

Town Council Regular Meeting
Town of Paonia, Colorado
May 28, 2013

RECORD OF PROCEEDINGS

The Regular Meeting of the Town Council held Tuesday, May 28, 2013 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, Eric Goold, Ross King, and Larry Wissbeck; Chief Scott Leon; Public Works Director Travis Loberg; Finance Officer Cindy Jones and Town Clerk Barbara Peterson. Trustee Amber Kleinman was absent.

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

Approval of Agenda

Mayor Schwieterman noted that there was a request to table the Employee Retirement Plan as the final documents are not ready, and recommended striking from the agenda. Trustee King moved to approve the agenda as amended. Trustee Ferguson seconded and the motion passed unanimously.

Announcements

- There is a Paonia High School Sports Complex meeting being held at 7:00 p.m. at the high school located at 846 Grand Avenue.
- Final Friday Art Walk is being held this Friday, May 31, 2013 from 5:00 p.m. to 8:00 p.m. on Grand Avenue.
- The Paonia Parent Organization (PPO) at the Paonia Elementary School thanked the Police Department, especially Chief Leon, for their visible presence at Christmas and throughout the year.

Visitors

None

Unfinished Business

None

New Business

Proclamation – Poppy Week

Mayor Schwieterman read the proclamation, proclaiming May 24 through May 31, 2013 as Poppy Week.

United States Department of Interior – North Fork Alternative Letter of Support - Ratification

Mayor Schwieterman noted this item was titled incorrectly. The Department of Interior is reviewing national rules for fracking. On a local level, a letter was drafted to send in support of national leadership on this issue. Trustee Ferguson moved to ratify the letter of support for national fracking rules to the Department of Interior. Trustee Goold seconded and the motion passed with Trustee Ayers voting “nay”.

Delta County Housing – Letter of Support

Mayor Schwieterman indicated this is the annual letter of support for the Delta County Housing rehabilitation program. The program utilizes state funding to rehabilitate for safety and energy efficiency for low-income homeowners. The Town participates by budgeting \$250 per home for three (3) homes each year. Trustee Wissbeck moved to approve signing the letter of support as presented. Trustee Ferguson seconded and the motion passed unanimously.

American Legion – Park Request/Special Event Liquor License Requests

Larry Ertenberg and Lonnie Trujillo were present. Mr. Trujillo noted the Outdoors Alive event would be held at the Fire Department, located at 729 Second Street. Funds generated would benefit Wounded Warriors and children’s hunter safety courses. This event was previously held at the American Legion

until it became too large. The Fire Department will be moving the trucks to accommodate parking and people and will be handled by volunteers. A letter from the Fire Department authorizes the use of the facility for liquor sale and consumption. The American Legion is requesting use of the Town Park, located at 700 Fourth Street, to provide local beer and wine out of the Teen Center for Cherry Days on July 3 to July 5, 2013. A roped off area delineates the area where alcohol may only be consumed. The Fire Department has agreed to help with security at the Teen Center. The extended hours provide for clean up time. Trustee King moved to approve the American Legion utilizing the Town Park for the sale of alcohol from July 3 through July 5, 2013. Trustee Ayers seconded and the motion passed unanimously. Trustee King moved to approve the American Legion special event liquor license application for July 3 through July 5, 2013 with the times designated on the application. Trustee Ayers seconded and the motion passed unanimously. Trustee Goold moved to approve the American Legion special event liquor license application for June 25, 2013 with the times designated on the application. Trustees Ferguson and Ayers seconded and the motion passed unanimously.

KVNF – Park Requests/Special Event Liquor License Requests

Brian Cambria, Gretchen Puckett, and Rob Miller were present. Trustee Goold indicated he would be abstaining from voting due to a possible conflict of interest. Mr. Cambria noted KVNF is requesting use of the Town Park for the sale of alcohol at the BMW Rally to be held on July 25 through July 27, 2013. The pavilion will remain the serving area and alcohol sales operating substantially similar to previous years. Trustee King moved to approve KVNF using the Town Park for alcohol sales during the BMW Rally for the dates presented. Trustee Ayers seconded and the motion passed with Trustee Goold abstaining. Trustee Wissbeck moved to approve the KVNF special event liquor license application for July 25 through July 27, 2013 with the times designated on the application. Trustees Ayers and King seconded and the motion passed with Trustee Goold abstaining. Mr. Miller noted KVNF is requesting use of the Town Park for August, 1, 8, 15 and 22, 2013 for the park concert series. Trustee King moved to approve the KVNF park requests as presented. Trustee Ayers seconded and the motion passed with Trustee Goold abstaining. Mr. Miller asked if anything new was going to happen with the dance area in front of the stage. Mayor Schwieterman noted several ideas have been discussed and recommended that Mr. Miller speak with Trustee Kleinman.

