

MAY 9, 2022

**TOWN OF WHITEHALL**  
**P. O. BOX 529**  
**WHITEHALL, MT 59759**

**May 9th, 2022**

The Whitehall Town Council held their regular meeting in the Council Chambers at 207 East Legion Street, Monday, May 9<sup>th</sup>, 2022.

**PRESENT:** Council Members: Katy James, Bill Lanes, Pat Peterson, Shawn Hoagland, Linda Jung, Acting Mayor Roy McBride, and Clerk/Treasurer Allissa Christensen.

**VISITORS:** Bridget Morse, Kory Klapan, Leonard Wortman, Jim Buterbaugh, Jenna McNew, Ed Guza, and Mike Wilhelm.

Roy McBride called the Council Meeting to order at 7:00 P.M.

Roll Call was taken. All council members were present.

The Pledge of Allegiance was recited.

**IV. AGENDA APPROVAL:**

Agenda was approved with the change of Planning Board item 6 and adding Kristi's Kiddie Korner Legion Park Pavilion usage on June 8<sup>th</sup>, 2022.

Linda made motion to approve the Agenda with Katy seconding.

**THE MOTION PASSED UNANIMOUSLY.**

**V. APPROVAL OF MINUTES:**

Pat motioned to approve the April 2022 minutes with Linda seconding.

**THE MOTION PASSED UNANIMOUSLY.**

**VI. REPORTS:**

**Mayor Report**

No report.

**OFFICER'S REPORTS**

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**Attorney Report**

No report.

**Clerk / Treasurer Allissa Christensen's Report**

Allissa: Court has been staying consistent. We are up to 65 citations for the calendar year which is a lot better than what we did last year. Deputies have been getting speeders, and they are doing a great job all around. So, thank you Jefferson County Sheriff's Department. I was able to catch up today from being gone all last week at clerk school, a lot of emails. I was able to check my email while at school. If I didn't get back to you and you contacted me, please let me know. Clerk school went really well. I told several people that just the networking alone was worth it, but I did learn quite a bit. It was very, very beneficial. I would like to budget that training again for next year. I was going to go over the agenda. This is everything I brought back from clerk school. We had a busy agenda. We learned about principles of good governance that was done by Dan Clark. He came here and did a training. That was really good. We identified principles of good governance, value and importance of consistent application of principles, and productive public processes that was really good. We had a payroll class that was helpful. Then we had some breakout sessions. Learned about P.E.R.S. a little bit more. They did a social media segment, but I didn't go to that because I was in P.E.R.S. It was really neat we had different tables set up, and it was kind of like a "how do I?". There were 28 new clerks with 6 months or less at this thing. They had different topics like financial AFRs, budgeting, cash reconciliation, claims, and all that good stuff. They did that again later on question answer kind of a deal which was really really helpful. Black Mountain Software did a sponsor dinner and training. So, they showed us some cool new shortcuts, and that was from 6-8 in the evening. It was good though. We did a real colors segment, and that was really interesting. That's what Todd was talking about earlier when he said I was an orange. It's really cool. It helped us to learn how to work with greens and how to work with oranges. Just learning how to deal with people. We had a public water segment, public communication like local decisions that can shape long term economic, environmental, and community well beings. That one was pretty interesting. Senate Bill 302. Audit. That one was painful. It was really rough. Then we had a presentation by a gal out of North Dakota. How they are a nonprofit, but they basically are promoting rural community vitality. They have done some really neat things in North Dakota. GASB updates. That was painful. There were a lot of clerks threatening to retire after that because our requirements are getting more stingy. Risk reduction with MMIA. Derek Shepherd gave that. He is the HR rep. Cyber security and more clerk-to-clerk training, transparency, finance solutions. I have got it all here. I have stacks of it. If anyone would like to come and see it, it is actually very beneficial and good information. It was a very good training. Lifeguard interviews and trainings have been scheduled, and the pool will open in about a month.

Shawn: Good applicants? I mean we got a good crop.

Allissa: Yeah. I think we've got a good number. I'm still looking for an assistant manager though. I might have to get my swimsuit on.

