. The commission recommends that the fence and shed permit affidavits would have a 3-5 day turnaround time to allow for the submission to the town, contact with the building official for review and subsequent comment or approval, the permit preparation and permit pick-up at the office. It is the intent of the commission that fence installations would need only a final inspection and shed installation would need a site inspection and a final inspection.

Mayor Lutz asked Mr. James Sanderson, Legal Counsel to comment on the affidavits. Mr. Sanderson stated that what he had in mind when the sample affidavit was developed by him was that it would be accompanied by a checklist and thereby could be issued on the same day provided the checklist was complete.

Mayor Lutz reminded the council that shortening the turnaround time was the whole point of this exercise. The goal is to expedite the permitting process.

Councilman Rosenwinkel requested that a copy of any and all ordinances or regulations that pertain to the permit type accompany the permit to assure the applicant is thoroughly informed of the process and what is expected from them. Councilman Rosenwinkel stated that the council was expecting a deck affidavit as well as the three that were presented by the commission.

Ms. Wagner replied that the commission was not prepared to present a deck affidavit at this time due to the complexity that may be encountered in deck permit requests. As an example, some require handrails, stairs or other complications. The commission is requesting additional time to prepare the deck affidavit recommendation. The commission will work on this in their next two meetings before the council meets again on August 15, 2016.

Mayor Lutz stated that it is the intention of the council that all decks, regardless of the square footage or elevation, will be permitted by affidavit. He asked that the commission continue to work on this affidavit and thanked the commission for all their work to date.

Ms. Wagner reminded the council that the shed affidavit is for sheds less than 200 square feet as this does not require engineering. Should the shed exceed 200 square feet, there are additional components that come into the discussion those being placement, setbacks, engineering and height to name a few.

The councilmen discussed the shed size and decided that ultimately they would like to see the size change from less than 200 square feet to less than 300 square feet. Ms. Wagner said that the commission was very busy now but expects business to slow down and they could work on this project in the winter.

Councilman Rosenwinkel suggested that a separate shed affidavit could be prepared to cover the 200-299 square foot projects. This way, the affidavit the commission presented could be approved and they will work toward enlarging the shed requirements. There is a problem with the size of the lots in town and the current setbacks so this will have to be reviewed.

Mr. Sanderson stated that the affidavits may be accepted by the council pending a checklist provided by legal counsel, said affidavits may then be accepted on site.

Mayor Lutz reiterated that the appropriate and relevant ordinances and portions of the Land Use Development Code (LUDC) must be attached to the affidavits that are issued from the office.

Councilman Larry Rosenwinkel moved to accept the affidavits as written pending addition of legally prepared checklists of tasks to be completed and attachment of relevant ordinances or regulations; that said approval will be without waiting time providing checklist is complete. Councilman Jeremy Larsen seconded the motion. There was not discussion. Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.

- **Third Reading: 241 Ordinance No. 2016-04 Town of Alpine Building Department Fee Schedule for Building Applications in the Town of Alpine. An ordinance amending 151 – Ordinance No. 2007-07 AND 229 ORDINANCE NO. 2015-02 – LAND USE & DEVELOPMENT CODE, ARTICLE 2.2 GENERAL DEVELOPMENT REVIEW AND APPROVAL PROCESS, SECTION #2-208 – DEVELOPMENT FEES, SUB-SECTION (h), (i), (j) AND (k) AND ARTICLE 2.5**

BUILDING DEVELOPMENT FEE SCHEDULE SECTION 2-501; SUB-SECTION (h), (i) AND (j).

Councilman Larry Rosenwinkel moved to adopt Town of Alpine 241 Resolution No. 2016 on third reading. Councilman Jeremy Larsen seconded the motion.

Discussion ensued. Councilman Rosenwinkel stated that he had worked with Ms. Wagner to get cost estimates for the permitting single family residential structures and came to the conclusion that a flat fee of \$700 would cover the cost of the inspections, plan review, commission wages and expense. The attached garage should be included in this fee as the inspector will inspect it at the same time as he inspects the house. Councilman Rosenwinkel said he had reviewed the letter received from Meridee Matson and agreed with portions of that letter.

Councilman Kinn said that the larger houses would benefit from this fee structure and expressed disagreement with the fee change.

Councilman Foppiano expressed concern about potential annexation and the size of the lots that may become part of the town which have the potential for enormous houses to be built on the lot. These very large houses would require more plan review and inspections so the council needs to make sure the costs are recovered on all building projects. This was discussed amongst the council.

Councilman Larsen said that he had agreed with Councilman Kinn originally, but having reviewed Councilman Rosenwinkel's figures he agrees with the flat fees. Mr. Larsen said he has a concern with annexation as well and cannot imagine six inspections being adequate for a 10,000 square foot house. It would be worthwhile to consider a complexity caveat or other threshold. A threshold of 3,000 square was suggested.

