

**New Castle Town Council Regular Meeting
Tuesday, October 18, 2022, 7:00 PM**

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Call to Order

Mayor A Riddile called the meeting to order at 7:00 p.m.

Pledge of Allegiance

Roll Call

Present	Councilor G Riddile Councilor Leland Councilor Copeland Mayor A Riddile Councilor Hazelton Councilor Carey Councilor Mariscal
Absent	None

Also present at the meeting were Town Administrator Dave Reynolds, Deputy Town Clerk Remi Bordelon, Town Planner Paul Smith, Assistant Planner Lauren Prentice, Town Treasurer Loni Burk, Finance Assistant Michelle Mills and members of the public.

Meeting Notice

Deputy Town Clerk Remi Bordelon verified that her office gave notice of the meeting in accordance with Resolution TC 2022-1.

Conflicts of Interest

There were no conflicts of interest.

Agenda Changes

There were no agenda changes.

Citizen Comments on Items not on the Agenda

There were no citizen comments.

Town Council Meeting
Tuesday, October 18, 2022

Consultant Reports

Consultant Attorney – not present.

Consultant Engineer – not present.

Items for Consideration

Introduction: Assistant Planner Lauren Prentice and Finance Assistant Michelle Mills

Town Administrator Dave Reynolds introduced new town employees, Assistant Planner Lauren Prentice and Finance Assistant Michelle Mills.

Town Treasurer Loni Burk introduced Michelle Mills and described her role as the Finance Assistant. She said that Finance Assistant Mills was currently learning the town's accounts payable process. Treasurer Burk said Finance Assistant Mills was well versed in accounts payable, a quick learner and she was happy to have her on the team. Council welcomed Finance Assistant Mills.

Town Planner Paul Smith introduced Lauren Prentice and described her role as the Assistant Planner. Planner Smith said that she was replicating his own duties in both building and planning, including plan reviews, site inspections, phone calls, development proposals, etc. Planner Smith expressed his gratitude for her assistance during a very busy time in that department. Council welcomed Assistant Planner Prentice.

Proclamation Honoring John & Cori Webber

Administrator Reynolds reviewed the memorandum discussing the proclamation for John and Cori Webber in regard to their decision to close their restaurant, 88 Grill.

Administrator Reynolds shared the Webber's plans to renovate the restaurant area into more hotel rooms and a retail space. Mayor A Riddle read a proclamation into the record honoring the Webbers and their dedication and commitment to the community. He further expressed his gratitude and presented John and Cori Webber with a framed copy of the proclamation. John Webber thanked Council for their recognition and their support. He shared that his hotel business had been open for four years and he received a notice in May of this year from Google reporting 450,000 "hits" for the hotel, not including other search engines such as Trip Advisor, Air B&B, etc. He explained that with that amount of success came the decision to expand.

Garfield Clean Energy Update and Budget Request

Administrator Reynolds introduced Clean Energy Economy for the Region (CLEER), Executive Director Alice Laird and staff member Christina Matzl. Executive Director Laird mentioned Christina Matzl's background, graduating from Colorado Mountain College in 2022 in the sustainability program and began working for CLEER in April, 2022.

Executive Director Laird presented a PowerPoint and handouts to Council. She shared that Garfield Clean Energy (GCE) was first established through a grant in 2009 as an advisory board under the County. She said GCE had an annual strategic plan that guided the

annual work plan. Executive Director Laird clarified that CLEER was a 501(c)(3) that contracted annually with GCE for the past 10 years.

Highlights from the PowerPoint included:

- GCE Mission Statement: The mission of the Garfield Clean Energy Collaborative is to provide energy efficiency solutions, alternative and renewable energy opportunities, advance clean transportation options, and energy education to individuals and organizations, in order to protect the environment and build a stronger, more resilient economy benefiting the residents of Garfield County.
- Progress Updates: Cumulative results to date summarized on brochure, Reenergize Garfield County, design assistance, energy tracking and active energy management for Town-owned facilities, transportation/mobility programs, Garfield Energy Action Plan update and highlights for 2023.

