

# TOWN OF ALPINE

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## Town Council June 3<sup>rd</sup> 2008

\*Clerks notes are only a summary of meeting.

Meeting called to order at 7:00 p.m. Mayor DeCora led the Pledge of Allegiance. Whitney Heller called roll call. Present: Mayor Victoria DeCora; Shirley Brown; Beau Taylor; Don Jorgensen; Donn Wooden; also present: Attorney Stefan Fodor and Deb Wolfley.

Approval of Minutes May 20<sup>th</sup> 2008 Shirley Brown motions to approve said minutes. Don Jorgensen seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion carries.**

Approval of minutes for May 29th 2008 Special Meeting of Civic Center. Don Jorgensen motions to approve said minutes. Shirley Brown seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carries**

- Bob Norton: Monthly report for the Alpine Wastewater Treatment Plant. Headwork's Building: (1) the metal frame structure is being installed. (2) The 18" outlet pipe has been installed between the Headwork's outlet and the wet wall lift station. (3) The slide gates in the Headwork's Building have been installed. Treatment Plant Building: (1) the concrete base and walls have been poured; water tested for leak is being backfilled and compacted. Area Construction: (1) The water line and fire hydrant have been installed, backfilled, compacted and tested for bacteria and it is approved. (2) Silver Star installed the high speed internet conduit and the telephone cable. Ed Turner wrote a letter and would like to thank The Town of Alpine Police, Fire and Search & Rescue members for visiting the site prior to the Memorial Day Holiday and understanding the water test for the Treatment Plant Building required 8' of water inside the basins with no leaks allowed. This presented a safety hazard if someone was to climb a 16' high wall and then fall into the water. The contractor had removed all access ramps and ladders from the structure for safety reasons. The police, fire and search and rescue members knew exactly where to go if there was an emergency call. Moltz Constructors, Rice-Kilroy and Nelson Engineering thank the Alpine Town Council for their safety concerns at this project site. Bob Norton: would like pay request for contractor payment #5. Everything is on time. Donn Wooden motions to accept payment #5 for Moltz Contractors. Beau Taylor seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carries.**
  
- Scholarships: Mayor DeCora says the Town of Alpine has a scholarship program and there have been two young ladies that applied and I would like them to tell us a little about themselves. Whitney Buckley: I was born in Jackson and have lived in Alpine for 18 years and I was

outstanding business woman of the year. I plan to attend University of Wyoming. I had the first lemonade stand in alpine. I am currently working my 5<sup>th</sup> season at the Nordic Inn. I have done community projects and cleaning up the highways. Mayor DeCora: presented Whitney Buckley with \$500.00 scholarship. Faith Ford: moved to Jackson when she was 2 and lived here since she was 8 involved in so many activities. She wants to attend college in Bozeman Mt. Mayor DeCora presented Faith Ford with a \$500.00 scholarship and asks the girls to get with Brenda Bennett Town Treasurer and she will provide money to the colleges.

