

**November 15, 2022, Regular Council Meeting rescheduled from November 8, 2022, (104 W. 9<sup>th</sup> Ave)**

Council members in attendance were Jordan High, JB Klyap, Matt Greemore, and Scott Holbrook. Also in attendance were Clerk/Treasurer Kristi Millhouse and Maintenance Supervisor Sam Novich. Mayor Hayes and council member Nolan Frandsen were absent.

Guests: Dan McCauley, Jennifer Konopacki, Mark Stonebraker, Doug Stonebraker, Kate Rose (Madisonian)

Council President Matt Greemore opened the meeting at 7:05 pm with the Pledge of Allegiance.

**Public Comment Non-Agenda Items:** Matt Greemore commented that TBCA asked if there is a possibility for Sam to pull the sleigh around with the town tractor. Council agreed that it would be fine. Kristi commented that there could be a liability issue with it because the Town owns the tractor. Yes, they have special event coverage, but does it cover the Town's tractor pulling people around Town. Matt will research more.

**NEW BUSINESS**

**Ordinance 2022-01 Storage Units:** Scott made a motion to approve the final reading of ordinance 2022-01 storage containers. Motion was seconded by Jordan. No further discussion. Motion passed with a unanimous vote.

**Ordinance 2022-02 Air BNB's/Short term Rentals:** Scott commented on Karen Talley's email regarding her comments regarding the last paragraph on Section 6 – Exclusion from ordinance. Discussion occurred regarding the exclusion. Council decided it was okay to leave Section 6 as is.

Jennifer Konopacki stated that she just found out about the ordinance and was concerned about how it would affect her. She is planning on building a house on her property over on Senator Street and live there during the school year and rent during the summer. Jen commented that she had approached the Council a while ago about building on her property and it was approved but apparently after two years, it needs to be redone. Wanted to know if there was any way she could be grandfathered in. Currently there is no house or anything over. Jennifer stated that she is currently advertised as an Air BNB at that location for campers. Kristi commented that she doesn't have a business license with the Town so it isn't a recognized Air BNB so it wouldn't be able to be grandfathered. Matt commented that to be an Air BNB you must have a license with the State, insurance, pay the bed tax, etc. Matt commented that the State is revising their requirements right now as well because of the impact Air BNBs are having on communities. Matt agreed that it is hard to go any further without all the proper paperwork and a building being there. Jen didn't know when you would be ready to build. Matt stated that the whole purpose of the ordinance is to stop the increase of Air BNB's so that we don't end up like other Town's. It's a stop gap for others coming in and buying houses and turning them into Short Term Rentals. Scott commented that originally when this ordinance was started, they wanted to put a Moratorium on the Short-term rentals, but we were told we must put an ordinance together first. So, the ordinance basically acts as that moratorium. No further discussion.

Scott made a motion to approve Ordinance 2022-02 Short Term Residential Rentals. Motion was seconded by Jordan. No additional discussion President Greemore called for a vote; Scott – Yes, Jordan-Yes, Matt-Yes, and JB-No.

**Resolution 2022-12 – Sell of the bull.** Discussion Occurred regarding the price and the boundary adjustments. Doug ok to pay the \$30,000 if Town is willing to abandon the alleyway. Price doesn't consider the fence and may have an adjustment on the boundaries.

Kristi explained need to pass the resolution before they can sell the bull pen. \$30,000 was based on the 65 ft. not 40ft. Forty feet would be from MBC wall to road. At this time no price was reached, and Doug will research the boundary further. Scott made a motion to approve the Resolution to 2022-12 Buy Sell of the Bull Pen with change the actual amount to TBD. Jordan seconded the motion. Motion passed with a unanimous vote.