2022 ReEnergize Garfield County Program to date	Qualified to date*	Home visits	Upgrades complete	ReEnergize funding allocated	Total paid for completed projects
Parachute / Battlement	15	8	27	\$20,915	\$20,517
Rifle	20	8	25	\$30,875	\$20,715
Silt	12	5	26	\$12,980	\$4,980
New Castle	21	7	26	\$17,129	\$15,510
Glenwood Springs	34	12	45	\$50,361**	\$29,569
Carbondale	22	8	17	\$21,213	\$13,570
Countywide total	124	48	166	\$153,473	\$104,861

- Design Assistance Examples: Habitat for Humanity projects throughout the region, Rifle Manufacturer of Affordable Homes - Eco-Dwelling, Youth Zone Community Center retrofits, Garfield County Airport
- New Castle Utility Tracking, Energy Management: tracking utility bill for New Castle buildings and monitor New Castle Wastewater Treatment Plant in 15 minute intervals.
- Transportation: electric vehicles and compressed natural gas, EV charging infrastructure grant assistance, workshops in Spanish, E-bike giveaway, county-wide bike participation through the libraries and working with RFTA.
- Updating GCE Action Plan, 2022: Update the 2017 Energy Action Plan with updated goals and strategies, three workshops attended by community members throughout the region, GCE board approved new goals and strategies on October 14 and will position the region well for state and federal funding.
- GCE 2023 Workplan: implement the updated Garfield Energy Action Plan strategies with annual targets, use plan to mobilize additional investment, citizen-based planning group emphasized:
 - Create additional ways to provide low and middle income family programs
 - Increased rebates for efficiency measures at homes
 - Increased rebates to increase access to solar; accelerate local solar
 - Make sure those who need the help the most get the rebates

Executive Director Laird said the Citizen Planning Group emphasized the importance of helping the people that need it the most with these programs and to spread support throughout the county to avoid concentration in any one community. She provided an example of the solarize program in 2021 where 48 New Castle residents expressed

interest and signed up. Of the 48 residents, only 12 residents participated in the program leading to the question of how to provide New Castle the funding and assistance to support all 48 interested residents. Mayor A Riddile asked what would qualify as low and middle family income. Ms. Matzl said it was based on area median income from Garfield County. She said the lowest income was based on the state. She clarified that the weatherization assistance was 60% of the state median income, households would qualify for the Care Program at 80% of the area median income and the Reenergize Program had two levels which was 100% and 120% of the area median income.

Mayor A Riddile asked how CLEER would fund this with the skyrocketing energy costs in all sectors. Executive Director Laird answered that there were multiple factors. She said smart building that conserved energy from the start was important, along with program assistance for lower income households. She clarified the money came from an initial grant approved by Garfield County in 2021-2022 that provided the baseline Reenergize pool of funding along with a pool of funding for the Energy Impact Assistance Fund that targeted household and business assistance. She said that other funding came from Northwest COG for very low-income households, state funding sources, Xcel Energy rebates and Holy Cross Energy rebates. She explained that part of their service was to assist with providing the most support for a household through patchwork assistance across a variety of funding sources.

Executive Director Laird said the energy county wide program would not have been possible without New Castle's participation and leadership. She commented that New Castle's innovations had statewide impacts. She said a previous CLEER employee, Erica Sparhawk, had worked with Dave Reynolds when he inquired about metering solar energy and applying credits for that solar energy. She said that was not possible until Dave Reynolds asked the question which sparked a statewide movement and policy change at the Public Utilities Commission. Administrator Reynolds said he had worked with Ms. Sparhawk for a year and a half as the first people in the state to work on "Solar Net Metering" which took excess solar power credits from the Public Works building and applied it to the utility bills for the wastewater treatment plant. Administrator Reynolds said he would like to try the solar net metering next on a residential basis. Councilor Leland added that other communities had reached out to GCE inquiring about the procedures of this program and the collaboration efforts since they were the first to apply it as he said, "using us as a model."

Councilor Copeland asked why Glenwood Springs had an asterisk by their funding allocation. Ms. Matzl explained that many of the Glenwood Springs households did not qualify for the Care Program's 80%, so the city increased their funding to help assist more households. Councilor Carey asked why only 12 residents of the 48 interested in the solar program last year completed the program. Executive Director Laird said people signed up for the program because of their interest in reduced solar costs and the incentives that went along with the solar program, however the matching utility rebates were less than compared to down valley. She summarized that it all comes down to funding as households would need to put money into the program to install solar. Mayor A Riddile asked if there were any further questions and thanked Executive Director Laird and Ms. Matzl for their CLEER update.