**Public Work Kory Klapan's Report**

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Kory: I will start with water. We took our water sample May 3<sup>rd</sup>. That was the only sample we had for the month. We did have a water break in the Rec Complex. I think you guys all know. You signed the PO. We fixed it Friday instead of last Wednesday, but it's fixed. Sewer. Okay. The water tee for the water treatment plant I don't have the paperwork for it. In the next day or two I will probably get you guys to individually sign that an okay to get cracking on that. That along with the Tebay sewer. Both projects are going to go together so we only have to work one traffic control plan. Because the traffic control plan was like \$6000 and by doing them together, we are saving a little bit of money. So that is the plan on those two. We didn't have to take a sewer sample this month. Sewer lagoons are 5ft in the first cell, 6.5 in the second, 7 in the third. So, it adds up to be approximately 7 feet of water that we can put on the field which is actually doing fairly well. A little better than where I thought we were a while ago. Cemetery. We revamped our sprinkler. The main at the pump kept breaking. So, we dug it up and replaced all that. It's fixed. We did get gravel on the roadways somewhat, removed one dead tree, and fixed two headstones that were sunk. We had one cremation. Spring cleaning. Our times got cut back quite a bit on spring cleaning this year, but we still got some done. I guess. We got the A&W / Subway area cleaned up on the first day. The second day we did the cemetery and the third day Legion Park. I think the fourth day they more or less picked up piles at people's houses. Okay so ARPA funds. You guys have heard me time after time about ARPA funds. So, our ARPA funds are going to work out like we had originally planned right from the first day which is kind of surprising. But I got a ranking on our last pot C application we put in. We are ranked 11 so we should get fully funded for that. I just want to break this down really quick to where we are at on this. We got 2 million dollars for our water treatment plant from ARPA on pot C. We were able to pay for the Meadowlark Manor annexation with ARPA funds. The Liberty Place water line and sewer line with ARPA funds and a sewer headworks building screen for our lagoon. The pot C sewer was 780 thousand. Between A and B, A was 300 total. We got the first one for 145 I think, and we got another payment of that coming. Then pot B was 182 thousand. We cashed in on ARPA funds big time.

Shawn: That was strictly sewer? So, sewer was 780 for pot C.

Kory: The pot C for that was the Liberty Place water and sewer line out 55 plus the headworks for the sewer lagoon. With that pot C, pot A will go with that. So, it will be 1,800,000 for those two projects; but it will all be funded between A and B. So, pot B we are paying for the Meadowlark Manor and our mapping. We got our mapping back if any of you want to come look at it. It is way cool. It's a good deal.

Shawn: That is the software we had discussed right?

Allissa: It's really nice.

Kory: Yep.

Shawn: That's good.

Kory: So, we have 17 curb stops throughout the town to find; it is all that is left. And I have money out of pot B to dig them up and put in curb stops where needed. I got enough money to do 35 curb stops. I believe we are going to have right off the bat 17 to do. Anyways that is all given money just so everybody knows. The town doesn't have to invest nothing.

Bill: A week ago pot A was kind of going away, but now it is back.

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Kory: Well, no. We thought we were going to be able to utilize pot A somewhere else because I didn't think we were going to be successful on pot C. So, since we were successful on C pot A has to match that C.

Bill: Oh, that's right.

Kory: But it all matches all together. So, everything I just said was no town funds whatsoever. Pretty good deal. Streets. We did fill a couple holes with some millings. Anybody notice the street lights are out on half of Whitehall Street. They have been notified that is the state not us. I had 14 locate tickets.

Linda: Over at the cemetery where you took out the lilac bushes, I walked there today. It's amazing how much more room that made for people that have to park if they want to visit the cemetery.

Kory: Cleaned it up tremendously.

Linda: It looks really super. Very nice.

Kory: For a little bit of money, I think we spent \$700 for that fence. It cleaned up that whole area quite well.

Linda: Because of Memorial Day it gets a little bit of a traffic jam.