**Great West Engineering:** Sewer Extension for the Fairgrounds (meeting tomorrow at the fairgrounds) – The meeting tomorrow, November 16<sup>th</sup> is to discuss the preliminary plans for the Sewer line that goes to the Fairgrounds. Currently the line goes under the bridge and the proposal is put it under the river so that the fairgrounds has use of the sewer system all year round. Jessen Park would stay the same, continuing to use the sewer line under the bridge. Matt commented that he has some heart burn over this project because the County has been talking about this, but no one has come to the Town to

discuss. The other question is the levy. We have ice jams that have flooded the area over there. What are we going to do about the flooding and the possibility of it coming back infiltrating the Town's system. Jordan stated that we wouldn't let anyone else attach on to system without approaching us. Dan commented that already attached to the system and this would just be a new line going under the river and be able to use all year round.

Dan didn't have a lot of information either. Tomorrow's meeting will hopefully answer any of these questions. There probably should have been some more discussion. Matt will be attending the meeting at the fairgrounds with Sam.

Dan commented on funding for the upcoming water project. The Town ranked fourth with MCEP (formerly TSEP). Great West had asked for \$750,000 from MCEP but was only approved for \$625,000. DNRC money was \$125,000 ranked in the 20's but that money should be available. It is possible that the dollars could change. Great West will be talking to MCEP about why the Town was only awarded the \$625,000. The CDBG grant was also done for \$750,000.

The County just got more money for additional projects, and it is approximately \$3,000,000. The only requirement is, it can't be used for lobbying and must be spent by 2026. The Town could ask for more money for the water project or something else. Not sure if it could be used for the fire department or for Town Hall. Some criteria of urgent need. Maybe Town Hall. Jeremiah is helping the County with some of this.

Sub-regulations/Street Standards – Dan commented that Kristi asked him to provide the Town with some costs for updating the sub-regs. Dan thought that it could be done for approximately \$5,000 to update them. Street standard would be approximately 5,000 to 10,000. Dan commented that the Town does do need to update them. Kristi commented that the reason for the street standard is so that if a development were to come in then we can require them to do their roads a certain way. This could be asphalt or gravel, whatever they want to set it at, but you don't have anything in place then the developer can do whatever they want.

Dan commented on Town Hall. The Town needs to find out if they are going to get the property across the street or not. He has a call into one architect and has not heard back. He suggested to hold until we are ready to do something.

**Fence Application:** Leslie Adams – Fence between the Children's center and her ground and in front of her property. Sam asked what type of fence. Hog wire and posts. Discussion occurred. Scott made a motion to approve the fence application for Leslie Adams. Jordan seconded. Motion passed with a unanimous vote.

Barbara Oakley – Kristi commented that she doesn't need any more as she is not buying house.

**Building Application:** Leslie Adams - Council discussed the application and found that there was adequate information on the application for them to decide. The following are the comments from the council and their questions regarding the application.

Scott asked how she is getting utilities over there. There are no wells or septic systems allowed in Town. Application doesn't indicate any services. Application for house and office shows TBD – no information. Where is the entrance off the High Ridge going to be at exactly. Is it going to be a private driveway or a road for other to use as for access? Jordan asked, should each building be on a separate application. Container is marked on fence application, but no additional information. Need a plan for the road, measurements. Sam commented that the portion of the road that she is referring to is part of Town limits. The County maintains because it ties into High Ridge Road. Discussion occurred. Needs building applications for storage container, house, office, and plans for the road entrance and where the ditches and ponds are going to go. Sam asked if that land is Platted. Matt asked about the new floodplain plans how it will affect the property. Kristi commented that a flood application will need to be completed. This goes to Great West for review as they are our floodplain administrator.

Council decided that a letter needed to be written to Leslie to address the following information. Council will then review at the next meeting which is December 13<sup>th</sup>.

1. Where is the entrance of the road going to go exactly? Is it a public road or a private driveway? If public would need to know Dimensions and Construction material. If a public road, will it be turned over to the Town for maintenance or will she maintain?

2. Where is the House, Office, Storage Container, and any other buildings going to be built. Will need a building application completed with diagrams for each building.
3. How, where, and what utilities are needed.
4. Engineered plans for ponds and ditches. Have these been approved by DEQ and how will they affect the neighbors.
5. Floodplain application needs to be completed and reviewed by Floodplain Administrator. Costs paid by applicant.
6. Storage Container needs to be up to new ordinance.