Recess the Town Council Meeting, Convene as the Local Liquor Licensing Authority

MOTION: Councilor Hazelton made a motion to recess the town council meeting and to convene as the Local Liquor Licensing Authority. Councilor Copeland seconded the motion and it passed unanimously.

Consider a Special Events Liquor License Application from P.E.O. Chapter AO for an Event to be Held on December 9, 2022

Deputy Clerk Bordelon introduced members of the Philanthropic Educational Organization (P.E.O.) Chapter AO, Carol Newman, and Mary Gervais. She said the application was complete with a map of the premise and fees were paid. She identified that the application for the brunch event had a license time from 9 a.m. to 5 p.m. However, alcohol service would only take place between 10:30 a.m. to 1:30 p.m. allowing for set up and break down time for the event. She said the brunch was intended to be served by Rolling Fork who may also serve drinks. If not, she said, members of P.E.O. would serve drinks. Deputy Clerk Bordelon said it was staff's recommendation that Council consider requiring 100% I.D. checks. She identified that neither Rolling Fork nor P.E.O. were Responsible Service of Alcohol (TiPS) trained and said it was staff's suggestion to make sure Council was comfortable with that. Ms. Gervais said she and Ms. Newman were both New Castle residents and thought it would be a great idea to have the event at Lakota for a more intimate fundraiser with a maximum attendance of 65 people. Ms. Gervais added that the brunch service would include a two-drink mimosa limit.

Ms. Newman shared information about the P.E.O mission supporting college women through scholarships. She said this event was intended to raise money for 7 local women beginning their freshman year of college in the amount of \$1,000 scholarships. Mayor A Riddile asked which school districts were supported with this program. Ms. Newman said historically the scholarships were awarded to Glenwood Springs High School because of the local of Chapter AO being in Glenwood Springs. She said there were women who attended Glenwood Springs High School that were from New Castle. She clarified that Cola Ridge and Rifle High School have not been participants in the program. Ms. Gervais added that the reason for the nonparticipation was due to New Castle not having a P.E.O. Chapter. Councilor Leland mentioned the option for P.E.O. to possibly expand with a chapter for western Garfield County. Ms. Gervais said with the growth of New Castle members or a New Castle Chapter, they could suggest the scholarships go towards more than just female students at Glenwood Spring High School.

MOTION: Mayor A Riddile made a motion to approve a Special Events Liquor License Application from P.E.O. Chapter AO for an Event to be Held on December 9, 2022. Councilor G Riddile seconded the motion and it passed unanimously.

Adjourn the Local Liquor Licensing Authority, Reconvene the Town Council Meeting

MOTION: Mayor A Riddile made a motion to adjourn the Local Liquor Licensing Authority and to reconvene the town council meeting. Councilor Leland seconded the motion and it passed unanimously.

Consider Resolution TC 2022-15 – a Resolution of the New Castle Town Council Approving an Intergovernmental Agreement to Fund Withdrawal Management Services in Garfield County.

Administrator Reynolds recapped the length of discussion regarding an IGA for a detox center dating back to Tom Baker in 2016. Since then, he said, there had been discussions with Mind Springs Health, Debbie Wilde, and former Town Police Chief Pagni. He said the IGA was a partnership between 9 entities from Parachute to Carbondale, the county and two hospitals. He explained that Mind Springs Health would own the building near the 27th Street bridge and would dedicate a portion of the building for male and female hospital care, around 8 patients for each gender. Mind Springs would be responsible for the build-out and service management. He said the intent of the IGA was to help offset anticipated budget deficits from Mind Springs and form a Governance Committee of one board member from each of the 9 organizations participating. Administrator Reynolds said the Governance Committee would have oversight of the budget, annual contributions from each organization and reporting data from Mind Springs Health.