Kory: Yep. So now we have it where people can park all along that fence. Along with that project we do plan on putting up a gazebo type thing. Rich Shephard has just about got all the material donated for us. There will be a map and where to go in the cemetery if need be.

#### **Fire Chief Joe Granvold's Report**

No report.

#### **Sherriff's Report**

No report.

#### **County Commissioner Leonard Wortman's Report**

Leonard: Our COVID numbers are staying fairly low. I think we have four active cases right now in the county. Hopefully it will totally go away. It was down to one for a while but it was back up to four or so. Hopefully we won't get any new bad stuff coming along. We tried to contact the state. They had told us earlier that they were going to start this milling project from here to Cardwell in May. It's now May, but we haven't heard an update from them exactly when they are going to start that. When they do, I think Kory is going to have some of the millings for town here. We are planning on using the millings that we get on Daly Road. We did a bunch of prep work out there. We put in some culvert. Daly Road has been a long time coming. We are currently in the process of reviewing some proposals for county engineering of record contract. We have used Great West in the past for quite some time. That contract expired this year. We are reviewing whether we want to stay with Great West or whether we want to change and go a different direction. Meridian Bridge. I'm not sure just what is going on with it. It is hopefully going to get started this spring. We haven't heard lately what is going to happen with that. The Legacy Center we didn't get the grant that we were anticipating getting. It's going to be a little more difficult and take a little longer to get that up and running. We do plan on having some events out there this summer. Also,

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we are planning on opening the Montana made store out there this summer. We are in the process of renting the parking area from Town Pump. It is just across the street for the bigger vehicles and stuff since parking was one of our issues for big vehicles and stuff out there. They have been really great to work with on that. ARPA Funds. We are getting some of the money out the door. We had given I believe 10 thousand to the Whitehall Chamber and 10 thousand to the Boulder Chamber for them to utilize for grants for small businesses in the towns. I believe we have been getting some applications for those. We put some of the money in the Jefferson Valley Foundation and the Horn Foundation in Boulder. Those are going to be distributed by those organizations for nonprofits and stuff. I believe they are in the process of reviewing some of those applications. So that is kind of moving forward. We set aside 150 thousand dollars over the two-year period for broadband. We are looking at some options that we may be able to possibly do some work on this end of the county and possibly in the Boulder Valley to get folks some high-speed internet that haven't had that before. I did want to mention the solid waste permits. There have been some push backs. The attendants have been asking folks for the permits. The course of that we have I believe has about just under 100 folks who have been dumping at the site and weren't even being charge for solid waste. They had been missed by the Department of Revenue, they were new, or they were from out of the county. At \$150 a pop that is a considerable amount of money that the solid waste district was not getting that we have picked up once we started enforcing having to have a permit to utilize the site. It's been kind of a painful thing for folks but I think it's paying off.

Allissa: Question. So, if I have a tag in my car; but my husband takes crap to the dump in his truck but forgets the tag. Do I need to have a tag for the truck too?

Leonard: Yes. I've already sent out a couple letters basically telling people if they want to abuse our site attendants, they can probably find a different place to dispose of their garbage. It's been a little bit painful, but I think it will be well worth it.

Katy: I'm still trying to follow up on the ambulance district. Have you gotten anything back from the county attorney?

Leonard: I have not. I believe he is working on it. I believe the folks that were excluded the first time on the other side of the hill out here towards Three Forks because they had been served by Three Forks. I believe they are no longer being served by the ambulance out of Three Forks. That maybe they would be looking at maybe annexing that area also.

Linda: What area is that exactly?

Leonard: From the top of the hill out here to basically Milligan Canyon to Three Forks to the south part. It kind of goes almost to Three Forks and Willow Creek and stuff.

## ***COMMITTEE / BOARD REPORTS***

### **Planning Board**

See minutes.

### **Recreational Complex Board**

No meeting.

**Pool Board**

See minutes.

**Trees, Parks and Cemetery**

See minutes.

**Water/Sewer/Garbage**

See minutes.

**Streets/Alley/Sidewalks**

See minutes.

