

Town Council Regular Meeting
Town of Paonia, Colorado
April 24, 2012

RECORD OF PROCEEDINGS

The Regular Meeting of the Town Council held Tuesday, April 24, 2012 was called to order at 7:08 p.m. with the Pledge of Allegiance. Those present were Mayor Neal Schwieterman, Trustees Corinne Ferguson, Ross King, Eric Goold, Amber Kleinman, and Larry Wissbeck; Scott Leon, Travis Loberg; Attorney James Briscoe; and Town Clerk Barbara Peterson. Trustees Brian Ayers was absent.

Mayor Schwieterman determined a quorum was present and proceeded with the meeting.

Approval of Agenda

Trustee King moved to approve the agenda as presented. Trustee Kleinman seconded and the motion passed unanimously.

Announcements

- The consumer confidence report is available for pick up or e-mail from the Clerk's office.

Visitors

- None

Paonia High School (PHS) Update

- No one was present.

Unfinished Business

Ordinance 2012-03 – Water Rates

Trustee Ferguson noted the ordinance was not adopted at the last meeting to give time for current Council to review. Trustee Ferguson detailed the minor changes that were submitted. Discussion regarding how the rates were determined ensued. Consumer rates will be rising to approximately 10% for residential and 8% for commercial amounting to approximately \$50,000 in increased revenue. Suzanne Watson brought up the issue of being able to look at the meters. After discussion, Council concurred to leave the language in the ordinance that prohibits in-town residents from reading their own meters, as the Town will perform that function at no charge. Trustee King moved to adopt Ordinance 2012-03 as amended. Trustee Kleinman seconded and the motion passed unanimously.

Paradise Theatre – Liquor License Renewal

Regna and Jason Jones were present. The Paradise Theatre is requesting a renewal of a tavern liquor license for the property located at 215 Grand Avenue. Mayor Schwieterman noted the application and minutes of June 6, 2006 were provided in the packets. Attorney Briscoe noted that in doing the research of minutes from when the original liquor license was approved, there were no conditions set forth. During the original 2006 presentation, it was stated that alcohol would be locked up and out of site when underage persons were present. Attorney Briscoe voiced the opinion that the license was approved without any conditions. There is no purpose or justification for placing one on at this time. Chief Leon indicated there have been no complaints or violations reported. The lease has expired during the year of the license and will need to be updated to cover the entire term of the liquor license. Mr. Jones indicated a new lease would be submitted to the Town. Trustee Goold moved to approve the liquor license renewal with the stipulation to amend the lease to correlate with the liquor license. Trustee Kleinman seconded and the motion passed unanimously.

Bresnan Communications – Cable Franchise

Attorney Briscoe noted that Bresnan Communications needed to pass the amendments through their legal department. The Town is currently operating under a temporary extension. No action was taken.

New Business

Mesa County Junior Football – Park Request

Kevin Carville was not available. Mr. Carville is requesting to use the park for the Mesa County football camp and to be able to camp in the park either August 8 and 9, 2012 or August 15 or 16, 2012. The experience was very positive last year and there are no scheduling conflicts. Trustee Kleinman moved to allow the Mesa County Junior Football to use the park, including camping for either set of dates requested. Trustee Goold seconded and the motion passed unanimously.

Living Farm Café – Liquor License Request

Tom and Lynne Gillespie were present. The Living Farm Café is requesting a hotel and restaurant liquor license for the property located at 120 Grand Avenue. Attorney Briscoe provided standards and procedures for the new Council.

8:03 p.m. Public hearing opened.

