

TOWN OF ALPINE

COUNCIL MINUTES

February 19th 2008

*Clerks Note is only a summary of notes and recording.

Mayor DeCora led the pledge of allegiance and called the meeting to order at 7:00 p.m.

A quorum was established by clerk through roll call. Council members present: Donn Wooden, Don Jorgensen, Shirley Brown, Beau Taylor, Mayor Victoria DeCora. Other staff in attendance: Whitney Heller, Attorney Stefan Fodor.

➤ **ACTION ITEMS**

- **Opening of Bid for Collection System:** Mayor DeCora read names of contractors aloud and Leon Kjellgren read the bids as followed.
 1. **ERS Constructors from Centennial, CO: \$2,768,632.00**
 2. **J&B Excavating Inc. from Harriman, UT: \$1,957,380.00**
 3. **Johansen Construction from Mt. Pleasant, UT: \$1,891,978.79**
 4. **Westwood Curtis Construction from Wilson, WY: \$2,573,597.30**
 5. **Rice Kilroy from Alpine, WY: \$2,312,212.00**
 6. **Evans Construction from Jackson, WY: \$2,226,690.05**
 7. **Wilson Brothers Construction from Coley, WY: \$3,576,000.00**
 8. **American Infrastructure, Inc. from Franktown, CO: \$2,499,292.00**
 9. **Western Municipal Construction From Gillette, WY: \$3,160,070.00**

Nelson Engineering will make copies of bids to take for review and to look at credentials. Award of Bid for Collection System will be at next council meeting March 4th 2008 at 7:00 p.m. Town Hall

- **American Park Adventures.** Steve Patvin: I have gone to P&Z and they requested that we meet questions 1, 2, 3 from occupancy application. Pat Marlof, we need to determine occupancy and % of house. Mayor DeCora: asked if the house was occupied, and Steve said no. Mayor DeCora; who owns business? Steve Patvin: the company, it is a corporation and 3 board of directors. Steve says he can be here part of the time. We buy all our food and

products in Jackson; we are not in to do this. Don Jorgensen: it is a residence and zoned residential, we see no tax from you and you're asking us to bend our rules. Steve Patvin: again what is part time residence? Mayor DeCora: while you are running your business I am looking for somewhere to live there during the business months, someone needs to occupy that in winter time. Mayor DeCora: refers to new zoning and you are not MRC2. Steve Patvin: Claims residences encourage business in the area. When we moved to Charlie Sands property we seemed to make our residents happy. Stefan Fodor: reading from February 15th P&Z recommendations Attorney Fodor refers to questions from home applicant permit. Options are clear with zoning code yet codes do allow conditional use. Yet the applicant has not filled out application. We also can look to home application as guidance. Yet it is worthy of consideration March 15th is when business ends. Mayor DeCora: what I would like to see is to get this dealt with next year. Steve Patvin: I am willing to work something out, either it be living there. Stefan Fodor: the council can allow this as a conditional use, and to limit the time of that use and not allow conditional use again. Mayor DeCora: ask for a motion. Beau Taylor: motions to allow ANP conditional permit and limited until March 15, 2008 and only allowing dressing of customers Don Jorgensen seconds. **VOTE: 4 yes; 0 no; 1 abstain (Donn Wooden); 0 absent. Motion Carried.**

- **Snake River Junction Townhouses:** Nik Fior: with Jorgensen Associates, most of you have seen previous plats. Steve shows map. Developer is doing first three buildings as a phase 1. Mayor DeCora: reads the P&Z recommendations. Stefan Fodor: ask if town engineer has seen plat. Mayor DeCora: says the development has been held to high standards of the town. Donn Wooden: ask if they are committed to NSU. Nik Fior: reply yes additional ERU's are being negotiated with NSU. This project will take 10 years and be bought as needed. Donn Wooden: how many units? Nik Fior: 160 Town homes. Mayor DeCora: ask this project was approved in 2006 what are differences now. Nik Fior: we are asking for first phase and to subdivide land for the lots. Mayor DeCora: ask for a motion contingent Town Engineer and town surveyor signing Donn Wooden motions. Don Jorgensen seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried**
- **Approval of Minutes:** December 18th 2007 P&Z. And February 5th 2008 council. Don Jorgensen motions to accept. Beau Taylor seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion carried**
- **1st reading: 176- Ordinance No. 2008-32:** Emergency Enforcement of Town Zoning Code. Mayor DeCora read Title. Beau Taylor motions to accept. Don Jorgensen seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried.**
- **1st Reading 177- Ordinance No. 2008- 33:** Enforcement of Town Zoning Code. Mayor DeCora read title. Shirley Brown motions to accept. Donn Wooden seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried**

