

**Minutes of the Interlaken Town Council Regular Meeting**  
**Thursday, 2 February 2017, 6:30 PM**  
**Town Pump House**

**1. Call to Order.**

Mayor Simpkins called the meeting to order at 6:36pm.

**2. Roll Call – Members Present:**

Lisa Simpkins, Mayor  
Sue O’Nan, Council Member  
Chuck O’Nan, Council Member  
Greg Harrigan, Council Member  
Scott Neuner, Council Member

Bart Smith, Town Clerk, was also present

**3. Presentations:** None.

**4. Public Comment:** None.

**5. Consent Agenda:** None.

**6. Approval of Agenda or Changes.**

**Motion:** Council Member Sue O’Nan moved to approve the agenda.

**Second:** Council Member Chuck O’Nan seconded the motion.

**Discussion:** no discussion

**Vote:** The motion was approved with the Council Members unanimously voting Aye.

**7. Approval of 01/12/17 Regular Meeting Minutes.**

**Motion:** Council Member Neuner moved to approve the 1/12/17 meeting minutes.

**Second:** Council Member Sue O’Nan seconded the motion.

**Discussion:** no discussion

**Vote:** The motion was approved with the Council Members unanimously voting Aye.

**8. Parking Regulation Enforcement – Heber Valley Towing Agreement.**

Smith sent in the agreement to Heber Valley Towing authorizing all council members plus the town clerk to call in for a towing of an illegally parked vehicle in Interlaken.

Sue O’Nan noticed a car parked on Jungfrau in the right of way on a Tuesday pm. On Thursday pm she tagged the car with a notice, warning that the car should be moved out of the right of way within 12 hours to avoid being towed. On Saturday, the car remained in the right of way, and she called Heber Valley towing to have it removed. They responded by saying the car would be towed Saturday eve or Sunday morning. On Monday am, she noticed the car still had not been towed. On Monday pm Heber Valley towing called her and asked if she still wanted the car towed. He said he came to the site, found the owner, a little old lady, and did not tow the vehicle after speaking with her. She said she couldn’t put the car in her driveway, because SuperDave had not plowed her driveway. He didn’t tow the car, but that evening, the car was moved voluntarily.

The issue was discussed about how the town enforces the winter parking ban. Sue didn’t feel it was the town’s responsibility to track down the owner. Harrigan noted that we need better signage indicating the parking regulations, and that we need to insist that the towing company remove vehicles, without negotiation. Neuner suggested we knock on the door of the home by the location of the violation and give warning. Sue O’Nan proposed that the council take turns posting violations,

perhaps on a weekly basis. Harrigan offered to take the next shift in this matter and the council agreed to share this responsibility. Harrigan also brought up the issue of grandfathered parking spots, like the spot in front of Barton's house. Do we enforce the parking regulations in these areas? How do we determine when a car is parked illegally? How do we distinguish a driveway from an illegal parking spot? Simpkins felt that we should honor the grandfathered parking spots. Harrigan noted that it becomes an issue in the winter, and when a car blocks snow removal, it should be towed. We shouldn't tag cars that are not obstructing snow removal or traffic. Chuck O'Nan noted that Barton's vehicles are off the road. The car in violation previously discussed was in the road, in the way of snow removal.

Neuner suggested that we post a no parking sign at each of these spots that causes problems. The Road Committee should look into our need for more parking signs and have them specifically prohibit parking during the winter. Simpkins agreed to contact Heber Valley Towing and instruct them to tow the vehicles when called. It was agreed that the name of the person who calls in the violation should not be shared with the violator, only the designation "Town Enforcement Officer."

#### **9. Barking Dogs Enforcement (letter from Lingos).**

Smith read a letter from Tasha Lingos complaining about her neighbor, Carol Beebee, who has a barking dog in violation of our ordinance. Harrigan read a previous email exchange with Beebee in which she refused to control her dog's behavior. The council discussed options and agreed some action should be taken. Simpkins agreed to contact Tim Bywater to see what we can do, legally, to enforce our code regarding animals posing a public nuisance. She will share the email exchanges with Lingos and Beebee as well as our code as written. Smith will email Lingos and tell her we appreciate her feedback, will pursue enforcement options, and ask her to record future barking episodes. Other topics that council felt should be discussed with Bywater include, enforcement of our parking violations (proper signage, noticing, appeal options, other items from our ordinances), fines for construction debris on the roads, and violations of abandoned vehicles or junk in yards. Harrigan agreed to work on establishing a Class A, B, C fine schedule that we can enforce. Anything not covered in our list of fines would be covered by the universal state recommendations. Simpkins suggested we identify all fineable offenses in our codes.

#### **10. Hi Neighbor Group (Renee Burkley).**

Renee is interested in starting a welcome wagon in the format of the "Hi Neighbor Group" and wants to notice the town about an information meeting at her house, 2/25/17 from 2pm to 4pm. The council agreed to put this notice in a newsletter. The newsletter should also include reminders about winter parking violations, watching out for wildlife on the roads, controlling dogs, speeding on our roads, a shout out to SuperDave, not putting snow on the roads, the prohibition against short term rentals and boarding houses, a reminder to keep fire hydrants clear of snow, mention of the facebook site, the TC meeting calendar, a reminder to review our town ordinances and enforcement policies this spring, and a mention of the assessment due date of 2/10/17. The council discussed having a town gathering sometime in the next year as well.

#### **11. 2017 Assessment Status.**

Smith reported that the first batch of checks was received and processed, totaling around \$38,400. We've received about 90 checks, out of 171 invoices sent. Harrigan suggested we remind the town about the 2/10/17 assessment due date in our newsletter.

