



**Town of Alpine  
COUNCIL MEETING MINUTES**

**DATE: October 18, 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, present via telephone; Robert Kinn; 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 –September 21, 2016;**
  - b. Planning and Zoning Minutes – September 13, 2016 and September 27, 2016;**
  - c. Payment of Town Bills – See Attached Check Detail of Bill Payments;**
  - d. MRG 15023-Payment Request # 10 (\$2,909.55) – Snake River Bridge Lines;**
  - e. WBC-Payment Request # 20 (\$26,867.14) – Melvin Brewing;**
  - f. Approval of Catering Permit for Bull Moose Saloon – Alpine Action Adventure Haunted House Fundraiser for Lincoln Self Reliance;**
  - g. Approval of Amended Snow Removal Contract for November 1, 2016 through April 15, 2017 reduced for no snow removal on Forest Service parking lot on Greys River Road;**
  - h. Adoption of 414 Resolution No. 10-18-2016 Authorizing Town of Alpine to Proceed with Purchase of Game and Fish Land, Undertake and Complete the Commercial Expansion Project; and**
  - i. Adoption of 415 Resolution No. 10-18-16 Authorizing The Amendment Of Certain Language Contained In 409 Resolution NO. 7-19-2016 And 413 Resolution No. 413 08-16-2016 For The Purpose Of Clarifying Certain Terms Contained within said Resolutions**

**Councilman Larry Rosenwinkel moved to amend the Consent Agenda by adding 415-Resolution No. 10-18-2016, A Resolution Authorizing the Amendment of Certain Language Contained in 409 Resolution NO. 7-19-2016 and 413 Resolution No. 413 08-16-2016 for the Purpose Of Clarifying Certain Terms Contained Within Said Resolutions and then to approve the Consent Agenda. Councilman Jeremy Larsen seconded the motion. There was no discussion. Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.**

***The aforementioned Resolutions may be viewed in the Town Office or on the website at [alpinewy.org](http://alpinewy.org).***

#### **4. ACTION ITEMS & NEW BUSINESS:**

- **Safe snowmobile trails in Alpine – Dave Walters:**

Mr. Dave Walters addressed the Council to present a proposal to create a safe snowmobile groomed trail for our visitors and customers of Alpine Adventure Rental. The proposed trail would go from where Idaho trails stops grooming at approximately Tootsies and continue on the west side of the road to the Snake River Bridge. There would also be two signed snowmobile crossings one from Alpine Adventure Rentals over to Tootsies and another from Yankee Doodle's over to the Tavern on the Greys. As in the past the groomed trail would then continue behind the Tavern on the Greys along the river bench which connects to the Greys River trail system. The grooming would be done by Tim Haberberger at a rate of \$120/hour. Tim estimates that each time the trail deteriorates he would spend approximately one hour re-grooming the trail. Depending on the snowfall and trail conditions this re-grooming would need to be performed an average of twice per month from December through March. The initial grooming of the season would take longer. Alpine Adventure Rental would also help maintain any signage or other maintenance as needed.

Safety is important and last year there were at least three injuries due to snowmobile traffic leaving Alpine Adventure Rental and hitting a snow bank or berm. Mr. Walters stated that he believes there will also be a great economic benefit to having a trail system in Alpine. The Greys River Trail System is already ranked one of the premier trail systems in the Rockies. The two main trail systems here are the Greys River Trail system and the McCoy Creek system and with this proposal these two will be linked.

Mayor Lutz referenced a map to demonstrate the path the trail system would follow. Mayor Lutz stated that the Town of Alpine has a budget for trails of \$8,700 which could be used for either snowmobile trails or cross-country trails.

Mr. Walters asked to be involved in the signage discussion and maintenance of the signs.

Mayor Lutz agreed to assign Mr. Walters responsibility for signage maintenance and the Town of Alpine will help pay for the grooming. The first step will be for the Town to contact the Wyoming Department of Transportation (WY DOT) for permission for the road crossings and signage. Mayor Lutz is to draft a letter to WY DOT.

- **Request for exception to current utility ordinances for new project – John Tribitt:**

Mr. John Tribitt introduced himself and addressed the Council stating, "The Council had taken my thunder because I had this whole spiel thing but now I would like to see if you guys would let me hold off on paying my sewer and water bills until the third reading of Ordinance No. 8. I read through the proposed ordinance and it looks great and will obviously help my budget."

Mayor Lutz thanked Mr. Tribitt.

- **Request reduction of civic center rental fees for Women's Expo – Karen Rodenbaugh:**

Ms. Rodenbaugh addressed the Council to request a reduction of civic center rental fees for the Women's Expo to be held December 10, 2016. Mayor Lutz reviewed the fee schedule and the fees charged in 2014 and 2015. It was agreed by the Council that the rental fee for the event would be the same as last year at \$300. Ms. Rodenbaugh was agreeable to the fee and thanked the Council.