- **287 Resolution No. 02-19-08-2008:** Lakeview Estates 16th Addition Lots 233, 243, 244, 245, 270. Mayor DeCora read title. Donn Wooden motions to accept. Don Jorgensen seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion carried.**
- **3rd Reading: 165-Ordinance No 2007-21:** Amendment to Budget. Mayor DeCora read title. Don Jorgensen motions to accept. Shirley Brown seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried**
- **3rd Reading: 167- Ordinance No. 2008-23** Snow Removal. Mayor DeCora read title. Beau Taylor motions to accept. Don Jorgensen seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion carried.**
- **3rd Reading: 168- Ordinance No. 2008-24** Adoption Land Use Codes. Mayor DeCora asks to table until further information. Don Jorgensen motions to table. Donn Wooden seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried. Ordinance tabled.**
- **3rd Reading: 169- Ordinance No. 2008- 25** Adoption Building Codes .Mayor DeCora read title. Beau Taylor motions to accept. Don Jorgensen seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried.**
- **2nd Reading: 170- Ordinance No. 2008-26** Amendment to Master Sewer. Mayor DeCora read title. Don Jorgensen motions to accept. Shirley brown seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried**
- **2nd Reading: 171- Ordinance No. 2008-27** International Mechanical Code. Mayor DeCora read title. Beau Taylor motions to accept. Don Jorgensen seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried.**
- **2nd Reading: 172 -Ordinance No. 2008-28** International Plumbing Code. Mayor DeCora read title. Don Jorgensen motions to accept. Shirley Brown seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried.**
- **2nd Reading: 173- Ordinance No. 2008-29** International Residential Code. Mayor DeCora read title. Shirley Brown motions to accept. Beau Taylor seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried**
- **2nd Reading: 174- Ordinance No. 2008-30** International Fuel & Gas Code. Mayor DeCora read title. Don Jorgensen motions to accept. Beau Taylor seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried.**
- **2nd Reading: 175- Ordinance No. 2008-31** International Fire Code. Mayor DeCora read title. Don Jorgensen motions to accept. Shirley Brown seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried.**

Meeting recessed at 8:08 p.m. Meeting called to order at 8:19

- ❖ Brenda Bennett: passed out a draft report of ERU's and is meeting with Leon next week to review final versions. We want to be able to bring people into the 21st century and different ways to make people compatible. This is based on \$5000.00 hookup, yet some will have more hookups. There needs to be a base rate. Mayor DeCora says: thank you and it's a start. Brenda Bennett: This plan is based on everyone being different and it is still in its draft stages.
- ❖ Stefan Fodor: speaking of Jim Pedersen's reference to GIS system, it is mapping software which shows property ownership, maps, and septic, zoning, setbacks. It would be a great tool for the town. And I encourage council to review Pedersen proposal. And also look to Teton County Website and go to GIS. Don Jorgensen: we have had aerial photos done. Donn Wooden: what total cost would this be? Mayor DeCora: would like to see what Teton County has. And if we have it through the county we shouldn't invent the wheel.
- ❖ Stefan Fodor: in reference to P&Z minutes and council minutes and asking for documents, Minutes need to be done within week of previous meeting. Mayor DeCora: ask for a motion for staff to have minutes done by following Monday. Shirley Brown motions to accept. Don Jorgensen seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried.** Stefan Fodor: ask for more clarification and ample information to do his job further. Everyone on the agenda must have a written explanation why to be on agenda. Stefan Fodor: Master Plan was not adopted properly in 2006, what I would like you as a council and P&Z to consider is that our Master plan needs to be re adopted and perhaps should be done in conjunction with the County. Master plan has legal effect and if it is adopted in conjunction with **County the Town would have more force and effect on developments** outside the town but within a mile.. Affordable housing, policy and affordability, it has not been dealt with in the past. We are going to have a problem with this and need to address this now. Beau Taylor: says John Woodward is working on such a thing. Stefan Fodor: Jackson and Alpine are so different and not charging developers and the need start thinking about this and imposing fees to developers.
- ❖ Stefan Fodor: Tonight's council passed an Emergency 176- Ordinance No. 2008-32 and asks you to enforce the code and authorize Rob Wagner to inspect. We have obligation to enforce zoning codes, the town and individuals have made many efforts to help the Scotts. We have now passed the means to do so and I ask you to enforce the code. If you vote to take action and the Scotts do not abate the condition within the time stated, there will be a hearing, you will be issuing an order to abate, or the way the Ordinance is drafted the town could fix problem and put a lien on the land. There are many implications. Every day we wait. Is a problem. Mayor DeCora asks for a motion. Stefan Fodor says, this is a difficult problem and needs to be addressed in moving forward doesn't mean you are kicking the Scotts out there are other options. This is a structural problem and will not get better on its own. Mayor DeCora: this is a

tough one but Stefan is right, I have been present at meetings and gave different options to Mr. Scott, literally their roof of their building is lying on the top level of their home. We can close our eyes, it won't fix the problem. Stefan Fodor: the wooden structure on top is in danger of falling. I am asking you to enforce the code and then there will be a hearing prior to any enforcement action by the Town. Donn Wooden: said he has told Mr. Scott that the town is going to do something. Inspection needs to be done. Mayor DeCora: ask for a motion to give Rob and Stefan authority to move forward with town code emergency 176-Ordinance No. 2008-32. Shirley Brown motions to accept. Beau Taylor asks how long process takes place. Stefan Fodor: 2 week would be the quickest but more than likely 1 month or more. 1st hearing is to consider an order to abate if the problem is not abated after notice. Don Jorgensen seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion carried.**

- ❖ Attorney Stefan Fodor asks to go into executive session as to State Statute 16-4-405-A SS.

Mayor DeCora asks for a motion to go into executive session as to State statute. 16-4-405-public meeting recessed at 8:59.

Public meeting was reconvened at 9:52 pm

Donn wooden moved to ratify the actions discussed in executive session, Don Jorgensen seconded and the motion carried unanimously.

Don Jorgensen moved to adjourn the public meeting, Beau Taylor seconded and the motion carried unanimously.

The public meeting was recessed at 9:54 pm.



Victoria DeCora

Victoria DeCora, Mayor

ATTEST:

Whitney Heller

Whitney Heller, Clerk