- Data Center: Jenny Mayfield with Meridian Group we recently ran into an obstacle with the Data Center the legislative had the funding go away June 2008. This is a wonderful opportunity for WY with the weather and power requirements. Without the subsidy from the state this can not happen. Business Council is going for the joint minerals board in Casper to get extension on funds. Another would be to try to reinstate the funds with legislation for Jan 2009. Elaine Zupol: with WY Business Council, Meridian Group was applying for cost reduction program grant program to upper limit of 3 million with a 10% match. Usually that money is for building or to buy land. With the cost reduction it was a foot note on the budget bill. In legislative there was a sunset clause of June 30 2008. We then at the business council did not see this until it was too late. We caught it 2 months ago. The timeline became critical. They wanted business plan immediately and there was not time for them to gather the information. The rules were written so all forms were to be turned in simultaneously. Business council feels this is a good program and is asking for extension. There is lots of money to come up with, there needs to be 1.4 million per year for wages alone. We are hoping application will be extended for year. The next meeting will be June 23<sup>rd</sup> which includes all utilities representatives present. And investment capital needed in this project. This would be a wonderful industry for this community. Pays \$45,000.00 a year. Donn Wooden: would like a letter of support and to address to your Legislative and Senator. Deb Wolfley: asks if would make a difference if someone was to go to Kemmerer from Alpine. Elaine Zepol: yes very much so. Deb would like legislators to even write letters.
- Joe Sender: Here to request that his lot remain an R-2 lot this was purchased as an R-2 lot. It is next to Mr. Chichinski area. Mayor DeCora asks if he had appeared to P&Z for request. Joe says no. Mayor DeCora: says this is a process that we have worked with and P&Z is in very important in the decision making. P&Z has hired a consulting engineer for the zoning of our town and it has been a work in progress for 3 ½ years. Donn Wooden: believes we do not have enough R-2 lots in this town and the way we are going it isn't beneficial for the town. I do not have any objections to his request. On the second thought there have been some issues with P&Z and issues need to be heard and changed, and indeed not in conflict with the neighborhood. Mayor DeCora: ask if we need to send Ordinance back to P&Z for further review. Stefan Fodor: says he highly advises against this, Jim Pedersen has put a lot of time with this. These notices went out in November of last year; we need a definite date on this approval. Don Jorgensen: says we have

not represented the public. Mayor DeCora: says the public has had letters. Joe Sender: says the letter went to his alpine address. Shirley Brown: says the master plan has been in place since 2006. Stefan Fodor: January second notice was also given to residents. Dave Gustafson: this has been an ongoing process we did receive Joe's letter and came to decision from a board bottom line we are not going to make everyone happy. I believe we have made 95% of the people happy. This needs to come to an end, and our recommendations stand. And we have listened to everyone numerous times lets look at this as a community. Donn Wooden: there have been a couple request made with no letters sent; I addressed the P&Z board with request having grandfather clause in codes. Also letter acknowledgement on vacation homes, there was no response to either letters or dealt with from P&Z. Dave Gustafson: the latest change on non conforming, grandfather clause means nothing. There is a catastrophic clause in place for a year (grandfather clause). P&Z has given you answers to your vacation homes. Which was no. Don Schurman former member of P&Z: we started this several years ago. Donn Wooden: you are trying to see the future for all these people. My property is how it is and as it stands. Paula Stevens: valid points have been made and this is heading back to status quo and we are reverting back to the zoning in existence; we have spent a lot of money and this and it is unfortunate that this is where this is leading. We have worked very hard to accommodate as many people as possible.

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Kay Google: **Alpine CDC Project Activity Log**

Date	Activity	Progress
8-07	Architect met with Alpine Planning & Zoning	Alpine CDC building plans were reviewed
Sept – Dec. 2007	Development of comprehensive building plans	Architect facilitated development of comprehensive building plan submittal to Wyoming State Fire Marshall
January - April 2008	Architect submits building plans to Wyoming State Fire Marshall	<ul style="list-style-type: none"> <li>o Changes in plans to child bathrooms were made to allow wheel chair accessibility and handicap bars for the toilet.</li> <li>o Building Plans approved.</li> </ul>
May 15 & May 28, 2008	Planning meeting with Architect, Town of Alpine, LUCDA	<p>Plan anticipated activities &amp; timelines</p> <ul style="list-style-type: none"> <li>o Architect reviews costs of steel vs. wood construction of building.</li> </ul> <p>A. Steel Building Contractor Bid</p> <ol style="list-style-type: none"> <li>1. Phase 1: Pre Engineered Steel Building (footers, foundation, water lines, electrical hookups, Erection and Closing in of the building.)               <ol style="list-style-type: none"> <li>a. June 17 present bid proposal for approval to Town Council.</li> <li>b. Publish Bid for 4 weeks.</li> <li>c. July 15 bid selection by Alpine Town Council</li> </ol> </li> </ol> <p>Contractor Bid Phase 2: Interior package (electrical, plumbing, mechanical, walls, Interior finishes, playground)</p> <ol style="list-style-type: none"> <li>a. July 15 present bid proposal for approval to Town Council</li> <li>b. Publish bid for 4 weeks</li> <li>c. August 19 bid selection by Alpine Town Council</li> </ol> <p>B. Wood Building Contractor Bid</p> <p>Building (footers, foundation, water lines, electrical hookups, Erection and Closing in of the building.)</p> <ol style="list-style-type: none"> <li>d. June 17 present bid proposal for approval to Town Council.</li> <li>e. Publish Bid for 4 weeks.</li> <li>f. July 15 bid selection by Alpine Town Council</li> </ol> <ol style="list-style-type: none"> <li>1. Contractor Bid Phase 2: Interior package (electrical, plumbing, mechanical, walls, Interior finishes, playground)               <ol style="list-style-type: none"> <li>d. July 15 present bid proposal for approval to Town Council</li> <li>e. Publish bid for 4 weeks</li> <li>f. August 19 bid selection by Alpine Town Council</li> </ol> </li> </ol>