- **Planning and Zoning Update – Sam Ankeny**

Mr. Sam Ankeny of the Planning and Zoning Commission reported that the Commission has seen a pretty steady flow of permits. Overall the flow is down from the summer but the Commission is still seeing good action. The Commission has had one residence approved, two permits with some conditions, a couple of garage permits and a handful of renovation type permits. One of which the conditions will apply to the determination on some of the sewer and connection fees proposed in 245 Ordinance No. 2016-08. The Commission wanted to bring up the fact that wherever we land on the determination that it is written into the ordinance that those fees are due to be paid before a permit can be issued. So if there is any desire to look at that further we wanted to point out that that was currently in the ordinances in effect so it makes sense to do it that way again. With all the other fees as well, getting these fees up front is to partially cover our expenses and to make sure anybody doing a project has things together before they get going on the project. This is a good assurance for the Town.

Mayor Lutz asked about what affidavits were in place now. Mr. Ankeny stated that there are deck, shed and fence affidavits in place. Mr. Ankeny said that with the fees associated with the plan reviews especially with those affidavits need to be paid at the time of the permit application because the Commission is trying to keep these review costs down and make those smaller projects affordable. Upon submission of the permit is when the Commission starts their work so, the fees should be in place at that time. If it is not a requirement that all fees be paid before the permit is issued, there could be a possibility that the town could receive invoices for plan review that would not be covered by the application fees.

Mayor Lutz asked whether or not all fees were to be paid up front. Mr. Ankeny responded, yes, this pertains to all fees, connection fees and permit fees.

Mayor Lutz asked for confirmation that the Commission was in agreement that the fees are to be paid up front. Mr. Ankeny answered in the affirmative. Mr. Ankeney stated that the Commission would still like to have the permit fees paid at the time the application is submitted. Mayor Lutz stated that the Council was all in agreement that all fees should be paid before the permit is issued. Mr. Ankeny assured the Council that they were disclosing this information when applicants inquire about the building process and fee structure.

Councilman Rosenwinkel stated that the Commission should let it be known that this new ordinance was being read and voted on because if people pay the connection fees before this ordinance is passed, they are paying the current fee.

Mr. Ankeny stated that the Commission has kept a running list of items they would like to work on during the winter if the number of permits slows down.

Mayor Lutz thanked Mr. Ankeny for the update.

- **First Reading: 244 Ordinance No. 2016-07 Silver Star Communication Franchise Agreement.**

Sharon Backus, Clerk read 244 Ordinance No. 2016-08 into the record for the first reading.

**Councilman Jeremy Larsen moved to approve 244 Ordinance No. 2016-07 Silver Star Franchise Agreement on first reading. Councilman Robert Kinn seconded the motion.** Discussion ensued.

Town attorney James Sanderson pointed out two typographical errors, those being on page five, Section 5.1 should read as defined in Section 2.0G and the ordinance should read State of Wyoming Constitution not Idaho Constitution. Silver Star would need to amend Section 9.2.

**Councilman Jeremy Larsen moved to amend 244 Ordinance No. 2016-07 to change Section 5.1 to read, "as defined in Section 2.0G"; Silver Star is to change the verbiage in Section 9.2 Theft of Services; to change State of Idaho Constitution to State of Wyoming Constitution then to approve the ordinance as amended.**

**Councilman Robert Kinn seconded the motion.** There was no further discussion. **Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.**

***This aforementioned Ordinance may be viewed in the Town Office or on the website at [alpinewy.org](http://alpinewy.org).***

- **First Reading: 245 Ordinance No. 2016-08 Establishing a Unified Billing Process; Usage Fees; Connection Fees; Connection Requirements and Collection Policies.**

Sharon Backus, Clerk read 244 Ordinance No. 2016-08 into the record for the first reading.

**Councilman Larry Rosenwinkel moved to approve 245 Ordinance No. 2016-08 Establishing a Unified Billing Process; Usage Fees; Connection Fees; Connection Requirements and Collection Policies on first reading. Councilman Jeremy Larsen seconded the motion.** Discussion ensued.

Mayor Lutz referenced comments for suggested changes from the Town Engineer for 1- Water Connection Requirements and F-ERU Determination portions of the ordinance which would provide needed clarification. This was discussed by the Council.

Mr. Ablondi addressed the Council to explain these suggested changes. With respect to Water Connection Fees, it was not clear how much the Town of Alpine is actually providing. The tap fees should go to main facility fees and the remaining cost to do the tap should be separate.

These fees are not covering the total cost. An example would have to cut into the street to tap into the water line. That is very expensive. This needs to be separated out.

With respect to ERU Determination, comments reference Exhibit A which cannot possibly cover every scenario, so this provides a method for determining the other connection scenarios which may come up. The most likely way to do this is to install a meter that is actually measuring those flows. A water meter may not be an accurate representation of the wastewater usage as it measures irrigation and other uses as well. If the owner of the property has another way to measure the wastewater usage such as a pump station or wastewater meter, that could be used as well. The Exhibit A breakdown is based on the first line and all subsequent fees are based on 375 gallons/ERU. It is important to add language to allow the Town of Alpine to continue measuring the wastewater usage beyond two years. Surcharges for water stronger than 300 mg/l should be determined by the Town. Right now, you only have one business creating stronger wastewater. The Town needs to have authority to deal with surcharges which will be unique to each business generating the wastewater. Currently, there is not a schedule for surcharges. Also, there is a typographical error on page 2, should read "Water Connection Dates".