Administrator Reynolds said the IGA had a \$10,000 commitment for 2023 for New Castle which was previously discussed in past council meetings. He shared other municipality commitments: Glenwood Springs \$100,000; Rifle \$40,000; Silt \$2,000; Parachute \$2,000; Carbondale \$10,000; Grand River Hospital \$14,000 and Valley View had a significant commitment. Administrator Reynolds reminded Council that the \$10,000 was only a commitment term for 2023 and they could choose to opt out of a 2024 commitment which was an additional 4-year term commitment of annual contributions. The Governance Committee would review the numbers for 2023 and advise what the next year's contributions would be. He said the town's attorney Haley Cramer had worked closely on this IGA and posed the question of how to disperse money back in the event of the detox center dissolving. He said it was determined that the Governance Committee could review that first, which Attorney Cramer found acceptable. Administrator Reynolds said the \$10,000 was in the planned budget for 2023 as a placeholder based on past conversations with council about the IGA.

Mayor A Riddile voiced that he was not comfortable with \$10,000 but would agree on half of that as a commitment for the 2023 IGA. Councilor G Riddile asked Mayor A Riddile if the reason for his apprehension was due to other municipalities lower commitments. Councilor G Riddile pointed out that Glenwood Springs and Rifle were contributing a much larger sum implying that the commitments were not based on population size. Mayor A Riddile noted that there was no way to quantify how many community members would take advantage of the detox center in each municipality. Councilor G Riddile said Council had known about the \$10,000 for some time and felt they should proceed. He voiced his disappointment with other municipalities choosing to commit to a much lower dollar amount and said to not use that as a baseline when other municipalities and the hospitals have stepped up to support the detox center.

Councilor Hazelton asked if it was possible to commit to \$5,000 and increase that over time with given successes with the detox center. Administrator Reynolds explained that would be difficult due to how the agreement was written. The IGA would have to be

changed to address New Castle receiving multiple invoices for their commitments which may delay the process. Administrator Reynolds said the Governance Committee would have a better understanding of funding needs next year after assessing 2023, providing Council with a clearer sense of future commitments. He said the committee would need to determine an estimated contribution in August of 2023 for Council for a 2024 budget request. Councilor Hazelton agreed and said he felt they should participate and was comfortable with how many people would be involved with the monitoring of the funds. Mayor A Riddile asked how often the Governance Committee would meet in a year. Administrator Reynolds said they have a minimum requirement of quarterly meetings however it would be likely that they convene more often within the first year.

Councilor Carey voiced her support of the IGA. She noted that the initial year was different than potential future commitments as 2024 could be more or less contributions depending on how 2023 performed. She explained that the community would continue to grow, with 3 new developments on the way, leading to a potential higher need for these services including younger generations experiencing mental health struggles. She added that she thought Parachute residents may utilize Grand Junction more due to proximity than Glenwood Springs.

Councilor Leland addressed Mayor A Riddile's point of the uncertainty of how many New Castle residents would utilize the detox center. He said that New Castle should not be regional if this was a countywide issue. He noted that substance abuse was not typically identified until it reached a crisis point so there could be a high need for these services and it would be uncertain as to how many residents would utilize the detox center. He added the local AA group was very active and met in the Community Center. Councilor Leland said he was in support of the \$10,000. Councilor G Riddile further noted the benefit of the detox center aiding in the relief of the hospitals.

Councilor Mariscal voiced her concerns about the excess sum of contributions for 2023 from New Castle. She said she did not agree that \$10,000 was appropriate and recalled past council conversations where she shared her concerns. She said the lack of data provided for the request of \$10,000 for the detox center left her with little confidence, not to mention the history of Mind Springs Health.

Mayor A Riddile reiterated the fact that this was a year-to-year deal that they could choose to dissolve in 2024.

MOTION: Councilor Leland made a motion to approve Resolution TC 2022-15 – a Resolution of the New Castle Town Council Approving an Intergovernmental Agreement to Fund Withdrawal Management Services in Garfield County. Councilor Copeland seconded the motion and it passed with Councilor Mariscal voting no.

Councilor Leland said he caught an omission to the IGA on page five, Item D, that he wanted to see corrected. He said the IGA states Mind Springs Health would bill Medicaid, private pay, private insurance or other organizations. He pointed out that Medicare would be billed as well, and he would like that added to the IGA.

Mayor A Riddile asked the council for a volunteer to represent as a board member on the Governance Committee. Councilor Mariscal volunteered, and Councilor Copeland volunteered as an alternate.