		<p>C. Wood Building Contractor Bid</p> <ol style="list-style-type: none"> <li>1. Contractor Bids entire project construction <ol style="list-style-type: none"> <li>a. June 17 present bid proposal for approval to Town Council.</li> <li>b. Publish Bid for 4 weeks.</li> <li>c. July 15 bid selection by Alpine Town Council.</li> </ol> </li> <li>2. Contractor Bids entire project construction <ol style="list-style-type: none"> <li>d. June 17 present bid proposal for approval to Town Council.</li> <li>e. Publish Bid for 4 weeks.</li> <li>f. July 15 bid selection by Alpine Town Council.</li> </ol> </li> </ol>
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- CDBG Block Grant Project
- Budget Report as of 6/1/08

Revenues

CDBG	\$291,000
LUCDA	<u>54,000</u>
	345,000

Expenses

Architect	15,000
Construction	311,000
Kitchen/Playground	<u>19,000</u>
	336,000

CDBG	CDBG	LUCDA	LUCDA
Budget	Expenses	Budget	Expenses
Architect	9,000	9,000	6,000
3,690.90			
Construction	282,000	-0-	29,000
			-0-
Kitchen/Playground	<u>-0-</u>	-0-	<u>19,000</u>
			-0-
	291,000		54,000

Town of Alpine Fees

Building Permit \$5,400

Water	2,500 (3/4 line)
Sewer	5,000
Plan Review	<u>200</u> (four reviews @ \$50 each)
Total	13,400

- o Kay Google: ask the town about the fees and ask the council to waive the fees. Kay Google says the CDC works with children birth -5 years and with disabilities, head start funding, scholarship funding for children for over income guidelines. We are not a child care facility we are a non-profit NANC certified and have to meet certain high standards, we are a school. Mayor DeCora: ask for a motion to waive fees that the town requires for construction of the CDC. Donn Wooden motions to waive fees also this is on town property and the town owns the property. Beau Taylor seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carries.**