Mr. Ablondi drew attention to item G: "Adjustment of Sewer Connection Fees". This is an important paragraph and everyone needs to understand it. We discussed this in earlier workshops. This would allow the Town to make adjustments in connection fees for new developments which install significant sewer and/or water infrastructure that would potentially add new users to the system or if there was a public health or environmental issue. The new infrastructure would be given to the Town. The Town may have to address some easement issues and so forth. This paragraph is intended to give the Town some authority to deal with these special occurrences to make the project pay for itself and at the same time to be affordable to connect.

The corrections if any could be added for the third reading via amendment on the last reading excepting the typographical error on page 2, paragraph 3.

**Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.**

***This aforementioned Ordinance may be viewed in the Town Office or on the website at [alpinewy.org](http://alpinewy.org).***

- **Economic Development Update:** Councilman Jeremy Larsen reported that the Economic Development Commission had met. The big news items are that 79,000 visitors toured the LDS Temple; the Quilt Trail ladies are busy sewing and Alpine has finished the new road project. Work is continuing on cleaning up the Economic Development application for funding. Economic Development approved some new rules for any kind of funding. There will now be three readings which are initial application, review, questions and revisions and the third reading will be to approve funding. There will not be any more immediate funding. Pending items are the Caribou Trail Network; the quilt trail and the basketball tournament.

## **5. Tabled Items:**

### **Third and final Reading of 238 Ordinance No. 2016-01 Annexation**

No action was taken on this item.

**Public Comment:**

Lisa Anderson, Tom Rasmussen, Tanita Sessions, Lynell and Jim Corsi; residents of Nelson Lane approached the Council with their concerns created from the Forest Service snowmobile parking lot across from their property. Ms. Anderson stated that at the time her house was build there, Nelson Lane was a county road. The concerns are as follows:

- It is a one lane road;
- It is a dirt road;
- There are already two accesses to the parking lot and to put a third access on this road is unnecessary and is right in front of the driveway(s) of the house(s) on Nelson Lane;
- This road cannot support usage by heavy vehicles and trailers;
- The residents were never asked about placing the outlet right in front of their driveways;
- The landowners rights were never considered;
- There are safety issues for the school children who have to use Nelson Lane;
- The culinary water line under that road is illegal by EPA standards and it has broken twice this year already as it is not buried to correct depth and this creates a mess with mud which no one cleans up;
- Gas and oil residue from vehicles runs right over the town's well;
- There is also an issue with the Forest Service as to ownership of the road; the Forest Service alleges they own the road so they can do whatever they please;
- Upon diligent searching, the residents have located the blueprints, and documents indicating an easement that was given by the Forest Service to Lincoln County who subsequently granted easement to the Town of Alpine;
- The Town may own the road so there needs to be some investigation on the Town's part as to whether or not that approach goes in as well as accountability and consideration for the people and children who live on that road;
- Noise from snow machines is unbearable;
- Where will the snow from the access road be put;
- Emergency vehicles will be unable to reach the residents;
- In the paperwork there is a vegetation clause that prohibits disruption of vegetation but that was clearly ignored; and
- Drug deals are taking place in the parking lot which the Forest Service admits they do not have the manpower to patrol and asked the residents of Nelson Lane to write down license plate numbers for them. Mr. Rasmussen queried, "They cannot even deal with the nudist colony that moved up there, so how can the Forest Service deal with an expanded parking lot?"

We the residents of Nelson Lane hope you will take these concerns into consideration before the plan is finalized.

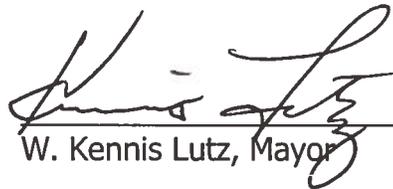
Mayor Lutz said the Town is investigating ownership of the road but the paperwork you provided states that the Forest Service granted an easement to the County who in turn granted an easement to the Town of Alpine. The Council and Town Attorney did not receive any information on this before this meeting and this was not on the agenda so you need to give the Council time to research this. The intent of this was to provide a pleasant experience

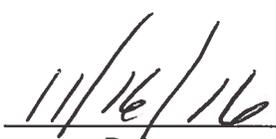
to visitors using this facility and facilitate ingress and egress. Ranger Raione is out of town and will not be back until November 3, 2016. The next Council Meeting is November 15, 2016 so we will put you on the agenda for that meeting. This will give us time on our end to research this and communicate with the Forest Service. Mayor Lutz stated that he will not allow the Forest Service to put in the gravel on the outlet road until this is resolved.

**Adjournment:**

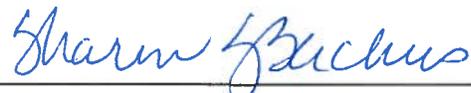
**Councilman Jeremy Larsen moved to adjourn the meeting. Councilman Larry Rosenwinkel seconded the motion. Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.**

Mayor Lutz adjourned the public meeting at 8:20 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 a taped recording of the meeting \*\***