Evans – Park Request

Kalvin Evans was present. Mr. Evans is requesting use of the Town Park for a fitness camp in the mornings. Mr. Evans has a background in fitness and has been doing a “boot camp” regime. Mayor Schwieterman noted the reason this is being put forth before Council is because there is a fee paid to Mr. Evans, which is a slight departure from current policy. Trustee Goold indicated that he conferred with Trustee Kleinman before the meeting, discussing a possible fee paid to the Town. Council discussed the possibility of a fee for private gain for use of public property. Trustee Goold moved to allow the fitness classes continue at the Town Park. Trustee Ayers seconded. Council concurred that this is a good use of the park and a policy will be established for the future. Motion was brought to a vote and passed unanimously.

Third Street Repair – Bid Award

Mayor Schwieterman noted the bids as follows: Adcock Concrete Option 1- \$331,815; Adcock Concrete Option 2 – 394,365; Spring Branch Excavating Concrete Option- \$286,000; United Companies Asphalt Option – 146,606; Elam Company Asphalt Option – 175,862.20; and the Public Works Patch Only Option – 75,000. Staff recommended taking the lowest concrete bid as maintenance will be less than asphalt, and the life span is more than three (3) times that of asphalt. Funds to come out of the bridge trade reserves. Trustee Wissbeck moved to accept Option 3 – Spring Branch Excavating Concrete Option in the amount of \$286,000. Trustee Ferguson seconded. Discussion noted the bridge trade reserves are from monies received by Delta County in 2009 for the trade of Highway 187 bridge for the Samuel Wade Road bridge. The funds are usable for any transportation project. Trustee Wissbeck voiced his opinion that this is an excellent use of those funds for a main entrance into town. Trustee King called a point of order, as the Streets Committee was not requested to report on this issue, and felt the motion should have come from the Streets Committee. Trustee Wissbeck apologized to Trustee King for the appearance of jumping on the motion. Mayor Schwieterman apologized as well, noting the urgency of the matter precluded sending to the committee as it should have been. Public Works Director Loberg anticipates the work being completed by July 4, 2013 according to Town specifications from curblin to curblin. No curb and gutters will be installed. Trustee Wissbeck reiterated that he did not mean to offend the Streets Committee. Motion was brought to a vote and passed unanimously.

Additional Business

Mayor's Report: Mayor Schwieterman reported receiving a thank you card from Cathy Wissbeck appreciating efforts on the street repairs. At the staff meeting, Mayor Schwieterman received an e-mail requesting government leader sign a letter to Governor Hickenlooper for a reasoned response to Oil and Gas development. As the deadline was last Friday, Mayor Schwieterman signed the letter on behalf of himself, not the Board of Trustees, as the letter fit with the way this board has been speaking on the oil and gas issues. The Planning and Zoning Commission (P&Z) evaluated the Riverbank Neighborhood Planned Unit Development Final Plat submittal last Tuesday. The submittal has been continued to July 16, 2013 for P&Z review.

Public Works: Public Works Director Loberg reported staff has been working on street cleaning. Material has been received to paint the lines on Grand Avenue by July 4, 2013. There are a few water leaks to repair.

Police Report: Chief Leon reported no major crimes.

Finance Report: Trustee Wissbeck had nothing to report.

Parks Report: Trustee Goold reported working on the parks fee schedule for next year.

Public Safety Report: Trustees Ayers had nothing to report.

Street Report: Trustee King had nothing to report.

Water/Sewer Report: Trustee Ferguson had nothing to report.

Personnel Report: Trustee Wissbeck reported continued work on hiring a Town Manager.

Minutes:

Corrections noted. Mayor Schwieterman noted that additional issues have arisen with Payment Services Network, and the agreement may not be signed. Trustee Goold moved to approve the minutes of May 14, 2013 as amended. Trustees Ferguson seconded and the motion passed unanimously.

Disbursements:

Trustee Wissbeck moved to pay the bills ending May 28, 2013. Trustee Ayers seconded and the motion passed unanimously.

8:07 p.m. Meeting adjourned.

Town Clerk, Barbara Peterson

Mayor, Neal Schwieterman