Meeting recessed at 7:57pm. Meeting reconvened at 8:07 pm

- Tavern on The Greys Well Permit: Carla Stone request for well permit extension we wanted to extend our acreage and RV Park it was discussed at a year to year basis and the year is up. Don Jorgensen: would like to state water well is not running with improvements. Jeff Attwood: the well has been casted. Don Wooden: feels it should be reinstated. Stefan Fodor: calls attention to May 16<sup>th</sup> 2007 minutes which states well is to be shut down after 6 months and resolution states as well, why would the council have the sunset date on permit? Shirley Brown: there was not enough pressure and we were looking forward to the 3<sup>rd</sup> well. Diggs Lewis: the city did not have enough water last year. Mayor DeCora: I understand we recently metered the tavern and there are leaks to an extent of 200 gallons in 10 minutes. Diggs Lewis: we did a leak test this morning we do have 4 risers that are leaking and fixing them tomorrow. We do want to fix them it is costing us \$1200.00 a month, this meter was repaired last week from the town. Stefan Fodor: questioned whether the engineer signed off on the health risk of well usage - they claim it has been. Don Jorgensen says he is happy how it was handled last year, and we are going to be tight on water until the 3<sup>rd</sup> well. I feel there is a need for this. Mayor DeCora: the concern with this is everyone needs to be treated the same if we allow use of a well are we going to allow use of all our all wells, this is a isolated incidence and the only active well within the town. The issue before the town is a special use permit to use the well until we have the water to give them. Mayor DeCora asks for a motion to extend permit. Donn Wooden motions to extend for a year and revisit permit each and every year the fire hazard is an issue. The time you are using the well is about 3 months. Diggs Lewis: I understand the Meridian Group is drilling over at the Flying Saddle, I do not know where the council stands providing them water down the road. The same aquifer fly's across the river and am concerned they are to get into the

system. Stefan Fodor: would like to do a special use permit. Donn Wooden changes motion for a special use permit for one year. Beau Taylor seconds. **Vote: 5 yes; 0 no; 0 abstain; 0 absent.** Motion Carries. Mayor DeCora: the fees last year did not cover the attorney fees, and would like to raise fees. Council agreed and will discuss raising fees at a later date to cover attorney fees.

- Tavern on the Greys Lift Station: Diggs Lewis: Gives map to council that received in December which shows location of the lift station it is adjacent to RV Cove Park and it has been moved 300 ft. to the East. Mayor DeCora says because of access. Jeff Attwood: This property is not in city limits it is on the Bureau of Reclamation, we had a phone conversation with Leon whom designed the WWTP, he asked if this would work for us and we said yes, a month ago they moved it 300 feet, it devalues our property, and it is also ruining a special use permit. As a town can you do that? Diggs Lewis: you do have access off the highway to the lift station. Mayor DeCora: it is not practical it is very steep off that highway. Deb Wolfley: council information conversation with Leon the lift station he first designed was next to bridge after this was advertised to the public. Documentation is proven. Jeff Attwood: isn't it procedure to write property owners? Diggs Lewis: so you are telling us you are not moving the lift station. Mayor DeCora: yes the town is not moving the lift station. The public has responsibility to know what is going on in community. Diggs Lewis: the lift station is 100 ft to property. Don Jorgensen: what was wrong for the access to lift station? Diggs Lewis: the property is for sale and there are no easements we have been trying to get permits from forest service which would benefit the city. Don Jorgensen: we do not have access to your property therefore we are going to have to build a road so we could shorten the distance which saved the town money. Diggs Lewis: 2 solutions come right off the highway or the other route move the lift station clear over on east side of property and we will give you the access. But as it is in front of property it devalues our property. Mayor DeCora: have we contacted WYDOT. Deb Wolfley: yes it shouldn't be a problem, and there are plans to put a metal building over the station. This will delay project a year and Leon recommends not moving it. Mayor DeCora: the cost to engineer this is huge this lift station was moved months ago because of accessibility. Mayor DeCora ask to move on and this will be an ongoing situation
  
- Little Greys Academy: Mayor DeCora would like to add that this council feels this is important to the town. And would like to welcome all in attendance tonight. The disagreement between the town and little Greys Academy is that the town should subsidize a private enterprise. The reality is this space is going to be needed. Mariah Stewart: I am here to ask for an extension to lease and ask council to give us time to find facility for the children. Child care is a crucial resource to Wyoming, also says she is willing to purchase her own carpet. Asking council for consideration after looking for child care elsewhere we can only place 11 of the children of the 47 we currently have. Stefan Fodor: are you asking for a one year renewal. Mariah Stewart: 18 months would be minimum. Stefan Fodor: 12 months would be an option? Mariah Stewart: yes whatever the