John Mills (307 S. Main St.) - Adding an extension on to the current building (main building/house). Scott made a motion to approve the building application for John Mills. JB seconded the motion. Motion passed with a unanimous vote.

Library Closing CD40397 – Money from CD will go into Capital Improvements to go to building repairs. Scott made a motion to approve the closing of CD 40397. Matt seconded the motion. Motion passed with a unanimous vote.

### **OLD BUSINESS**

Town Hall – Discussion did occur regarding new Town Hall – See Great West Engineering Report

Subdivision Regulations – Discussion occurred – See Great West Engineering Report

Water and Sewer Ordinance – Matt is reviewing and making his comments. Kristi commented that she has marked her changes and after Matt is done, she will have Sam review for his changes/comments. It will then come to the Council for their review.

### **REPORTS**

*Sheriff's Report* – Written report received

*Planning Board* – Written Report received.

*Library Director's Report* – Written Report received

*Attorney's Report* – No report.

*Mayor's Report* – No report.

*Maintenance Report* – Moving stuff from bull pen. Sam reported what he has discovered at this point regarding building an area for the bull pen items. On the new shop it was designed to add addition to go North and South along the building. He tried to get a hold of MQS to get costs on a pole barn – dry covered with gravel floor. Didn't get anything back from MQS, so he has no numbers currently.

Snow Removal – Rick and Sam have been working to get snow removed. Moved more already this year than last year. We may have some ice jams this winter. Matt asked about the systems being ready. Do we need sandbags. Sam thought we would be good with Sandbags and all the systems are working. Sam doesn't believe the ice jam will affect the ground water on Madison and 8<sup>th</sup>. Did leave the pipe form the pump in this summer if needed. We may need it this spring with spring runoff.

Sam is going to be gone some between now and Christmas. With Christmas lights and wreaths needing to be put up over the next couple of weeks they have asked to use Tim's lift truck. Tim will let the Town use in exchange for the Town doing maintenance on it. Matt thought probably safer. Jordan asked if TBCA would help with the cost. Kristi commented that the wreaths are kind of the Town's donation rather than donating the money.

Ice Rink - Sam plowed the snow off the ice rink in hopes that the ground will freeze so they can start adding water to make the ice rink.

Rick helped the State move the snow off the road today by hauling for them. Rick and Sam have been coming in at 6 o'clock to plow and start with the school before there is any traffic over there. Usually out of there by 8 before traffic comes in. Doesn't get to the main sidewalks right away but everybody clears off around 10:00 so that tends to be the ideal time and is working well.

Sam was asked about pumps for the Fairgrounds. One question that needs to be asked at the meeting with County tomorrow is who takes over after the line is done. Does it end up being the Town's lift station?

Clerk's Report – Kristi reported that Denning and Downey are working on their end of the closing right now so that the Town can get their annual financial report into the State by the end of December.

A new computer was bought for Sam, she will get set up when it is convenient for Sam.

Claims – Scott made a motion to approve claim checks 89724 and 89725 and 21784 to 21808 and payroll checks 88310 to 88334. Jordan seconded the motion. Motion passed with a unanimous vote.

UB Adjustments for September and October – Matt made a motion to approve the Utility Billing Adjustments for September and October. Scott seconded the motion. Motion passed with a unanimous vote.

September 27, 2022, Work Meeting – Matt made a motion to approve the minutes from the September 27, 2022, Work Meeting. Jordan seconded the motion. Motion passed with a unanimous vote.

October 11, 2022, Regular Meeting – Scott made a motion to approve the October 11, 2022, regular meeting. JB seconded the motion. Motion passed with a unanimous vote.

October 20, 2022, Work Meeting – Scott made a motion to approve the October 20, 2022, work meeting. Jordan seconded the motion. Motion passed with a unanimous vote.

Meeting adjourned. 9:22 pm.

ATTEST:

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Kristi Millhouse, Town Clerk

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Patricia Hayes, Mayor