Mr. Sanderson asked the council why they were acting as a middleman in this process. The town could take the stance that before the Certificate of Occupancy is issued; the property owner must offer proof of inspection by whichever inspector he/she chooses. A list of inspectors could be provided by the town and the applicant chooses the inspector.

Mayor Lutz responded that there had been problems in the past with inspectors and this is an attempt by the Town of Alpine to ensure that quality prevails over time. Mayor Lutz spoke in favor of the flat fees as it levels the playing field. The larger projects could perhaps be dealt with by variance.

Mr. Sanderson admonished the council that if this is a cost basis approach, the council cannot allow the appearance of being arbitrary or capricious. A larger house may well involve more complications. The town must have a basis to set law. Ideally you would make laws that do not require you to have to change them every two years.

Councilman Larsen stated that he thinks the fees should be examined every three to five years.

Ms. Wagner reminded the council that the LUDC provides for a cap of 8,000 square feet on a residential structure and that if annexed the town codes will pertain to those annexed properties. Ms. Wagner stated that there is no minimum square footage but that the IRC code addresses the requirements for habitable space and bathrooms.

Councilman Larry Rosenwinkel moved to amend the Town of Alpine 241 Ordinance No. 2016-04 to remove the word "amend" and replace with "repeal and replace" in the first sentence; to increase the flat fee for residential single family unit to \$700, removing the additional price per square foot for the same residential category; to remove flat fee for a garage in conjunction with residential structure; to increase the remodel or addition fee to \$400, removing the additional per square foot fee; to increase the fee for a garage not associated with residential structure to \$450 and to remove the additional price per square foot; and to adopt 241 Ordinance No. 2016-04 as amended on third reading. Councilman Jeremy Larsen seconded the motion. There was additional discussion. Vote: 4 Yes, 1 No, (Kinn) 0 Abstain, 0 Absent. Motion Carried.

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

- **Motion to authorize Mayor Lutz to award the bid for the road repair and paving contract:**

Councilman Larry Rosenwinkel moved to authorize Mayor Lutz to accept the lowest qualified bid contingent on legal and engineering review. Councilman Jeremy Larsen seconded the motion. There was not discussion. Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.

- **Economic Development Update:** Councilman Jeremy Larsen gave the following update. The major topic that was discussed was the rail yard. The resolution from the county was adopted in the consent agenda. The Town of Alpine is not accountable financially or otherwise. The Lincoln County Economic Development Commission (LCED) cannot borrow money directly on this project; rather they must approach this legally as allowed by the State. There are a couple of firms that are looking to rent this facility to store cars there. As it appears now, this will be a money maker for the LCED. The projected income is about \$6,000/month and perhaps up to \$300,000/year.

Mr. Larsen reported that with respect to the towns, it is business as usual. Thayne is continuing work on the data center. Star Valley Ranch is working on their water project. Afton is working on the temple with the open house scheduled for late September. An estimated 75,000 visitors are expected to attend this opening. LaBarge thanked the Business Council for the funds to update their arena. The Business Council will be adopting new rules on September 1, 2016. The Chamber of Commerce prepared a map of all the businesses in the Star Valley. This is a very nice and informative map. The LCED handed out revised criteria for new applicants keeping in mind the LCED mission statement.

Mayor Lutz added that the rail project will be a huge benefit to the county, a win-win opportunity. The property was valued at \$11-12M.

Councilman Larsen stated that the cost is \$4.25 M; of which \$3.5 will come from a Business Readiness Grant and \$1.25M is financed for 30 years at 0.5% interest for and annual payment of \$44,880/year.

WATCO is the firm the LCED is negotiating with for the lease. It would be a 70/30 lease with estimated annual income of \$260,000. The Wyoming State Statutes requires that LCED organize a Joint Powers Board to pass a resolution to assume the debt. This is a non-recourse loan and the Town of Alpine is not on the hook for anything.

Councilman Larry Rosenwinkel moved to adjourn the meeting. Councilman Jeremy Larsen seconded the motion. Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.

Mayor Lutz adjourned the public meeting at 8:04 pm.

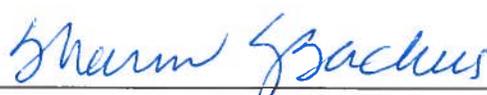


W. Kennis Lutz, Mayor



Date

Minutes taken and transcribed by:



Sharon Backus, Town Clerk/Treasurer



Date

Attest:





Sharon Backus, Town Clerk/Treasurer



Date

** Due to a power outage, no recording of this meeting is available **