council would give .Stefan Fodor reads lease section of repairs. Tenant is responsible of repairs and or improvements, also surrender of premises same condition as started besides wear and tear. It is not the town responsibility to replace the carpet. Options new lease, renew lease for a different period of time. Statute 15-1-11 preparations states in subsection B no appropriation may be made in the express aid to private citizen, firm or corporation. The town needs to rent at market rate. \$1.50 sq ft to \$2.00 sq ft. Mayor DeCora: we are renting at currently \$.56 sq ft. and that is where the subsidizing is coming from. Brian Myer: the daycare here is a standard of living for us, and taking them out of Alpine would be a big issue, bottom line daycare is important to us. Mariah needs to have adequate time for daycare. Steve Chichinski: I have raised 4 kids and daycare is tough to find and this town growth of kids is great for our community and keep these kids in our town. We need to become creative. April Freedsap: I have a special need child and approached Mariah to take my child and she said yes, and to me that means the world to me that someone in our community would accept my child with special needs. Would give my family the chance. Bill Hader: I have 2 children I believe we do not want the daycare to leave. Mariah took over a lease at .56 sq ft and yet you are saying you are waiving fees for the CDC. Mayor DeCora: CDC is a non- profit organization. Bill Hader: we didn't get our school in Alpine, childcare is most important and now raising the rent the parents are going to be paying the price. Don Schurman: I have no children but invest in children I would like the town to invest in our children they are our future this will bring a stronger community. Laura Guertz: I had an infant and she didn't have room for her, talking about square footage we have a supply and demand here if you put price to high families will not be able to afford the daycare. We are asking for a 3 year lease there are many realtor office spaces but no room for daycare. Problem with gas prices please don't do it to our kids. Mariah Stewart: in order to get a building we are open to becoming a non profit organization with grants whatever it takes to keep our daycare here. Donn Wooden: motions for a lease for 18 months because of the need of the town which may need the space for future use. There is an intense need for this and the sq footage price does need to increase. \$1.25 at a minimum and for her to replace the carpet. Typically the old renter replaces the carpet. Mayor DeCora: has a checklist from walkthrough from Dec 28<sup>th</sup> 2008 Mariah checked ok on all situations. Mariah Stewart: when I did sign the walkthrough I was unaware our cleaning process was unable to get carpet clean. It was recommended that the carpet be replaced. I would like the council to consider the cost of childcare and raising the lease would affect our families that are already on budgets. We do not get state funding. Bill Hader: mathematically you are raising it \$0.75 sq ft I do not believe you are raising the cost if you are just putting the money into your budget. Beau Taylor makes a motion to raise lease to \$1.15 sq ft and a 2 year lease. Don Jorgensen seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried**

- Ernie Scott: Deb Wolfley: letter was sent out April this year and that action needs to be taken ASAP. Talked with Mr. Sauer he had misconceptions with property. Mr. Sauer said he was not aware of any options that town was giving to the Scotts. I still have had no word back from him



after the urgency of this. Stefan Fodor: this started back in September; they have ignored everything from the town and Rob Wagner's inspection. Mr. Sauer wanted to waive engineering plan. I recommend you to enforce the zoning code. Or there is the potential for liability for the Town and the Town must act uniformly to enforce its zoning code. . Given that the dangerous conditions identified in Rob Wagner's inspection report have not been remedied and that there has not been so much as an application for a building permit, I urge you to have abatement hearing on the Scott's: hearing in 15 days give them a packet of evidence, they can have an attorney then the council votes on whether or not to order abatement. Mayor DeCora basically we can go in there correct the problem and put a lien on property. You can shut down the house, impose fines. Stefan Fodor: this needs to be done today; we are talking about lives here. They have had more than fair opportunity to respond. Beau Taylor motions to enforcement of code. Don Jorgensen seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried.**