Discussion and Direction: Town Prosecutor

Administrator Reynolds announced Attorney Angela Roth's appointed judgeship leaving New Castle a vacancy for a prosecutor. He said the town charter states Council shall appoint town attorneys and that the town procurement code states Council shall appoint "special council" which would include the role of prosecutor. He clarified that Council had the opportunity to appoint a town prosecutor with options of who they would like to hire. He said Council may consider hiring the town's backup prosecutor or putting out requests for proposals (RFPs) to other law firms and interview for the position. He said staff's recommendation was to appoint the town's backup prosecutor who had worked with the town, came highly recommended, and knew the staff and judge.

Administrator Reynolds spoke of Tim Graves who was the town's backup prosecutor and was utilized as a public defender in the past. Mr. Graves performed as prosecutor for New Castle Court in September and October with very challenging dockets. He stated Mr. Graves was local to New Castle, received ringing endorsements from Town Judge Amanda Maurer during an interview process and had an impressive resume both as a prosecutor and judge for other municipalities. He said staff was happy with Mr. Graves performance.

Councilor Carey voiced her concerns about having a local resident as prosecutor and asked about the possibility of increased conflicts. Administrator Reynolds said he spoke with Judge Maurer and Mr. Graves regarding potential conflicts. He said Judge Maurer's response was he would only need to recuse himself if he were representing the defendant in another case. He said Mr. Graves was okay with that and did not think that was a high probability. Administrator Reynolds clarified that there was no one assigned as a second backup yet. Mayor A Riddile added that Judge Maurer used to live in New Castle as well. Administrator Reynolds concluded Mr. Graves was familiar with Attorney Roth's contract and was comfortable using the current contract with no changes.

Councilor Leland said he trusted staff's interview process and suggested to have Council meet Mr. Graves. He reiterated the importance of a backup prosecutor as well. Administrator Reynolds said Mr. Graves was willing and available to meet with Council and could be scheduled for the November 1, 2022, Council meeting. Council agreed.

MOTION: Councilor Leland made a motion at 8:16 p.m. to go into Executive Session for discussion of a personnel matter under C.R.S. Section 24-6-402 (4)(f) and not involving any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; specifically, regarding candidate(s) for the position of Police Chief. Mayor A Riddile seconded the motion and it passed unanimously.

Executive session concluded.

At the end of the executive session, Mayor A Riddile made the following statement:

"The time is now 8:49 p.m. and the executive session has been concluded. The participants in the executive session were: Councilors Mariscal, Carey and Hazelton; Mayor A Riddile; Councilors Copeland, Leland and G Riddile and Town Administrator Dave Reynolds. For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record."

No concerns were stated.

Consent Agenda.

September 20, 2022 minutes

MOTION: Councilor A Riddile made a motion to approve the consent agenda.

Councilor Leland objected, stating the minutes were not completed. The motion failed with no second.

Staff Reports

Town Administrator Reynolds reported the progress of the emergency evacuation plan composed by Public Information Officer (PIO) Rochelle Firth with a first draft completed. PIO Firth and Administrator Reynolds met with Fire Marshal Orin Moon for review. He said the process would take time to finalize and would incorporate the fire department and the school district. Administrator Reynolds spoke of the Filling 11 lawsuit and mentioned Attorney David McConaughy's intended direction to have an initial decision made by the judge in an effort to save the town legal fees. Administrator Reynolds spoke of a water leak under the I-70 interchange bridge leaking into the Colorado River and was working with Public Works to hire a contractor to repair due to the complexity of the waterpipe material and location of the leak. He added that CDOT permits were required to close part of the interchange and he was working on that. Mayor A Riddile mentioned a correction needed to an earlier online announcement notifying the public of a temporary water shutoff by renaming River Bend to River Park. Councilor Leland volunteered to delete the now expired post. Administrator Reynolds spoke of the efforts to work with developers regarding staff housing. He said the Romero Group was willing to offer a percentage of their overall inventory of rental properties to the town, fire department and the school district. Administrator Reynolds met with both the fire department and the school district and had a planned meeting with the Romero Group to review options for discounted rents, not ownership. He said the agreement would be reviewed by the town's attorneys and an IGA would be formed between the three entities. Administrator Reynolds spoke of police recruiting and reported the cost would range from \$13,000 - \$15,000 that would be included in the budget. He shared with Council a few police candidates staff would be interested in hiring. Administrator Reynolds announced he would be on vacation for two weeks beginning October 24, 2022. He reminded Council that there would be a budget workshop scheduled for the November 1, 2022, Council meeting. He specially mentioned having Council consider taking Youth Zone off the required grant application process and

