



Town of Alpine
COUNCIL MEETING MINUTES

DATE: May 21, 2019
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/Treasurer. Council Present: Adam Farnsworth, Justin Fritz, Robert LaPier, Jeremiah Larsen and Mayor W. Kennis Lutz. A quorum of the Council was established.

3. ADOPT THE AGENDA:

Councilman Larsen moved to adopt the agenda. Councilman Fritz seconded the motion. There was no discussion. **Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.**

4. APPROVAL OF CONSENT AGENDA:

**Town Council Meeting Minutes –April 16, 2019; Public Hearing Minutes – April 16, 2019
Planning & Zoning Meeting Minutes – April 9, 2019 and April 23, 2019
Approval of Town Bills – See Attached Check Detail of Bill Payments
Adopt on Second Reading 266 Ord. No. 2019-03 Amend FY 2019 Budget
Adopt on Second Reading 267 Ord. No. 2019-04 FY 2020 Budget
Approval of WBC Alpine Park Apartments Pay Application # 7, \$1,560
Approval of WYDOT TAP Project Reimbursement Request # 4; \$2,800; # 5 \$11,200**

Councilman Larsen moved to approve the Consent Agenda. Councilman Fritz seconded the motion. There was no discussion. **Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.**

5. ACTION ITEMS/NEW BUSINESS:

- Motion to Adopt 448 Resolution No. 05-21-19 Submission of Grant Application to WBC Business Ready Community Grant for a New Wastewater Pre-treatment and Sludge Handling System** Sharon Backus, Clerk/Treasurer read 448 Resolution No. 05-21-019 into the record.

Councilman Fritz moved to adopt 448 Resolution No. 0-21-2019, Submission of Grant Application to WBC Business Ready Community Grant for a New Wastewater Pre-treatment and Sludge Handling System. Larsen seconded the motion. There was no discussion. **Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.**

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

- Mayoral Activity Report:** In Ms. Young's absence, Sharon Backus Clerk/Treasurer read the following report into the record.

*On **April 17th** the Mayor along with Bill Wieman, Mary Kiene, Dale Cottam, & Bob Ablondi held a meeting about Alpine Lakes/Timberview/Targhee place and the costs to the developer to bring the Town's infrastructure further up the highway for the development of those areas and an agreement between the Town and the developer.*

*On **April 25th** – The mayor had a meeting with Elaina Zempel, Bob Ablondi, 2 reps from Melvin's and the representatives from USDA/EDA to have a Pre-treatment plant review. Bob Ablondi explained how the process has gone so far in our pursuit of funds to build this pre-treatment plant. The USDA/EDA representatives would like for us to pursue grants with them to help fund this pre-treatment plant they can clearly see the necessity of this plant due to our existing issues and upcoming issues we have. There were also some discussions on other projects the town could have in the future and the areas in which they could help us get those projects funded. We will be likely submitting a pre-application to PDA.*

*On **May 9th** Elaina Zempel met with Dave Hopkins and the mayor to discuss Dave's Mountain Man Brand about the Grant opportunities through the Wyoming Business Council to get a space in Alpine for Dave to bring his manufacturing to Alpine in our industrial park area. This seems like a really good fit for us and this program. There is a current plan to move forward with Dave on this. During this meeting with Elaina they took the opportunity to discuss how to move forward with our request for help with the pre-treatment plant and that we will go back for that project then go forward with Dave's at the following meeting.*

*On **May 15th** the Mayor and Sharon had a meeting with Ryan from Sunrise Engineering to go over the statement of intent to continue with the TAP Grant programs. 5 Representatives from WYDOT came for a sight visit to cover the application that is required in June.*

*On **May 16th** the Mayor met with a gentleman discussing Steve Turley's 45 acres and the possibility of annexing in to the town and using connecting to our utility services and the concept of the road placement for that area. We would need a lot of public input on this project. This initial meeting was to discuss with the mayor any issues he may see with this project. This would be a good project to have in the town. They will have a lot of issues to address to move forward. The mayor said he is willing to help work through the public impact this project would have.*

Mayor had a meeting with Steve Sletner with KLJ Engineering and Bob Ablondi this was the second meeting to discuss Melvin's pre-treatment plant.

