

**TOWN OF MILLIKEN
BOARD OF TRUSTEES
MILLIKEN MEETING HOUSE, 1201 BROAD STREET**

MEETING MINUTES

Wednesday, November 09, 2016

Call to Order

The Town of Milliken Board of Trustees convened a regular session on Wednesday, November 09, 2016 at 6:30 P.M. Those present: Mayor Beau Woodcock, Mayor Pro Tem Linda Measner. Trustees: Elizabeth Austin, Katy Burack, LeRon Ehrlich, Nick Ehrlich and Ken Kidd. Also Present: Town Administrator Kent Brown, Town Clerk Cheryl Powell, Community Development Director Martha Perkins, Police Chief Benito Garcia, Finance and Accounting Manager Courtney Diller, and Town Attorney Linda Michow. Absent: Public Works Director Bill Landwehr

Pledge of Allegiance

Mayor Woodcock called the meeting to order.

Roll Call

Trustee's: Austin, L. Ehrlich, Burack, N. Ehrlich and Kidd, Mayor Pro Tem Measner and Mayor Woodcock.

Agenda Approval

The Town Trustees and Staff had no changes to the Agenda.

Trustee LeRon Ehrlich motioned and Trustee Burack seconded.

All in favor, none opposed.

Citizen Comments

Mr. Byron Fisher, who resides at 998 S. Rachel Ct. Milliken, submitted a letter of complaint regarding the Chair of the Planning Commission to the Town Board. Mr. Fisher claims on Oct. 5th Chair Woodcock failed to recuse himself from the Frank Farms rezoning. He failed to disclose at the meeting and to the Town Attorney that he had a conflict. Mr. Fisher referenced Section 4.3 of the Board of Trustees, Commissions & Committees Policies and Procedures Manual. This Section refers to the Code of Ethics. Mr. Fisher indicated that Chair Woodcock has been a member of the Planning Commission for quite some time and that he

should have known better since he has attended training sessions in regard to the Policies and Procedures Manual.

Minutes of Previous Meeting

- October 12, 2016
- October 26, 2016

Minutes approved as distributed.

Trustee LeRon Ehrlich motioned to approve the minutes. Mayor Pro Tem Measner seconded.

All in favor, none opposed.

Town Board convened as the Liquor Licensing Authority

CONSENT AGENDA

1. Consideration and Approval of a Retail Liquor License Renewal for Milliken Liquors

To consider for approval a Retail Liquor License renewal for Milliken Liquors from January 09, 2017 until January 09, 2018.

Trustee Mayor Pro Tem Measner moved to approve the Consent Agenda.
Trustee Austin seconded.

Trustee Austin – yes, Trustee L. Ehrlich yes, Trustee Burack – yes, Trustee Nick Ehrlich – yes, Mayor Pro Tem Measner – yes, Mayor Woodcock – yes, Trustee Kidd – yes.

Liquor Licensing Authority adjourned and reconvened as the Town Board

ACTION AGENDA

1. Continuation of the Public Hearing for the Consideration of Approval of the Change of Zone Request by the Frank Brothers

Community Development Director Martha Perkins asked the Town Board for a continuation of Public Hearing in consideration of approval for a request from the Frank Brothers, Gary, Roger and Ronald, to amend the Town of Milliken's Official Zoning District Map for their three (3) lots on the NW and NE Corner of Quentine Ave and Inez Blvd also known as Lot 31 and 32, Block 12 of the Wal-Mar 3rd Subdivision from a R-1 "Single Family Residential" Zoning District to I-2 "Medium Industrial" Zoning District and Lot 3 of the Dove Valley Subdivision from an A "Agricultural" Zoning District to I-2 "Medium Industrial" Zoning District consisting

of just over 2.5 acres in size due to the lack of a Planning & Zoning Commission quorum on November 2, 2016.

Trustee LeRon Ehrlich motioned to continue this Public Hearing until November 21, 2016. Mayor Pro Tem Measner seconded.

Trustee Austin – yes, Trustee L. Ehrlich yes, Trustee Burack – yes, Trustee Nick Ehrlich – yes, Mayor Pro Tem Measner – yes, Mayor Woodcock – yes, Trustee Kidd – yes.

Trustee LeRon Ehrlich requested staff to contact members of the Planning Commission to ensure there is a quorum at the next Planning Commission Meeting

2. Continuation of the Public Hearing and Consideration and Approval of a Sketch/Preliminary Plat for Filing 2 of the Brookstone Multi-Housing Project

Community Development Director Martha Perkins spoke to the Town Board requesting a continuation of the Public Hearing to consider Lot Holding Investments, LLC's request for approval of a sketch/preliminary plat for Filing 2 of the Brookstone Multi-Housing Project as an amendment to the original PUD Site Specific Centennial Master Plan. The continuation has been requested due to a scheduling conflict with the applicant.

Trustee Austin moved to continue the Public Hearing until November 21, 2016. Trustee Nick Ehrlich seconded.

Trustee Austin – yes, Trustee L. Ehrlich yes, Trustee Burack – yes, Trustee Nick Ehrlich – yes, Mayor Pro Tem Measner – yes, Mayor Woodcock – yes, Trustee Kidd – yes.

DISCUSSION AGENDA

Slate Communications

Town Administrator Brown spoke to the Town Board in regard to Slate Communications providing information to the public on the Town potentially going Home Rule. Brown handed out a schedule that Slate Communications provided outlining the process.

Complaint

Mr. Fisher asked the Town Board if they were going to address his complaint at this meeting and if not how will he be able to track the progress of his complaint or to be a part of the discussion in regard to his complaint.

Mayor Pro Tem Measner explained that items brought to the Town Board during public comment are taken under advisement and it will be Noticed when it will be discussed. These items are not discussed that evening, due to the Board just becoming aware of the concern, etc.

Town Attorney Michow responded that Mr. Fisher has raised a concern and that she will be addressing this matter with the Town Board under attorney client confidentiality. She explained that someone on the Town staff will inform Mr. Fisher when this matter will come back before the Town Board.

Mr. Fisher addressed the Town Board in regard to the Policy and Procedure Manual that they use and he is concerned as to when this complaint he issued will be discussed. The rules indicate that the Board should inspire confidence and that the Board should be transparent. Mr. Fisher would like to have a date scheduled as to when this complaint will be addressed.

Trustee Kidd explained to Mr. Fisher that the Board needs to follow their protocol in addressing this issue. It may not be written as to what that protocol is, but it would be very difficult for the Town Board to address concerns from a resident on the same night it is brought to them. The Town Board needs to have the opportunity to discuss this with their legal counsel.

Mr. Fisher indicated that he would feel more comfortable if a date were set as to when this item will be brought back to a meeting. Mayor Woodcock responded to Mr. Fisher that the Board will discuss this at the January 11, 2017 meeting.

INFORMATIONAL AGENDA

Summary of Meeting (Review of Action Items, Staff Assignments & Schedule)

Future Agenda Items for the Work Session and the Regular Meeting

Adjournment

Mayor Pro Tem Measner moved to adjourn. Trustee Austin seconded.

All in favor, none opposed.

Hearing no further business, the Mayor adjourned the meeting at: 7:05 P.M.

Prepared by:

Approved by:

Cheryl Powell, Town Clerk

Beau Woodcock, Mayor