

**Town Council Regular Meeting**  
**Town of Paonia, Colorado**  
**May 8, 2012**

RECORD OF PROCEEDINGS

The Regular Meeting of the Town Council held Tuesday, May 8, 2012 was called to order at 7:00 p.m. with the Pledge of Allegiance. Those present were Mayor Neal Schwieterman, Trustees Corinne Ferguson, Brian Ayers, Ross King, Eric Goold, Amber Kleinman, and Larry Wissbeck; Travis Loberg; Attorney James Briscoe; and Town Clerk Barbara Peterson.

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

**Approval of Agenda**

Mayor Schwieterman suggested an executive session after Personnel for legal advice regarding the pending case on Kristin Chesnik. Trustee Ferguson moved to approve the agenda as amended. Trustee King seconded and the motion passed unanimously.

**Announcements**

- None

**Visitors**

- None

**Paonia High School (PHS) Update**

- No one was present.

**Unfinished Business**

**Ordinance 2012-04 - Bresnan Communications / Cable Franchise**

Attorney Briscoe noted that associate Sandra Nettleton reviewed the existing and proposed Bresnan agreements. Ms. Nettleton determined areas that were removed from the proposal that were beneficial to the Town. After waiting several weeks for Bresnan, the requested inclusions were reinstated into the agreement. A provision granting Bresnan the same conditions should another cable franchise be granted by the Town was included. The renewal will be good until 2027. Schools and other public buildings have cable access provided at no charge upon written notification to Bresnan. Maintenance of poles and lines are the responsibility of the utility company. Franchise fee disbursements are available for inspection at any time. Trustee King moved to approve Ordinance 2012-04. Trustee Ferguson seconded and the motion passed unanimously.

**New Business**

**Chamber of Commerce – Cherry Days Park Request**

Amy DeLuca, Cherry Days Coordinator, was present. Ms. DeLuca indicated the Chamber is staying with the same format as last year and are requesting to utilize the Town Park from July 1 through July 8, 2012. The Chamber is also requesting a waiver of the park deposit, street closure fees and other permit fees. There is an increase in the number of days due to the 4<sup>th</sup> falling on a Wednesday. Mayor Schwieterman disclosed that he did speak with Ms. DeLuca to affirm that the times requested include set-up and take down. Ms. DeLuca did contact business owners. The carnival arrives on July 1<sup>st</sup> and needs 3 days to set up. Ms. DeLuca noted the green efforts were very successful last year and reduced the amount of trash being placed in dumpsters by almost half. Event insurance was presented to the Town as required. After discussion, Trustee King moved to approve the park request for Cherry Days as presented. Trustee Kleinman seconded and the motion passed unanimously.

**Chamber of Commerce – Cherry Days Special Event Liquor License Request**

Ms. DeLuca noted the time for July 6<sup>th</sup> is requested for 3:00 p.m. to 9:00 p.m. is being considered as a day of rest as there is not a full day of activities planned for Thursday. Trustee Kleinman moved to approve the Cherry Days Special Event Liquor License application as requested. Trustee Ayers seconded and the motion passed unanimously. Trustee King moved to waive the town fees for Cherry Days. Trustee Kleinman seconded and the motion passed with Trustee Goold voting “nay”.

Paonia Liquors – Liquor License Renewal

George Barker was present. Mayor Schwieterman noted that Chief Leon had indicated no problems. Mr. Barker indicated that this is Paonia Liquor's 20<sup>th</sup> year in business and will have an unspecified something special soon. Trustee Ferguson seconded and the motion passed unanimously.

Helping Hands – Summer Program Update

Becky Keifer provided information regarding the backpack program for weekend meals that all four of the elementary schools in the North Fork participate. Ms. Keifer gave statistics of hungry children in our area and have coordinated with the Food Bank of the Rockies for a summer food service program. This program is partnering with the North Fork Pool, Park and Recreation District (NFPPR) to feed children Monday through Friday. The pool bus will transport the kids to the NFPPR District office in Hotchkiss for meals to be consumed on site. Council concurred to have information available at the front office.