creating a line item for that program. He told Council the workshop would be available for bringing in any commissions or groups that Council felt they would like to speak with about the 2024 budget. He mentioned what was planned for the next council meeting: budget workshop, Executive Session, Public Works manual, Garfield County Hazards Mitigations Plan, meeting Tim Graves for the town's prosecutor position, meeting new manager of Mountain Waste and Recycle with a bear discussion. He said flowers would be sent to Mary Johnson because of a recent car accident.

Deputy Town Clerk Bordelon reported she was maintaining the Clerk's Office while Town Clerk Melody Harrison and Deputy Town Clerk Mindy Andis attended the Colorado Municipal Clerk's Conference in Canon City for the week.

Town Treasurer Loni Burk reported there would be budget updates during the scheduled workshop and asked Council to bring their budget binders.

Town Planner – no longer present.
Public Works Director – not present.

Commission Reports

Planning & Zoning (P&Z) Commission, Councilor G Riddile reported P&Z met last week for a workshop with Aspen Valley Land Trust, Planner Smith's a new zoning map and review of the Public Works manual.

Historic Preservation Commission (HPC), Councilor Hazelton reported HPC met last week and noted it was his last meeting before Councilor Copeland stepped in. Councilor Hazelton asked Deputy Clerk Bordelon if there was anything else to mention and she added that HPC held a workshop with History Colorado and discussed the museum electric heating needs.

Climate and Environment Commission (CEC), Councilor Leland reported the CEC would meet on Thursday. He shared he spoke with the Parks Department on behalf of the commission's request to authorize CEC and the garden club to maintain Rollie Garden Park, planters and the Liberty Park planters with pollinator plants, with future plans for signage.

Senior Program, no report.

RFTA, Mayor A Riddile reported it was budget season for RFTA with approximately sixty million dollars planned. He said RFTA was buying the Roadway Inn for approximately 4.8 million dollars for employees. He said the Hogback Rider had returned and running every hour.

AGNC, Councilor Hazelton reported they would meet Wednesday, October 19, 2022.

GCE, Councilor Leland reported the energy action plan was discussed at the last meeting and was adopted. He said they were referring it to the different municipalities to endorse. He said he intended to send it to CEC during their next meeting for review and recommendation. He noted GCE had determined estimates of contributions and \$16,500

was the lower of two options that he would present at the upcoming budget workshop. Councilor Leland recommended Council approval of the \$16,500.

EAB, Mayor A Riddile reported they had not met yet.

Council Comments

Councilor Carey commented that she had worked with Administrator Reynolds and Councilor Leland regarding proactive bear education as well as trauma resources with Dr. Ed Mooney with the recent bear activity in town. Councilor Leland noted the library would be a better sponsor for the meeting as it was the town's police staff that shot the bear. Councilor Hazelton agreed it was a good idea to not have the town sponsor the meeting.

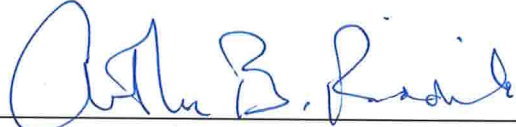
Councilor Leland commented to Administrator Reynolds on the importance of continued communication with the public regarding developing in assumed open space. Administrator Reynolds said he had only been approached by 3 people since the September 6, 2022, Council meeting. He said they were not interested in a large group conversation, so he spoke with them individually. He said he notice that interest had calmed down quite a bit. Councilor Leland commented that the Dog Park Committee changed the layout of the dog park to include both grass and crusher fine along the fence which would cost less overall. He also asked about the town Halloween event and what activities the councilors could be a part of.

Mayor A Riddile said he would be out of town Wednesday evening, October 19, 2022, and returning Sunday evening, October 23, 2022.

MOTION: Mayor A Riddile made a motion to adjourn. Councilor Hazelton seconded the motion and it passed unanimously.

The meeting adjourned at 9:23 p.m.

Respectfully submitted,



Mayor Art Riddile



Deputy Town Clerk Remi Bordelon



Town Council Meeting
Tuesday, October 18, 2022