

Town Council Regular Meeting
Town of Paonia, Colorado
May 24, 2011

RECORD OF PROCEEDINGS

The Regular Session of the Town Council held Tuesday, May 24, 2011 was called to order at 7:02 p.m. with the Pledge of Allegiance. Those present were Mayor Neal Schwieterman, Trustees Brian Ayers, Corinne Ferguson, Lucien Pevec, Blake Kinser, Sid Lewis and David Weber, Scott Leon, and Town Clerk Barbara Peterson.

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

Approval of Agenda

Mayor Schwieterman suggested adding “Special Event Liquor Request” after “Park Permission Request” under Cherry Days. Trustee Lewis moved to approve the agenda as amended. Trustee Ayers seconded and the motion passed unanimously.

Announcements

- Mayor Schwieterman received written notification that the Paonia Christian Church has been officially designated on the Colorado and National Historic Registries.
- The Town held an “If I were mayor...” contest with the 7th and 8th graders. Nathan Giffin is the winner to be announced tomorrow at Paonia Jr. High. Master Giffin will chair a Council meeting either June 14 or 28, 2011.

Visitors

None

Unfinished Business

New Business

Cherry Days – Street Closures

Amy DeLuca, Chamber of Commerce Cherry Days Coordinator was present. The Chamber is requesting the annual July 4 parade closure with no changes to the parade route. A separate street closure request for July 2 on the 300 block of North Fork Avenue for vendor loading/unloading was submitted. Trustee Kinser moved to approve the parade route street closure on July 4, 2011 as requested. Trustee Lewis seconded and the motion passed unanimously. Trustee Pevec moved to approve the street closure request for July 2, 2011 as requested. Trustee Kinser seconded and the motion passed unanimously.

Cherry Days – Park Permission Request

The Chamber of Commerce is requesting to use the Town Park from June 28 through July 6, 2011 for the Cherry Days festival. Ms. DeLuca agreed to work directly with the Parks Maintenance contractor regarding watering and mowing. Trustee Lewis moved to approve the Chamber using the Town Park for the Cherry days festival as requested. Trustee Ayers seconded and the motion passed unanimously.

Cherry Days – Special Event Liquor Request

The Chamber of Commerce is requesting to sell alcohol at the Cherry Days festival to be held in the Town Park located at 700 Fourth Street on July 2, 3 and 4, 2011 from 10:00 a.m. to 9:00 p.m. featuring local beer and wines. Chief Leon gave a brief history on this family event and noted; historically, liquor licenses have been denied as it is difficult to police. Ms. DeLuca requested to amend the special event liquor request so the hours are from 1:00 p.m. to 9:00 p.m. for the days requested. Mayor Schwieterman impressed upon Ms. DeLuca the liability requirements of containers coming in and leaving the park area. The issue with the request is the volume of people involved as compared to other events in the park. All servers will attend TIPS training, wristbands will be required and the

Chamber is using special cups for easy visual verification. The Chamber will also need to provide adequate security personnel for policing. Trustee Pevec moved to approve the special event liquor application as requested. Trustee Lewis seconded and the motion passed unanimously.

Cherry Days – Fee Waiver Requests

The Chamber is requesting fee waivers for the street closures and the park deposit. Trustee Weber moved to approve waiving the fees and deposit as requested. Trustee Lewis seconded and the motion passed unanimously.

North Fork Vision 20/20 – Update/Grant Proposal

Elaine Brett and Anne Nelson were present. Ms. Brett gave a brief presentation on how this group is asking communities in the North Fork Valley (Paonia, Hotchkiss and Crawford) to think about the valley's future. This timing is very fortuitous as Paonia and Hotchkiss are starting comprehensive plan processes. The group has received information regarding an Orton Family Foundation grant in the amount of \$100,000.00 for a two (2) year process helping small towns preserve and enhance the heart and soul that makes them unique based on values. This process will not conflict with the comprehensive planning processes. Ms. Brett indicated another visit to council will happen next month to request a letter of support and possible matching funds.

Thliveris – Easement Request

Mayor Schwieterman read the request from Andrew Thliveris requesting an electrical easement through the Town property located at 3 Third Street. Public Works Director Leon agreed the scenario presented would be best as the Town is not losing buildable area due to the topography and other existing infrastructure. Trustee Pevec moved to table this item pending a site visit. Trustee Ayers seconded and the motion passed unanimously.

Riverbank Neighborhood – Final Plat Extension Request

Hal Brill and Allison Elliot were present. Mayor Schwieterman read the request for a one year final plat extension due to fiscal reasons for visitor benefit. The Land Development Regulations (LDR) does provide for extension requests. Trustee Pevec moved to approve the one year final plat extension as requested to May 25, 2012. Trustee Kinser seconded and the motion passed unanimously.