North Fork Valley Creative Coalition – Sidewalk Use Request

Annette Pretorius, on behalf of the North Fork Valley Creative Coalition, is requesting the ability to coordinate artists selling work via tables on the Town sidewalks for Final Friday Art Walk events to promote awareness of visual art while increasing foot traffic on Grand Avenue. Ms. Pretorius is requesting to utilize the five requested dates under one permit fee. Ms. Pretorius has spoken with both the owners of Hay's and West's and both are accepting of the activity. Parking issues should overlap with business hours only by an hour. Historically, the Town has a long standing policy of not allowing private gain from public property. Poulos Park carries that restriction from when it was donated to the Town. Trustee Kleinman moved to accept the sidewalk vending art walks as proposed. Trustee Goold seconded. Discussion noted the fees are accepted as presented. Motion was brought to a vote and passed unanimously.

**Additional Business**

Mayor's Report:

Mayor Schwieterman received a thank you from the Chamber of Commerce regarding the cooperation in obtaining and installing the "information" signs. Mayor Schwieterman received a letter regarding water rates and fixed incomes. The constituent was contacted for an explanation. Clerk Peterson has coordinated Council training for Paonia, Hotchkiss, Crawford and Cedaredge with presentations from the Department of Local Affairs (DOLA) and the Colorado Intergovernmental Risk Sharing Agency (CIRSA). Mayor Schwieterman indicated that the FORE Alliance started four years ago to focus on energy resource efficiency. The BEAT program offers energy audits to small businesses (non-profits do not qualify). Group is funded via the Governor's Energy Office currently that will end July 1, 2012. The group is trying to keep a revenue stream open. Council members have requested the new bookkeeper to work more hours, which was agreed upon. Trustee Wissbeck agreed to maintain representation and chairmanship of the Planning and Zoning Commission. Trustee Ayers will remain on the Airport group. Trustee Goold will attend the North Fork Coal Working Group meetings. Trustee Ferguson was appointed to the Tree Board. Trustee King was appointed to Region 10. Trustee Kleinman will attend the TBD meetings. A vehicle is available for trustees to attend meetings out of town.

Public Works: Public Works Director Loberg reported many leak repairs. Work on the parks to commence shortly and then installation of radio-read meters. Spruce Up Paonia days is scheduled for the first and last full weeks of June.

Police Report: Chief Leon had submitted a written report.

Finance Committee Report: Trustee Wissbeck answered questions regarding bank accounts and descriptions.

Parks Committee Report: Trustee Kleinman reported is waiting for assistance from Public Works with the bike track out at the old sewer lagoon area across from the library. The existing material needs assessing to see if usable and safe for a bike tack. Council suggested contacting Kevin Dirk and Lucien Pevec for assistance.

Public Safety Committee Report: Trustee Ayers noted meeting with Trustee Goold on Thursday.

Street Committee Report: Trustee King had nothing to report. There is no information from the energy audit as yet.

Water/Sewer Committee Report: Trustee Ferguson reported reviewing the agreement with Bone Mesa regarding cost sharing for remote meters.

Personnel Committee Report: Trustee Ferguson reported the Human Resource consultant is almost finished with a draft of the personnel manual. Trustee Ferguson moved to go into executive session for a conference with the City/Town attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b). Trustee King seconded and the motion passed unanimously.

8:29 p.m. Meeting recessed.

9:03 p.m. Meeting reconvened.

Participants in the executive session included Attorney James Briscoe, Mayor Neal Schwieterman, Trustees Ayers, King, Wissbeck, Ferguson, Goold and Kleinman. No concerns were noted.

Minutes:

Corrections submitted. Trustee Ferguson moved to approve the minutes of April 24, 2012 as amended. Trustee King seconded and the motion passed with Trustee Ayers abstaining.

Disbursements:

Trustee Wissbeck reviewed and moved to pay the bills ending May 8, 2012. Trustee Ferguson seconded and the motion passed unanimously.

9:06 p.m. Meeting adjourned.

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Mayor, Neal Schwieterman

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Town Clerk, Barbara J. Peterson