

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

MEETING MINUTES

Wednesday, October 26, 2016

Call to Order

The Town of Milliken Board of Trustees convened a regular session on Wednesday, October 26, 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, Accounting/Finance 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 Austin motioned and Trustee LeRon Ehrlich seconded.

All in favor, none opposed.

Citizen Comments

None

Minutes of Previous Meeting

- October 12, 2016

Will be distributed at a later date.

Acknowledgement of the Paid List of Bills

- October 2016 List of Bills.

CONSENT AGENDA

There were not any items.

ACTION AGENDA

1. Consideration and Approval of Resolution 16-22, Updating Revenues Related to Court Costs

Police Chief Benito Garcia asked the Town Board to consider and approve the adjustment in the Town's Fee Schedule to increase the court costs that are charged in Municipal Court per Section 2-4-130 for the Municipal Code.

Trustee LeRon Ehrlich asked what other surrounding municipalities charge for this fee. Chief Garcia indicated that the average fee charged through research was \$30.00, the lowest was Johnstown at \$15.00 and the highest was Firestone at \$50.00.

Trustee Austin motioned to adopt Resolution # 16-22 amending the Towns Comprehensive Fee Schedule to increase Municipal Court Costs imposed by the Municipal Judge for the Town of Milliken, effective November 1, 2016. Trustee Burack seconded.

Roll Call Vote: Trustee Austin – yes, Trustee L. Ehrlich – yes, Trustee Burack – yes, Trustee N. Ehrlich – yes, Mayor Pro Tem Measner – yes, Mayor Woodcock – yes, Trustee Kidd – yes. Motion carried.

2. Public Hearing and Consideration and Approval of Ordinance 733, Amending Section 16-1-150 "Definitions" and Adding Section 16-3-550 "Temporary Uses" to Chapter 16 of the Land Use Code of the Milliken Municipal Code

Community Development Director Martha Perkins asked the Town Board for consideration and approval of Ordinance 733, amending Section 16-1-150 "Definitions" and adding Section 16-3-550 "Temporary Uses" to Chapter 16 of the Land Use Code of the Milliken Municipal Code to allow for the administrative approval of temporary uses. Perkins informed the Town Board that this Ordinance will make certain items easier to implement, such as the temporary food cart that setup at the Grain Elevator site this summer, fruit stands and the ability for people to live in a RV or camper while building their house. Staff believes it is important to allow such uses on a limited term basis within the code.

Public Hearing Opened at: 6:48 P.M

Mayor Pro Tem Measner asked what the definition of a tent is within the Town's Code. Perkins indicated that "tent" is in the Code in more than one place in different sections. Mayor Pro Tem Measner also asked about the Temporary Use while building a custom house or other natural disasters. Discussion from the Town Board was the length of time these Temporary Uses would be allowed and the extensions that can be given to those building a home.

Perkins indicated that "Tents" fell under Chapter 16 of the Land Use Code and Chapter 10 of the Municipal Code. The Code in Chapter 10 defines that a tent or a tent like structure is only allowed for up to a month. The other definition under Chapter 16 indicates that a tent is temporary housing.

Attorney Michow announced that she could not locate the area in the ordinance that spoke of custom homes, etc. Town Administrator Brown indicated that the section the Mayor Pro Tem was reviewing is not a part of the Ordinance, but a part of the Code placed in the Town Board packets as a reference.

Public Hearing Closed at: 6:53 P.M.

Trustee Nick Ehrlich motioned that the Town Board of Trustees after hearing testimony, examination of the documents presented and the findings of fact, finds the application meets the criteria of approval set forth in Section 16-3-540(e)(1)-(4) of the Town of Milliken's Land Use Development Code (LUDC) and approves Ordinance 733 amending Section 16-1-150 "Definitions" and adding Section 16-3-550 "Temporary Uses" to Chapter 16 of the Land Use Code of the Milliken Municipal Code to allow for the Administrative Approval of Temporary Uses with the addition of the definition of a tent. Trustee Kidd seconded.

Roll Call Vote: Trustee Austin – yes, Trustee L. Ehrlich – yes, Trustee Burack – yes, Trustee N. Ehrlich – yes, Mayor Pro Tem Measner – yes, Mayor Woodcock – yes, Trustee Kidd – yes. Motion carried.

DISCUSSION AGENDA

There were not any items.

INFORMATIONAL AGENDA

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

Future Agenda Items for the Work Session and the Regular Meeting

Adjournment

Trustee Burack moved to adjourn. Trustee Austin seconded.

All in favor, none opposed.

Hearing no further business, the Mayor adjourned the meeting at: 6:56 P.M.

Prepared by:

Approved by:

Cheryl Powell, Town Clerk

Beau Woodcock, Mayor