#### **12. Status on Previous Action Items from 01/12/17 Meeting (refer to 1/12/17 minutes).**

##### **Bart:**

- Add a link to the Interlaken Facebook site to the town website. (not yet done).
- Update the parking violation citation to mention the car will be towed. (done).

- Setup a towing account with Heber towing. (done).
- Log and setup spreadsheet for parking violations. (done).
- Contact ULTC regarding budget change procedures. (research completed).

Smith referenced p. 106 of the ULCT handbook, which notes that:

“The council may reduce or transfer any (un)encumbered or unexpended balances from one department in a fund to another department in the same fund as long as there is no reduction in requirement of debt retirement or other appropriation required by law. This can be done without amending the adopted budget or holding public hearings. It is just a transfer from one department in a fund to another department in the same fund. It is not a change in the total fund.”

In other words we can move things around in our General fund without amending the budget and holding public hearings. We can't transfer additional money from one fund to another fund, unless previously prescribed by the approved budget. If, for example, our expenditure to improve the roads exceeded the budgeted amount, and this required a transfer between funds exceeding the budgeted amount, we would have to amend the budget and hold a public hearing.

On page 107, Smith also noted the following:

“If a town is going to accumulate excess fund balance in a capital improvement fund, the town needs to adopt a formal long-range plan. This will enable the town to accumulate money from year to year in a capital improvement fund until the cumulated total is sufficient to permit you to build the planned capital facilities.”

We are accumulating money but we don't have a formal plan. The group noted that we could designate the fund for road improvements, in a general sense, to be in compliance.

- Give Hawkins the go ahead to research Comcast cable install in Interlaken. (done.)
- Send out water rights agreements from safety deposit box to PC and TC. (done.)
- Look for Simpkins house plans. (could not find them.)
- Letter to Miller stating prohibition against multi-family rentals (rooming house). Request PC to look into code change to prohibit rooming houses. (done.)
- Zion bank transfers. (scheduled to be completed next week.)
- Start review of the Water system title, incorporate Mac's comments. (on hold.)
- Send email to Branca asking him to stop his workers from driving on the property below his house. (done.)

**Lisa:**

- Complete BHR letter, speak to Midway mayor about how to negotiate with BHR. (in progress.)  
Lisa is waiting to hear back from Jeff Stockman, our CPA. Lisa will follow up with Cropper regarding the letter. She followed up and obtained all the tax IDs. The number should be about \$37,000. She will follow up with Mayor Bonner to pursue an “Interlaken road coalition” so that we all share in the maintenance expense from Burgi Lane up to the sign, the portion that is shared.
- Forward water rights information to Epic for their research. (done.)
- Start franchise agreement with Midway sewer and get a copy of their sewer map. (in progress). They have their attorney working on it. They also said they will give us a copy of their sewer line video and the map once they are complete. Once we receive their franchise agreement, she will send it to Bywater for review.

**Joe Santos/Epic:**

- Rewrite letter to Pablo Tokarz regarding his road right of way repair. (done.)  
Lisa received the letter and will forward a copy to the council.
- Incorporate Owner/Builder agreement into permit process. Give Smith a copy of the agreement to post on the town website. (done.)  
This form will be added to the permitting process. There is still an issue of whether the town can require the owner/builder to carry liability insurance. Cropper is looking into this.
- Give town an estimate for researching water rights issue, eg, obtaining municipal rights instead of our current culinary rights. (not done.) Smith will follow up with Santos.

**13. Other Business.**

Chuck O’Nan asked about what a franchise agreement was. Simpkins explained the content and purpose.

Simpkins noted that a Blue Stakes ticket is only open for 2 weeks. After 2 weeks, you have to call them back. This should be added to the newsletter.

Simpkins brought up the issue of our dumpsters. There is no agreement as to what the solution is to prevent outsiders from using the dumpsters. Relocation was discussed and a 3<sup>rd</sup> pickup was discussed as options. It was suggested that Midway pay for the 3<sup>rd</sup> dump. It was decided that Harrigan would contact Chris Pendleton to find out if the state is willing to provide a spot for our dumpsters. Simpkins will contact the dumpster company to find out how much a 3<sup>rd</sup> pickup will cost.

**14. Public Comment.** None.**15. Council Comments.** None.**16. Action Items from this meeting.**

- Harrigan – take over responsibility for tagging illegally parked cars, and pass this responsibility onto another council member when appropriate.
- Road Committee – look into acquiring more no parking signs with winter restriction posted.
- Simpkins – call Heber Valley Towing and ensure proper response to our calls for a tow.
- Simpkins – contact Tim Bywater and get his opinion on the following issues:
  - 1) Enforcement of our code regulating barking dogs and other public nuisances – what are our legal options?
  - 2) Enforcement of our parking ordinances and our towing policy.
  - 3) Enforcement of our ordinance against abandoned vehicles.
  - 4) Enforcement of fines against leaving debris in the road.
- Smith – contact Tasha Lingos regarding her complaint about the barking dogs.
- Harrigan – establish a class A, B, C fine schedule.
- Smith – send out a newsletter covering the topics discussed in this meeting and email Renee regarding her Hi Neighbor Meeting.
- Harrigan – contact Chris Pendleton to see if the State is willing to give us a spot for our dumpsters.
- Simpkins – call the dumpster company to see how much a 3<sup>rd</sup> pickup would cost.
- Simpkins – follow up with BHR claim. Contact Mayor Bonner regarding an Interlaken road coalition.

**17. Adjournment.**

Council Member Sue O’Nan moved to adjourn the meeting. Council Member Neuner seconded the motion. The motion passed unanimously. The meeting was adjourned at 8:12 PM.