**T.I.F.F**

See minutes.

**VII. PUBLIC COMMENT**

Pat Peterson: I have a question about the RFP that was put out for the sale of the property in the Valley View Subdivision. Have we gotten any proposals?

Allissa: Not within the deadline. I did receive one today, but it was after the deadline.

Pat Peterson: Okay. Because I have had people from that area asking me what the status is. Thank you.

Jim Buterbaugh: I don't know if anyone knows it, but I'm Jim Buterbaugh. I am running for our county commission district here. If anybody got any questions or anything, I can stick around. Thank you.

**VIII. CONSENT AGENDA**

**Planning Board**

Development permit application / Brenda Sue Hartford / new structure / 8 East Viella St. / approved.

Discussion on zoning map / recommend zoning issue to council.

**Business License**

Business license / Bent Tree Enterprises / construction & remodeling / approved.

Business license / Anthony Burgett / yard sale / approved.

Business license / Spic & Span Janitorial / janitorial services / approved.

Business license / Noble Jewelry / jewelry sales & gifts / approved.

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**Planning Board Resignation**

Kathleen Fike

**Rec Board**

Roy McBride – council representative

Maria Walker – baseball representative

**Planning Board**

Jenna McNew

**Park Usage**

Memorial – May 29, 2022 – Theresa Leggett

Kristi’s Kiddie Korner – June 8, 2022 – Kristi Wilson

*Katy made a motion to approve with Pat seconding.*

**THE MOTION PASSED UNANIMOUSLY.**

**IX. PRESENTATIONS**

None.

**X. UNFINISHED BUSINESS**

A. Council determination on employee pay scale. Tabled

**XI. NEW BUSINESS**

A. Council determination on Kids to Park Play Proclamation.

Roy: What is it?

Pat: It’s a proclamation proclaiming May 21<sup>st</sup>, 2022 as kids to park day for the Town of Whitehall. It’s the twelfth kids to park day organized and launched by the National Trust held annually the third Saturday of May. It’s a proclamation from the mayor.

*Pat made a motion with Linda seconding.*

**MOTION PASSED UNANIMOUSLY.**

B. Council determination on signing up with TextMyGov, a communication platform residents can sign up for to receive text notifications from the town in the event of emergencies, notices, etc., effective July 1<sup>st</sup>.

*Shawn made a motion to discuss with Pat seconding*

Allissa: You have it in your packets. It's pretty self-explanatory. For example, in an event of a water leak Kory comes to tell the office. We have to give 24 hours' notice so then we type up how many people it affects notices. Then the guys go and have to hang them door to door. It's okay, I guess. But the benefits of this TextMyGov say if that happens, we encourage the people to sign up. It's done on the computer. We send a text, and it hits everyone saying there is a water leak. There are features as well where people can ask us questions through the platform, but I didn't think that would be super helpful. I was more interested in getting information out to the public notifying them of public hearings, notifying them of budget workshops, council meetings, and planning board meetings. As you seen in your pack, it's a communication tool.

Pat: What about those people who aren't text savvy and don't use their phones. And being an older community there are a lot of people who don't use phones.

Allissa: There are also a lot of younger people moving in. Can anyone think of anyone that doesn't have a cell phone?

Linda: My mother. Well, she does, but she doesn't use it. Let's put it that way.

Pat: I know people who have them but couldn't get a message off of them if they tried. They use it as a simple telephone because they get these alerts that come over like Amber Alerts. I have had them come over to the house or call me and say what is that about. I heard it go off but I can't find it.

Shawn: Would this system satisfy any of the legal obligations we have to make announcements like publish notice of something like we have to put stuff in the paper? There are a few places right where we spend money. Does this fill any of those?

Allissa: Technically per MCA we only have to post here, the bank, and post office through our town. I think we only have to post two places; isn't that right Ed? Yeah. We kind of jumped that. I don't know if you can substitute it, but it would definitely be a benefit to let people know what is going on. Part of the text like if we put a post on our website something that was important, we could send that text out. Here is information regarding this water leak, this resolution, this public hearing, or business license reminders. It would save. I think it is a benefit. Maybe I am the only one but I really don't read junk mail or mail. I get a text. Oh, I need to pay my business license. I better go do that.