Mayor Lutz added that there are meetings that go on throughout the work week so this report was added in order to be as transparent as possible and have these additional meetings memorialized in the minutes. Mayor Lutz stated that he had a visit from an individual whose land is in the county but is desirous of building. He was looking at the feasibility of annexing into the town and making use of the town's water, sewer and perhaps existing roads. Mayor Lutz suggested the individual speak to the neighbors which evidently he did.

- TAP Study Grant Update – Ryan Erickson, Sunrise Engineer**

Mr. Ryan Erickson of Sunrise Engineering stated that this study is finalized and described the data collection from the public as well as school and Sheriff's Office. Mr. Erickson handed out bound copies of the Final TAP Study. Sharon had submitted a Statement of Intent (SOI) to pursue the next step in the process which will be an application for the design and construction of the pathway. After receiving the SOI, five representatives from Wyoming Department of Transportation (WYDOT) visited Alpine to conduct a site visit and to cover the information

presented to date. On May 31, 2019 WYDOT will send out an application and at that point Sharon will complete the application requesting up to \$500,000 for this project. If awarded, this grant of \$500,000 would require a \$125,000 match from the Town of Alpine. The application is due by July, 15, 2019. It was hoped that the grant would cover the expense of water line replacement, but that is specifically prohibited by WYDOT so that will need to be addressed by the town with separate funding. The application will be for a pathway of approximately one mile down Greys River Road.

- **Planning and Zoning Update and Recommendations– Tim Hartnett**

Mr. Tim Hartnett addressed the council with the commission update. There is an uptick in building applications including a few single family dwellings, one re-roof and other miscellaneous permits or affidavits. Congratulations are in order for Dan Halstead who passed the Building Inspectors' exam and is now the Residential Building Inspector. The council has already received the commission's recommendations for final adoption of the Land Use and Development Code (LUDC). The commission is disappointed in Broulim's decision to delay building their commercial building.

- **Motion to Adopt on Third Reading 257 Ord. No. 2018-07 Adopting the Alpine Land Use & Development Code (LUDC) with Edits**

Councilman Larsen moved to adopt on third reading 257 Ordinance No. 2018-07 adopting the Alpine Land Use and Development Code with edits. Councilman Farnsworth seconded the motion.

Councilman LaPier stated that this would be a great opportunity to take advantage of old cabins and historical buildings brought into the Town of Alpine from Jackson most of which are currently prohibited in the Town of Alpine.

Mayor Lutz stated while he agrees that this item needs to be studied further, the council had been working on adopting this version of the LUDC for nine months so this is late in the game to discussing adding new sections. All new ideas for changes or additions to the LUDC should be sent to the Planning and Zoning Commission for consideration the next time the LUDC is updated.

Councilman Larsen stated that he wanted to revisit his prior suggested amendment to the LUDC which had previously been distributed to the council regarding Part 3, 3.202 F-1, "setbacks for accessory structures". Approximately 40% of the homes on the hill are not compliant but were grandfathered in. There are enough lots where people are building with double frontage roads so the owners must get creative with house placement. As the LUDC reads now, this would force people to build a breezeway to connect an accessory building rather than have a detached accessory building. The breezeway would just add expense to the project which could be prohibitive to some and is unfair. All lots are not perfectly shaped; concession should be made for these special circumstances. This is more of an HOA restriction but if there is no HOA in your neighborhood, why bind people to this restriction.

Mayor Lutz agreed that this needs more discussion but cited the previous comment to pass this onto the commission for the next revision of the LUDC.

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

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

Motion to Adopt on Second Reading 265 Ordinance No. 2019-02 KJ's Annexation Councilman Fritz moved to adopt on second reading 265 Ordinance No. 2019-02, "An Ordinance Annexing Certain Land to the Town of Alpine and Approving the KJ's Annexation to the Town of Alpine". Councilman Farnsworth seconded the motion.

Mr. Noel Wray, a resident of Wooden Spur, addressed the council stating that his comments are directed at KJ's and the requirement to meet code. In an annexation the town grandfathers in any pre-existing structure. It would be nice to have code in place to cover as an example KJ's light emission. Mr. Wray stated that had already discussed with the Planning and Zoning Commission a model ordinance governing illumination and the Dark Sky Initiative. The information has been sent to the council as well. This is important for the council to adopt some form of a dark skies initiative to address the future growth expected in the Town of Alpine and to have clear guidelines in place governing LED lighting.