Attorney Briscoe requested a roll call for the record. Attorney Briscoe read a statement of procedure and preliminary findings. Attorney Briscoe has prepared preliminary findings of order to consider after the applicant's presentation. Tom and Lynn Gillespie were sworn in. Mr. and Mrs. Gillespie own the Living Farm and grow organic foods that will be used in the restaurant. They are also looking to source local wines. A petition containing 84 signatures was submitted as Exhibit A. There were no objections to the submittal. The facility is to include a farmer's market in the front room with the restaurant serving breakfast, grab-n-go lunches and full dinner on the remainder of the first floor. The second and third floors will host an inn. The yard is fenced and food service is anticipated out on the deck and in the yard. Anne Marie Gambino was sworn in. Ms. Gambino will manage the training and service of the staff. The restaurant will serve seasonal American organic cuisine. There will not be a bar, but drinks will only be served with dinner. Chris Yates was sworn in. Mr. Yates noted that three of the inn rooms have private baths, while two of the rooms will share a bathroom. The Gillespie's also have a farm school where students learn to become organic farmers via mentoring. There are outreach programs in place such as farm tours, community farming and a learning center. No other persons spoke in favor of the license. No one spoke in opposition to the license request.

8:27 p.m. Public hearing closed.

Mayor Schwieterman read the findings and order approving statement for consideration. Trustee King moved to approve the liquor license application as requested. Trustee Kleinman seconded and the motion passed unanimously.

Town Hall – Cleaning Agreement

Mayor Schwieterman provided background information noting Susie Leon has been providing the service for the last five years. Previous Council has recommended approval of the agreement. Trustee Kleinman moved to approve the Town Hall cleaning agreement. Trustee Ferguson seconded and the motion passed unanimously.

WestWater Engineering – 2MG PER Proposal

WestWater Engineering submitted an engineering proposal for the Two-Million Gallon (2MG) treatment plant preliminary engineering report (PER). Mayor Schwieterman made sure everyone had the latest copy that amounted to \$22,000 that included the repositioning of two spring collection lines to feed the 2MG. Trustee King noted this is an unbudgeted item and is in anticipation of the Colorado Department of Public Health and Environment (CDPHE) standards that are not currently being met in the upper system (2MG), but thought the project needs to move forward and start the process to bring into compliance. Mayor Schwieterman indicated the hydro feasibility study is in progress through TerraVision. A grant was received for 50% of the hydro study. After discussion regarding a tour of the Town facilities, Trustee King moved to accept the WestWater Engineering PER proposal in the amount of \$22,000. Trustee Ferguson seconded and the motion passed unanimously.

Additional Business

Mayor's Report:

Mayor Schwieterman received a thank you from the Senior Center. Last Council meeting, a memorandum of understanding (MOU) with Hotchkiss regarding the Building Official was approved. At the request of Hotchkiss, the rates were changed and the MOU needs reapproval. Trustee Ferguson moved to approve the updated MOU with the Town of Hotchkiss regarding the Building Official. Trustee Kleinman seconded and the motion passed unanimously. Mayor Schwieterman appointed the following trustees to the following committees:

Personnel: Ferguson/Wissbeck

Water/Sewer: Ferguson/King

Streets: Kleinman/King
Parks: Kleinman/Goold
Public Safety: Ayers/Goold
Finance: Wissbeck/Ayers

Mayor Schwieterman will appoint other committees at a later meeting.

Public Works: Public Works Director Loberg reported many leaks in the last two weeks. The recharging of the main line after the break from last week may have caused some of the new leaks. Suzanne Watson asked if the Town would consider making the water line down Second Street deeper. Director Loberg indicated that would be very difficult.

Police Report: Chief Leon reported increased code enforcement.

Finance Committee Report: No one was available to report.

Parks Committee Report: No one was available to report.

Public Safety Committee Report: No one was available to report.

Street Committee Report: Trustee Ferguson had nothing to report.

Water/Sewer Committee Report: Trustee Ferguson reported a citizen request regarding billing. The issued was reviewed extensively and the customer is satisfied with the credit already received.

Personnel Committee Report: No one was available to report.

Minutes:

Corrections submitted. Trustee Ferguson moved to approve the minutes of April 10, 2012 as amended. Trustee Kleinman seconded and the motion passed unanimously.

Disbursements:

Mayor Schwieterman reviewed the bills. Trustee Wissbeck moved to pay the bills ending April 24, 2012. Trustee Ferguson seconded and the motion passed unanimously.

8:55 p.m. Meeting adjourned.

Mayor, Neal Schwieterman

Town Clerk, Barbara J. Peterson