Linda: I have a question for you. Is there a deadline on this?

Allissa: No.

Linda: So, we can do this anytime?

Allissa: Yeah. I told the guys that it wouldn't be until next fiscal year. So, July at the earliest.



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Linda: I would like to see us get through our budget and get our budget planned for the year. So, we know what is in that budget because it's going to be \$3000 if you sign up the first year. Then you have to make a two-year commitment. Correct? Is that right? Am I reading that right?

Allissa: Yeah. It's a two-year commitment.

Linda: Then next year it would only be \$2000. It's just that \$1000 implement setup fee. I think that until our budget work is done I myself am not comfortable going for it. I would like to see us wait until after the budget time to do it. I don't know how everybody else feels.

Allissa: We are in budget time now.

Linda: I mean when the budget is set. When we have our new fiscal year. So, it would be the first of July that we would start this?

Allissa: We are budgeting right now. So, we set that budget for July.

Linda: We realize that.

Bill: You would be advocating for us to including this in this budget.

Allissa: Correct. Thank you.

Linda: There you go.

Shawn: Yeah. You want us to take it into account to see if we can fit it in.

Bill: Yeah. We rely on residents to sign up for it.

Allissa: That is where we could communicate more. We could do those little codes. What are those little codes called?

Roy: QR codes.

Allissa: QR codes. We could do that. Every time somebody comes in sign up for this.

Bill: I could see this as an advantage. We are living in a communication age where this is helpful. I know there are some that don't, but I would say the large majority of people use it.

Katy: The county has a setup where we all have to register to get emergency notices. You just go on the county website and find the bullets to it. But I'm not sure how often it is used. Do you know Leonard?

Leonard: I don't really know.

Katy: Okay. We still get calls from people wanting to know how they can get notified and we direct them to the county webpage.

Kory: Can we just pick a certain area for text to go to or does it go to the whole town?

Allissa: That is a good question. I think within the platform because it's all done on the computer so I want to send out a text I can. I can ask the guys that. That is a really good question.

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Kory: As far as a water break that would be super helpful. There is no sense in sending a text to the whole town saying we got a water break your water could be affected. I would be all for it if we could isolate it. It would help us out tremendously. Between us and the office we try to contact everybody that is going to be affected by it. A lot of time it takes damn near as long to contact everybody as to fix it.

Bill: You need to get the work done instead of walking down the streets. I watched you.

Kory: Correct. Usually, I get somebody digging, and we go door to door to tell them. If we could isolate it. This last one was maybe 15 houses, but it still takes quite a bit of time to go contact everybody.

Bill: Also, it could be just communicated it's on this street to this street.

Kory: The only thing is that everybody takes it as it is them in the text is why I was asking. I don't see a need to alarm the whole town. I would think you could isolate it somehow.

Allissa: Yeah, and it says here in the basic proposal that we can configure it. Like I said earlier I think it would be a big mess. People could text in pictures and say hey this pot hole is really bad.

Kory: So, like on Wednesday if it's going to be a holiday and garbage is going to be on Thursday. This is something we could utilize if we could break it up. This is like any other mass text you get. If we send it out to the whole town every time, they are going to silence it. I did it with the school. I mean the school had the same thing, and I shut it off because I was getting a damn text three times a day. But if we used it when we needed it, it would be a huge asset if we can break it up.

Linda: I did see on here that the agreement and pricing provided at the customer's request is good for thirty days. It says that down here. So that could change in thirty days, correct?

Allissa: Where are you at Linda?

Linda: Right on the bottom under notes. Subscription cost break down. I think it is the third page in.

Allissa: Oh yeah. He talked about that. He says it's not likely. So, like say you guys say no then I reach out to them in two years the price is probably not going to be the same. It's not like we say yes tonight and they say oh well it's been more than thirty days sorry. That's more of what that is referring to.