Mayor Lutz stated that this dark skies initiative should be explored further either in the next revision of the LUDC or in a stand-alone ordinance.

Mr. Drew Weeson stated that his family and neighbors were impacted by the horizontal lights and believes that it would be inappropriate for the town to annex a property that is in compliance with everything except the light pollution especially regarding accent lights. Mr. Weeson was asked and conceded that KJ's had been completely built and open for business prior to Mr. Weeson building his residence.

Councilman LaPier referenced the newly adopted LUDC Article 4.7 (c) 1 and 2 which he then read to the public. Councilman LaPier stated that KJ's would be a great asset to the town but said that it would be a small ask for KJ's to remove neon lights and he will support a dark skies initiative. Councilman LaPier stated that he will not vote in favor of annexation of KJ's until the neon lights are removed.

Lincoln County resident, Mr. Zachery Simon, stated that KJ's emits more light pollution than the Town of Alpine. Mayor Lutz thanked Mr. Simon but reminded him that this is a town matter.

Mayor Lutz thanked Mr. Zane Powell from KJ's for attending the meeting.

Vote: Vote: 4 Yes, 1 No, (LaPier), 0 Abstain, 0 Absent. Motion Carried.

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

- **Discussion of Water Drainage on Terrace Drive – Councilman LaPier**

Councilman LaPier stated he was speaking on behalf of his neighborhood and directed the council's attention to the photographs of Terrace Drive specifically the weeping puddle of water from the runoff. The grading and additional gravel was appreciated however; it was merely a short-term solution. Councilman LaPier offered two possible solutions. First, pave approximately 100 feet of Terrace Drive before the split in the road or, second, install drainage under the road.

Mayor Lutz stated that he too had investigated this area and thought that the first option presented was the best solution however; he would like an engineer to review the situation and

recommend the best solution including quotes for the cost required for each solution. Mayor Lutz showed the area on the large map. Ms. Amy Wierda also suggested using the natural low point between her lot and the next lot as logical path to divert the water. The property owners are willing to work with the town on this matter.

- **Discussion of Speed Mitigation on Forest Service Access Road to Sewer Lift Stations – Drew Weeson**

Mr. Drew Weeson stated that his concern involves the access road that runs from the Tavern on the Greys lift station paralleling the town boundary to the next lift station at Wooden Spur cul-de-sac that is used by numerous people either by vehicles, bicycles or walking. The vast majority of the people exercise reasonable caution however; there is the other one percent that travel far too fast on this road which is close to a residential area. Mr. Weeson said the town created this problem because the town improved the road.

Mayor Lutz stated that this is the only access to the lift stations and this is the only purpose actually allowed but asked Mr. Weeson what he was recommending.

Mr. Weeson stated that the unposted speed limit was 25 or 35 mph but was not asking for enforcement but rather controlled use and access. Mr. James Sanderson stated that the town was granted easement by a governmental agency to allow the town legal access to the lift stations and for that purpose only so there should not be any public usage or access to the road. Enforcement would be controlled by the agency granting the access. The town has no jurisdiction of this; rather that the road would be a matter for the Sheriff or the federal agency granting access. Mr. Sanderson stated that the town has no liability because they improved the road. Mayor Lutz stated that there are various access points to allow access to the forest but assured Mr. Weeson that the gate by the Tavern of the Greys where the public accesses the old boat ramp would be locked immediately and for the foreseeable future.

Mr. Sanderson stated that the best solution is to put pressure on the Sherriff's office to cite violators. The town has no obligation to monitor this access road. Other suggestions were fencing personal property paralleling the access road and signage.

- **Discussion of Lowering Speed Limit to 35 mph North on HWY 26 from the Junction to the Town of Alpine Boundary Past Targhee Place and Request Darin Kauffman at WYDOT to perform a Speed Study – Mayor Lutz**

Mayor Lutz stated that the Town had requested the speed to be lowered on U.S. Highway 89 in 2015 but the request was denied by the Wyoming Department of Transportation (WYDOT) engineers. The council would like to have the speed reduced to 35 mph on U.S. Highway 26 to the new incorporated boundary just past Targhee Place. Discussion ensued between the council members. The council was in agreement with approaching WYDOT to reduce the speed. Mayor Lutz directed Sharon Backus to send a request to Darin Kauffman, WYDOT Engineer to request a speed study from mile marker 117 on U.S. Highway 89 across the bridge and up U.S. Highway 26 until the boundary of the town to include a suggested speed limit of 35 mph throughout.