- Mavy's Pest Control: Shirley Brown asks what are the terms of bill and specify what weeds are to be sprayed. Deb Wolfley will clarify bid of weed control. Val and Mr. Mavy have discussed which areas and chemicals and what days to let public know of spraying of the weeds. Shirley Brown motions to approve bill of \$2500.00. Donn Wooden seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried.**
- Rice Kilroy: Completion of Ball Park Waterline Extension Project approval of payment with retains age of 10%. Beau Taylor makes motion to pay and hold 10 % retain age. Don Jorgensen seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion carried.** Clerk will advertise for final payment.
- 2<sup>nd</sup> Reading 180- Ordinance No. 2008-36 2008/2009 Budget Town of Alpine. Mayor DeCora read title of said Ordinance. Beau Taylor motions to accept 2<sup>nd</sup> reading. Shirley Brown seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried**
- 2<sup>nd</sup> Reading 181-Ordinance No. 2008-37 Conflict of interest: Mayor DeCora read title of said Ordinance. Shirley Brown motions to accept 2<sup>nd</sup> reading. Don Jorgensen seconds. Mayor DeCora asks for a discussion. She states she voted no on the first presentation and would like to explain to the council. I have put a manual in each of your packets on page 3 of the manual it discusses this issue. Also I would like to bring to your attention each and every one of you enrolled in this training. Shirley and I are the only two who that attend. I was a bit frustrated when I brought it to someone's attention it became a lot of legal work and an Ordinance. We should have been aware of this. So saying that all in favor **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried.**

Stefan Fodor: I urge the council to read pg 3 County Appointed Handbook that Mayor DeCora was referring to conflict of interest when discussion of the zoning "A clash between public obligations and personal interest arises when the individual tries to perform their duty while watching out for their personal interest at the same time or when the person is in a public position of trust which requires them to exercise judgment on behalf of others and also has interest or obligations that might interfere with their judgment. A person is required to either avoid or openly acknowledge these conflicts.

- 3<sup>rd</sup> Reading 168-Ordinance No. 2008 -24 Adopting Land Use & Development Code. Mayor DeCora reminds council of P&Z conditions on approval. Don Jorgensen motions. Shirley Brown seconds. **VOTE: 3 yes; 1 abstain; 0 absent. Beau Taylor excused himself from vote. Motion Carried.** Beau Taylor: would like to comment on signs which are out of compliance, the commercial setbacks are to large in his opinion. The duplex's are commercial and are being downgraded to an R-2 lot. In my opinion I believe we should be able to keep the lots as we bought them. I would like consideration making south side of Parkway Dr a MR-C2. There have been opportunities for many small businesses to start up in the area.

Meeting Recess at 9:44 pm. Meeting reconvened at 9:51 pm.

#### Department Updates:

Stefan Fodor had a question on Fire Department Budget and would like to request executive session as per State Statute 16-4-105.

Deb Wolfley: Banner for Mountain Days would like to know if the town would like to incur the cost. Stefan Fodor says you can encourage exhibits, fairs, etc as per State Statute 15-1-111. Shirley Brown motions. Beau Taylor seconds. **VOTE: 5 yes; 0 no; 0 abstain; 0 absent. Motion Carried.**

Deb Wolfley: Diesel tank that was placed near the Library for Johansson Construction hopefully will be moved tomorrow. Rob Wagner and the fire department will give exact language where it needs to be placed and how far.

Deb Wolfley: handed out latest drawing (draft) of Civic Center building and ask council to review. Donn Wooden motions to authorize the mayor to precede application for grant of Civic Center model and addition .Shirley Brown seconds. **VOTE: 4 yes; 1 oppose; 0 abstain; 0 absent. Motion carries.**

Victoria DeCora: Alpine has been nominated for an EPA award.

James Philips: End of 2007/2008 Budget year we have a bit of surplus and would like to use. Our surplus is in personnel area and can not use that without council approval. We are going to have \$9,000 left over and allocated. With the money left over the department is in need of a large safe, it will be in range of \$2,000-\$4, 000. We could use it for storing of evidence. With only one officer at this time, and look