Pat motioned to table until we get a better handle on the budget, Katy seconded

Roy: The original motion has been amended to be tabled until the next meeting. Did I hear that right?

Linda: Yeah.

## **MOTION TABLED**

C. Council determination on zoning of public land.

Pat made a motion to discuss with Shawn seconding.

Ed: As I understand, there has been some discussion about zoning public property to conform to areas that are within the region of that public property. What I did as I got here today is been kind of looking

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into this issue in depth. As I see it, by taking say for example the property owned by the school and making that commercial that would be very unusual. The reason why it would be unusual is because it's public property so just kind of adherently it's not commercial property so it shouldn't be zoned that way. I checked other municipalities in specific Bozeman, and they have a designation that's MLI that is some sort of municipal land use that is for example their parks. In some areas like for example they are selling one of their fire stations that is located on Rouse. That fire station is zoned B3 commercial, and it's zoned that way because it's just one building amongst many others that are zoned commercial designation. But large swathe of land using again Bozeman as an example so take the high school on Main Street that has that MLI designation. So, it is a municipal designation. It doesn't have commercial or anything like that. Getting to what we are talking about here I think it would be a mistake to just designate our public property as a specific commercial zoning. In fact, I would leave it the way it is. There would be no reason to do that. We are talking about one particular piece of property here, and Mr. Wilhelm is here to address the council. I spoke to him for a bit outside and explained to him that there is a process that we need to go through if we are going to zone this particular piece of property. I wouldn't go through to take such a big swathe of land and say it's all commercial so that way we are not spot zoning which would be prohibited. I would say we need to focus on that particular piece of property and go through a process to zone it as may be requested by Mr. Wilhelm which sounds like he wants it to be commercial. As it stands right now, it's really within a residential area so that would be a process that if we are going to go through it, we would have to have a hearing and a notice under the Montana Code. Because when I looked through our Ordinances, there is nothing in there specifically that says how we would re-zone property. There is nothing that talks about a hearing or anything. It's unfortunate that we don't have that. Now that said what I also stumbled on in our municipal code is that apparently there was a growth policy that was adopted in 2009 and amended in 2011. I don't have access to that online. I haven't seen it but certainly we have to comply with that. That is something that we are going to need to review and determining if there is a more specific policy than just relying upon the Montana Code which talks about having a hearing and notice to be able to re-zone property or zone it at all. The Planning Board can't have a meeting and just say okay sure we will go ahead and allow this to be commercial. I'm not suggesting anyone said to do that.

Pat: No, we didn't know what to do. That is why we said let's take it to the council. We could not find anything telling us what could or could not be done. There is another property. The one for the RFP is also deemed public land so that will have to be re-zoned also if we are going to sell it to somebody or give it to somebody to develop.

Ed: You are absolutely correct. It's not necessarily the Council's job or the Planning Board's job to come up with how the town might want to do that. In this case its private property owned by Mr. Wilhelm. As we discussed, he just wants to know what that process entails. Until I put my eyes on the growth policy and see if there is a specific process that is adopted to implement change or create zoning, we are relying upon the Montana Code which only gives us very broad comments as to how this would take place which again is a hearing after notice is provided. There is no specifics in our code as to what notice would mean. In other words is it mailed notice? Is it 150-foot radius? Who gets this notice? It doesn't say in the general provisions of the code. There is a 2021 case that was decided by the supreme court. It was a group of people that sued the City of Whitefish. The code found that there wasn't spot zoning that occurred in that particular case. The reason why the city prevailed in that matter was because they did follow substantial their growth policy. We need to look at our growth policy foremost here. We need to

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determine what it says about something like this if anything. If it says nothing, then we need to have our hearing and allow the public to come up and testify and provide evidence of what they feel should happen or not. If this is going to be commercial, obviously we need to make sure that all the necessary requirements are in place to ensure that the public is being protected which is of course our number one policy here that we are all trying to follow. I guess what my recommendation here today is certainly we are in no position to vote on anything as pertaining to this particular property or certainly the rest of the public property that is an issue here in the town. I would suggest at this point this is a good discussion, but we are going to need to table it. Again, I would like to get my hands on the growth policy and see what it says. And see if we can get Mr. Wilhelm an ability to present this to the Planning Board under our requirements and have the planning board go through their process to have a hearing and all that involved. Mr. Wilhelm has a buy/sell agreement he told me where the buyer wants the property to be commercial. Apparently, it's a contingency. He is taking it upon himself to try and implement that on behalf of this buyer. But there is this process, and we have to go through it. We will need your patience in doing so, but we will get it figured out for you.