- **Discussion of Burning Restrictions in the Town of Alpine – Councilman LaPier**

Councilman LaPier stated that there have been three instances of illegal burning come to his attention so far and cited the instances. This week there was a fire at a lot where a building permit has been issued but the contractor left an unattended fire burning. First, there seems to be insufficient public awareness of the fire prohibition and how would the town enforce this. We

need to have a punishment and this most recent incident definitely needs to have a fine associated with the violation.

Mayor Lutz stated that there is no ordinance prohibiting burning in the town or county. Mr. Sanderson said the town could make a change to the criminal code to prohibit burning garbage in town and apply a fine to it. "Then the enforcement officer either cites or writes an affidavit and then as your prosecutor, I can summon them into court".

Mr. LaPier referenced the DEQ regulations he copied to the council which clearly states the leaving an unattended fire and the prohibited material burned is a DEQ violation so the only question is what the town is going to do about this. Mr. Sanderson stated that the DEQ or Sheriff would have to be contacted as they have the enforcement authority and furthermore; the town has no way to enforce DEQ violations. Even if the town had an officer, there would be a question of jurisdiction with the town trying to enforce DEQ violations.

Mayor Lutz stated that more awareness is needed and would ask Melody Young to add an article in the newsletter and on the water bill.

- **Economic Development Update – Councilman Larsen**

Councilman Larsen stated that these are trying times in all of Lincoln County and a storm is coming. The County Commissioners estimate that there will be a 50% reduction in the sales tax at the county level and 5% reduction at the Town of Alpine level in 2022. Lincoln County estimates that the county population has risen 17% and with growth there will be conflict. It is important to keep the dialog going and to be civil in our discussions. Councilman Larsen thanked all the attendees. Please keep civil dialog going.

- **Chamber of Commerce Update** - Ms. Sarah Hale gave an update of her activities as follows:

- Meeting with Ellen Potter (Director of Kemmerer/Diamondville Chamber of Commerce) to discuss partnership opportunities
- Celebrating Women's Suffrage specifically by hosting a women's contributions series (looking for presenters if you have suggestions)
- Rock and Gem show scheduled in September
- We play unplugged kicks off the week of Memorial Day and continue through Labor Day with the celebration set for August 26. (Lots of Alpine businesses participating. Thanks you!)
- Career and Technology Expo was held May 8
- Health and Safety Expo - May 9 (The chamber focused on Fossil Butte National Monument. The goal is to get at least 30,000 visitors there in 2019). Increasing visitors opens the doorway for additional funding for Lincoln County to use toward promotion.
- Grand opening of Broulims in Afton with ribbon cutting and virtual video tour of the store.
- Star Valley Health name change, family fun run, hospital week - Chamber helped with all three.
- The Scenic Wonders Outside of National Parks series please visit at recreateinutah.org

- **Other Comments:** The Town Council will have a Budget Workshop on June 12, 2019 commencing at 5:30 p.m. to discuss the Fiscal Year 2020 Budget