Bone Mesa – Project Listing

Trustee Weber reported there is an agreement with Bone Mesa Water to share costs. The project listing provided in packets is for major improvements to the Mays spring. Trustee Weber spoke with the Finance Officer who indicated the funds could come out of repair and maintenance. No in-kind work is expected from the Town as the Town did not get to respond to any part of the bid. The question came up if it was necessary to have Bone Mesa put the projects out for public bid as they are a separate taxing entity and the Town is contributing funds. This list does not include the fencing for \$3,000.00. Trustee Weber moved to approve the cooperative spring improvements with Bone Mesa Water not to exceed \$10,800.00. Trustee Lewis seconded. During discussion, Trustee Ferguson noted this was originally a budgeted item which was cut by Council and there is only one estimate.

8:17 p.m. Trustee Pevec left the meeting.

Discussion regarding bid process and the dollar amounts for a capital item ensued.

8:20 p.m. Trustee Pevec resumed his seat.

Trustee Ayers moved to amend the motion to make contingent upon legal review. Trustee Weber seconded and the motion passed unanimously. The main motion was brought to a vote and passed unanimously.

Additional Business

Mayor's Report: Mayor Schwieterman reported that Reeves Brown the new Department of Local Affairs (DoLA) had indicated at the municipal quarterly meeting that mineral leasing/severance tax direct distribution would remain. The Energy Mineral Impact Assistance grant funding will end as of 2012. The Census population has dropped, redistributing Delta County lessening allocations to the Town by 3.07%. Mayor Schwieterman had a conversation with Pall representative Chris Scalza regarding the pricing concerns on the Skayta system. Mr. Scalza will look into a reduction in price for the system. Last Friday there was a meeting regarding the \$9,900.00 change order for the one million gallon water treatment plant (IMG) with West Water Engineering (WWE) and ECO Contracting. WWE provided a breakdown of change orders for both the contractor and the engineer. A successful project is one where the change orders come in under 5%. All change orders are under 5% at this point and within range. The Town has requested extensions from DoLA for both the spring rehabilitation project and the IMG project as the contracts end June 30, 2011.

Public Works: Scott Leon reported meeting with ECO regarding the IMG for a final punch list. There is a significant leak on the Lake Fork water line. Eddie Clements is working on a ditch up there so the Town will be getting a bill for his help in fixing the leak. There are a couple of leaks downtown which will need to be hydro-excavated.

Police Report: Chief Leon reported both prospective officers have had psychological evaluations. Chief Leon will have a final decision between the two applicants soon.

Finance Committee Report: Trustee Pevac had nothing to report.

Parks Committee Report: Trustee Pevac and Trustee Lewis met regarding amending the dog ordinance to allow for a designation of an off-leash area. The Committee is recommending that the sod in front of the gazebo be installed well before the BMW rally at the end of July.

Public Safety Committee Report: Trustee Ayers had nothing to report.

Street Committee Report: Trustee Ferguson reported the lighting survey is coming along. Mountain States Lighting needs more information and will have multiple lighting analyses with comparisons of different lights for optimal street lighting. There has been some vandalism at Apple Valley Storage. Delta-Montrose Electric Association (DMEA) has been called to turn the light back on and the owners will be installing motion sensor lights for added security.

Water/Sewer Committee Report: Trustee Weber moved to approve ECO change order #4 in the amount of \$12,575.69. Trustee Kinser seconded. During discussion it was noted that WWE is facilitating a cost reduction from Pall. Motion was brought to a vote and passed unanimously. Trustee Weber moved to approve Pall change order #3 in the amount of -\$3,700.00. Trustee Kinser seconded and the motion passed unanimously. Trustee Weber moved to approve ECO partial payment in the amount of \$7,044.92. Trustee Pevac seconded and the motion passed unanimously.

Personnel Committee Report: Trustee Kinser had nothing to report.

Minutes:

Corrections noted. Trustee Weber moved to approve the minutes of April 26, 2011 as amended. Trustee Kinser seconded and the motion passed with an abstention from Trustee Kinser.

Corrections noted. Trustee Weber moved to approve the minutes of May 10, 2011 as amended. Trustee Lewis seconded and the motion passed with an abstention from Trustee Ferguson.

Disbursements:

The steel used to repair the Mayor's house was a result of the trash truck backing into a support beam. Trustee Pevac moved to pay the bills ending May 24, 2011. Trustee Kinser seconded and the motion passed unanimously.

8:54 p.m. Meeting adjourned.

Mayor, Neal Schwieterman

Town Clerk, Barbara J. Peterson