Mike Wilhelm: Would my step be to fill out something to present to the Planning Board to get the change?

Ed: That is what we need to check in our growth policy.

Mike Wilhelm: Okay. We don't even know that yet.

Ed: Not at this point no. Baby steps unfortunately at this point.

Roy: You will handle all that Ed?

Ed: I will definitely look through the growth policy and see what it says. I can communicate with you directly or the Planning Board, and they can talk to you.

Mike Wilhelm: In audible.

Ed: I'm going to leave it to the council president to direct the meeting. But I understand you have that letter and if you want to do that, I'm sure there will be an opportunity for you to do it if you want. Hopefully I covered the key points you were trying to make here but if you feel you need to say something more than certainly.

Roy: I think everything probably needs to be run through Ed.

Ed: Yeah. Just make sure we did it right and protect everyone involved.

Roy: If that is acceptable.

Pat: That's what we just needed some guidance on this and some information. We couldn't find anything.

Ed: Yeah.

Roy: That is probably why the guy that sold it to you didn't have it.

Linda: We will work on it. We have a subcommittee meeting tomorrow. We will take a look at that.

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Pat: She has the growth policy right there.

Allissa: I'm pretty darn sure Kennedy put it on the website. I just can't find it so I texted her. I'm just waiting to hear back.

Ed: Oh, sure yeah.

Shawn: We have the growth policy that you can review.

Pat: We can look at it. We have a subcommittee meeting like Linda said tomorrow at 10. That is one of the things we can do is look through it.

Ed: Perfect. We are on our way.

Shawn: I have one more question on that on just knowing what the ask is. Again we will probably have to look at that. But to zone commercial is there any parameters other than the black and white of what commercial entails? We zone that commercial that defines next type of uses right?

Ed: Yes, but it includes residential and incorporates that in. So having something zoned commercial under our code is pretty broad.

Shawn: Right.

Pat: Yeah.

Linda: It is because they would have to come to the Planning Board. You couldn't put a brewery in there because you are right next to a school. So, the Planning Board could guide there.

Ed: Right. That is true.

Mike Wilhelm: I read you a letter and gave it to you and I gave Allissa one. One from my realtor saying most people want to live to work situation. The guy that has the buy/sell wants to make an art gallery, but he wants the ability to have an apartment in there also. If you have the building occupied, I think it's better a commercial building. Someone there to kind of watch it, and maybe you wouldn't have graffiti on the side of it.

Shawn: Yeah.

Pat: Our current ordinances would allow that. We wouldn't have to make an exception because we can have residential in commercial areas.

Mike Wilhelm: Is there any application I can take home and fill out, or do you need to do something?

Ed: I don't think we have a specific application for zoning.

Pat: Nothing we could find.

Ed: No.

Mike Wilhelm: We're in a learning curve here.

Ed: We are.

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Pat: We are going to learn as quickly as we can.

Ed: We appreciate your patience.

Mike Wilhelm: I've got a big investment there.

Ed: I totally get it.

Mike Wilhelm: My wife got cancer last year. Otherwise, I probably would have finished that but she says someone will.

Ed: Yeah understood. We will move as quickly as we can.

Mike Wilhelm: I appreciate it. Thank you for your help.

Ed: I'm out for the rest of the week Mike.

(Inaudible talking)

Roy: Thank you for being patient. We need to amend the motion.

Shawn amended the motion to table until council can review the growth policy, Linda seconded.

