

Town Council

December 16, 2008

- Clerks' notes are a summary only of meeting.

Meeting called to order at 7:02 pm. Mayor DeCora led the pledge of allegiance. Clerk Whitney Heller held roll call present: Don Wooden, Beau Taylor, Shirley Brown, Don Jorgensen, and Mayor DeCora.

Minutes for approval: Special Meeting December 4th 2008. Beau Taylor motions to approve. Don Wooden seconds. All favor.

Ed Turner: Update on the Waste Water Treatment Plant: Wastewater is flowing through and operational since Thursday, completion will be Friday December 19th 2008. Contractor did a wonderful job and Lee Schwab is doing well also.

Jay Hokanson: Emergency Operation Plan for Lincoln County not present.

Tiphany Gayhart: Discussion of water bill leakage charges of mother-in-law residence. Mother in law is 86 years old and her bill was \$1100.00 with a water leak. If the town had read meter earlier this would have been found, has already paid \$500.00 of water bill. Shirley Brown asks if this was a water break. Kennis Lutz says it line broke under the house of sprinkler system. If meters were read on time the leak would have been found. Mayor DeCora says the snow was still on meter. Mayor says she had spoke with Terra Miller and confirmed that there was a leak. Don Jorgensen says she is 86 and Kennis had fixed it as soon as he found out and we should compensate her. Mayor DeCora says ordinance 156 says we read meters when can. Deb Wolfley says there was snow on meter; the town was not late because of weather conditions. Don Wooden says it is a matter of doing what is right. What damage to the town did this incur? Stefan Fodor says ordinance 156 says there will be no waiver of fees. The council can change the ordinance but you are restricted with the ordinance in place now. Beau Taylor says ordinance should be changed to 30 days to fix leak and water bill should be based on last year's usage if there is leakage. Mayor DeCora asks for a motion **Donn Wooden makes motion to make a reasonable adjustment to bill and it is a financial hardship to elderly.** Tiphany would like an average of usage. Beau Taylor says charge the amount it cost the town of water use. Donn Wooden would like ordinance 156 amended as to reflect the 30 days to fix problem. Restate motion stop disconnect order and look at numbers to get incompliance with town then work on new ordinance. Deb Wolfley would like to visit with Kennis and Tiphany on prior usage. **Don Jorgensen seconds motion. Don Jorgensen wants to go year prior and see what usage was and adjust to that her bill. Then address ordinance 156 to reflect changes discussed. VOTE: 3 yes; 2 no; 0 abstain; 0 absent. Motion Carried**

Steve Chichinski: Request for extension of building application extension. He says at last meeting council asked him to submit letter for an extension. Donn Wooden conflict of interest stepped down

from council. Steve Chichinski talks of letter to council and would like a remedy. Stefan says some issues have been resolved; the water and sewer fees have been vested. Mayor DeCora says donation of the Buffalo Sage portion that is proposed to be donated to the town needs to be separate from this issue. Mayor DeCora says the town appreciates the gesture and there have been problems that other towns have gone through because of donations and the town has not asked anything from Steve and no decision has been made with donation. Stefan Fodor says he had sent a letter to Steve stating that his water and sewer fees are fully vested. Stefan says the application is good for 20 sewer connections and the water is good for 21 applications. Mayor DeCora says you are here to ask for extension of building application. Don Jorgensen makes a motion to grandfather prepayment application until the plats change and finalized. Stefan says grandfather needs to be more specific, 20 sewer applications were fully vested and 21 applications were fully vested, Don Jorgensen motion for extension for 180 days of building permit application. Beau Taylor seconds. Shirley Brown oppose. Motion Carried. Steve Chichinski asks will there be assurance I will get another extension? Mayor DeCora says there will be another effort in six months but there are no guarantees. Beau Taylor says if he is working toward application and showing good faith he would vote for another extension.

Stefan Fodor asks to take a recess for 5 minutes. Meeting recessed at 7:45 pm. Meeting reconvened at 7:54 pm.

Carla Stone: Discussion of Diggs Lewis proposed financial plan. Carla Stone says there is an updated proposal; there was not an outline attachment of payment proposal. This is on cover of package that is available. There is a payment plan and under the current ordinance -178, phase 1 residence will incur \$5000 hookup fee which would be broke up over 20 years. Our proposed payment plan is in front of you. The town would be the collector of fees, the monthly sewer charge is lower and no overuse charge. Phase 2 and 3 residents will pay \$7500 Carla Stone reads from handout. We feel this is a valid proposal. Mayor DeCora says the plant would need to be expanded with this plan. Diggs Lewis says he does not agree with sewer and water being billed separate. Donn wooden says they need to be separate because of ordinances. Shirley Brown motions to bring in plans on the 6th and after that no other plans will be accepted. Turn them over to a committee then decide if a special election is needed if they are valid plans. **Don Jorgensen motions to table 2nd reading of 185-Ordinance No. 2008-41 until we have further review of all proposals. Donn Wooden seconds. All Favor.**

Don Jorgensen makes a motion that the January 20th 2009 meeting a special committee is formed and at that time appoints committee to research all plans submitted on sewer proposals. The deadline will be the 20th of January for acceptance of proposals. The committee shall be non-partisan. One member from River View Meadows, one member from Business Association, Legal, Council member, and a member from each phase 1 2 & 3. **Don Jorgensen changes deadline to January 20th 2009. Beau Taylor seconds all in favor.**

All Nighter request:

- Tavern on the Greys: July 4th 2009, August 29th 2009, October 31st 2009 and December 31st 2009.
- Bull Moose Saloon: May 23rd 2009, July 4th 2009, September 6th 2009 and October 17th 2009.

Mayor DeCora asks for a motion to approve All Nighter request for Bull Moose Saloon and Tavern on the Greys. Beau Taylor motions to approve. Don Wooden seconds. VOTE: 4 yes; 1 no; 0 abstain; 0 absent. Motion Carried.

Discussion: (Proposed change to sewer Ordinance) 2nd Reading 185-Ordinance No. 2008-41 (replace & amend 178-Ordinance No. 2008-34) sewer. . **Don Jorgensen motions to table 2nd reading of 185-Ordinance No. 2008-41 until we have further review of all proposals. Donn Wooden seconds. All Favor. Motion Carried.**

P&Z Request for new members. Mayor DeCora nominates Josh Floyd and Melissa Wilson. **Don Wooden motions to approve applicants. Don Jorgensen seconds all approve.** Mayor DeCora says they are to be sworn in Jan 6th 2009 at regular council meeting.

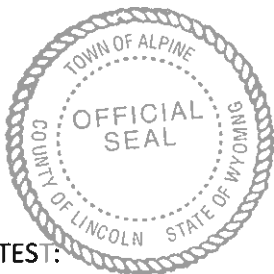
Department Updates.

Deb Wolfley ask when you want the architect Jerry Myers working on Civic center to come back in to implement changes Mayor DeCora says the 6th of January will be best.

Donn Wooden motions to pay bills second Don Jorgensen all in favor.

Shirley Brown motions to adjourn regular meeting. Donn Wooden seconds. All favor. Motion Carried.

Meeting adjourned at 9:25 pm



ATTEST:

Victoria DeCora, Mayor

Whitney Heller, Clerk