6. Tabled Item(s): None

TOWN OF ALPINE GENERAL FUND

CLAIMANT	ALLOWED
MERCHANT FEES	\$76.05
AFLAC	\$462.28
ALPINE EMS	\$20,000.00
ALPINE MOUNTAIN DAYS	\$120.00
BEAU TAYLOR	\$94.80
BLACK MOUNTAIN RENTAL	\$200.00
BLUE CROSS BLUE SHIELD OF WYOMING	\$6,681.01
BROULIMS ALPINE	\$69.62
CASELLE	\$56.70
DELUXE	\$1,562.05
FIRST BANK	\$4,048.73
FLYING SADDLE	\$185.26
FP MAILING SOLUTION	\$135.00
GREAT WEST TRUST COMPANY LLC	\$5,960.00
GUFFEY DAWN	\$1,584.00
HALSTEAD, DAN Reimburse mileage	\$11.02
JENKINS BUILDING SUPPLY	\$758.50
LCSD2 EDUCATION FOUNDATION	\$3,000.00
LINCOLN COUNTY CLERK	\$40.00
LINCOLN COUNTY SHERIFF	\$15,406.50
LOWER VALLEY ENERGY	\$529.00
LUTZ, KENNIS	\$76.00
MELVIN BREWING COMPANY	\$219.05
NORTHSTAR CORPORATION	\$10,000.00
QUICK REFERENCE PUBLICATIONS	\$254.35
PAYROLL	\$23,303.81
PENNY, BELINDA Cleaning	\$875.00
RENDEZVOUS ENGINEERING	\$1,623.18
RICKS REPAIR SERVICE	\$100.00
SACRED ARROW PRODUCTIONS	\$120.00
SANDERSON LAW OFFICE	\$3,218.75
SILVER STAR COMMUNICATIONS	\$632.84
SITE ONE LANDSCAPING	\$61.08
STAR VALLEY DISPOSAL	\$482.00
STAR VALLEY INDEPENDENT	\$466.72
SUNRISE ENGINEERING	\$14,000.00
TETON RAPTOR CENTER	\$550.00
THAYNE TRUE VALUE	\$114.91
TOWN OF ALPINE WATER DEPT	\$901.87

UNITED STATES TREASURY	\$6,586.60
USDA-FOREST SERVICE	\$1,430.00
VALLEY WIDE COOPERATIVE	\$807.81
VINYLART	\$104.80
WYOMING CHILD SUPPORT	\$424.00
WYOMING RETIREMENT SYSTEM	\$4,354.48
XEROX CORPORATION	\$537.41

TOWN OF ALPINE SEWER DEPARTMENT

CLAIMANT	ALLOWED
ADVANCE PUMP & EQUIPMENT	\$281.94
CASELLE	\$56.78
CONRAD & BISCHOFF	\$333.31
DELUXE BUSINESS	\$605.47
DRY CREEK ENTERPRISES INC	\$7,505.00
FALL RIVER ELECTRIC	\$9.91
FIRST BANKCARD	\$833.68
JENKINS BUILDING SUPPLY	\$222.60
LOWER VALLEY ENERGY	\$2,596.79
RENDEZVOUS ENGINEERING	\$10,709.50
SILVERSTAR	\$215.70
TOWN OF ALPINE Payroll, postage	\$6,596.94
TOWN WATER DEPT Billing fees, usage	\$129.32
VANDEBURG EXCAVATION INC	\$5,302.00

TOWN OF ALPINE WATER DEPARTMENT

CLAIMANT	ALLOWED
BROULIMS	\$195.86
CASELLE INC.	\$56.78
CONRAD & BISCHOFF	\$45.24
DELUXE BUSINESS	\$216.99
DOUBLE L CONSTRUCTION	\$8,400.00
FERGUSON WATERWORKS	\$2,201.08
FIRST BANK CARD	\$458.90
H.D. FOWLER	\$1,870.11
JENKINS BUILDING CENTER	\$70.23
LINCOLN WATER QUALITY LAB Water testing	\$74.00
LOWER VALLEY ENERGY	\$1,636.62
MERCHANT FEES	\$1,011.53
ONE CALL OF WYOMING	\$13.50
RENDEZVOUS ENGINEERING	\$10,360.50
SILVER STAR COMMUNICATIONS	\$259.13
STAR VALLEY GLASS & LOCK	\$755.00

THOMPSON, TOMMY	\$400.00
TOWN OF ALPINE Payroll, postage	\$11,326.46
TOWN OF ALPINE SEWER Usage	\$30,235.40
USA BLUEBOOK	\$182.59
VANDEBERG EXCAVATION INC	\$7,785.00

Adjournment:

Councilman Larsen moved to adjourn the meeting. Councilman Fritz seconded the motion. There was no discussion. **Vote: 5 Yes, 0 No, 0 Abstain, 0 Absent. Motion Carried.**

Mayor Lutz adjourned the meeting at 8:44 p.m.

W. Kennis Lutz 6/19/19
W. Kennis Lutz, Mayor Date

Minutes taken and transcribed by:

Sharon Backus 6/19/19
Sharon Backus, Town Clerk/Treasurer Date



Sharon Backus 6/19/19
Sharon Backus, Town Clerk/Treasurer Date

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