#### **MOTION PASSED UNANIMOUSLY.**

D. Council determination on designating three members for a mutual aid agreement with the Jefferson Valley Rural Fire Board.

Shawn made a motion to discuss with Katy seconding

Roy: I will tell you what I'm looking for. I need three people to sit on this committee that comes from this, and there will be three from the rural. They will do the mutual agreement and Ed is going to look into it.

Ed: It's a great idea. It sounds like what we are trying to do really is memorialize what has been happening for years which is just a great cooperation between these different fire stations and districts and the rest of it. Typically, as I have seen these in the past, it's an interlocal agreement. It might be labeled something different, but the code allows for government entities to share equipment and do all of those types of things. What I understand from Roy is that they are in the process of coming up with an agreement that they are going to share with us. So, it's a standby and wait to see what they provide us and I'll put my eyes on it.

Pat: I thought the group of 6 people were going to come up the agreement.

Roy: It is. I need three here. They will come up with the agreement and then Ed will review it and whoever they have for their attorney or whoever they use. Yeah.

Ed: Yeah. It sounded like they are going to make the first run at the agreement. You guys maybe look at it then get it to me.

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Pat: I thought it was mutual.

Roy: Yeah, it will be. It will be three of them and three of those. They will sit down.

Pat: It's not them coming up with this.

Ed: If somebody just gives me the bullet points of what you all agree to, that's fine too. I can create an agreement.

Pat: I think that is part of the problem. We didn't come up with bullet points.

Roy: But I think that's what we need.

Bill: This committee would do that.

Roy: Yeah. They are going to appoint somebody on the 18th. It's determined that we need to have this done by June 1.

Mike Wilhelm: I had a thought so I could get my deal done. Would the board approve it residential with a variance for him to put an art gallery in there so we could get the process a little quicker?

Ed: Even now we require a hearing. Any step where you are zoning property the public has a right to participate. You can't make these kinds of decisions as a council.

(Inaudible talking)

Linda: Will you be able to make that because we have until June 1<sup>st</sup>?

Shawn: And when is?

Roy: They will set that meeting after the 18<sup>th</sup>.

Shawn: They meet the 18<sup>th</sup>.

Roy: Right and they will pick three people. So, I guess I am asking for three volunteers.

Bill: I would be glad to.

Roy: Katy and Bill.

Linda: I will if Shawn can't. Shawn it's up to you.

Shawn: So, it's going to be between the 18<sup>th</sup> and the 1<sup>st</sup>?

Roy: I think they wanted to meet didn't we talked about the 19<sup>th</sup>.

Katy: We got it marked for the 19<sup>th</sup>.

Roy: 19<sup>th</sup> for the group to meet.

Linda: That's a Thursday.

Katy: Because they are probably having their meeting on Wednesday night the 18<sup>th</sup>, then meet with us on the 19<sup>th</sup> Thursday.

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Linda: There could be one after that because Ed would have to review it.

Shawn: After 4pm on the 19<sup>th</sup> I'm good. If it would be like an afternoon evening thing does that work for you?

Katy: They scheduled with us to meet at 2 o'clock but I'm sure we could adjust that.

Roy: Why don't you try and if you can't?

Linda: If you can't make it.

Shawn: I know I can't. At 2:00 - 3:30 I've got to run a meeting.

Linda: How about we do it like this: Katy is on, Bill is on, one of us will cover the third person depending on the time?

Roy: I don't have a problem with that.

Pat moved to appoint Katy, Bill, and Shawn/Linda for the committee to work on the mutual aid agreement with Rural, Shawn seconded.

**MOTION PASSED UNANIMOUSLY.**

**XII. BILL/ CLAIM APPROVAL LIST TO BE SIGNED BY ALL COUNCIL MEMBERS**

Katy made a motion to approve the bill claim approval list with Linda seconding.

**THE MOTION PASSED UNANIMOUSLY.**

**XIII. ADJOURN**

\_\_\_\_\_  
Mayor Mary Hensleigh

\_\_\_\_\_  
Date

\_\_\_\_\_

\_\_\_\_\_



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Town Clerk Treasurer

Date