

Town Council Regular Meeting
Town of Paonia, Colorado
July 10, 2012

RECORD OF PROCEEDINGS

The Regular Meeting of the Town Council held Tuesday, July 10, 2012 was called to order at 7:02 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; Chief Scott Leon, Attorney James Briscoe; and Town Clerk Barbara Peterson.

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

- Trustee Kleinman thanked Chief Leon and Public Works Director Loberg for saving her house from fire and flooding over the weekend.

Visitors

- None

Unfinished Business

- None

New Business

Torstveit – Dog Request

Joseph Torstveit was present. Mr. Torstveit is requesting permission to be allowed to keep a third dog at his residence located at 113 Main Avenue as he recently signed a lease ending May 31, 2013. The Police Department received a barking dog complaint. The barking dog was inside the house and did not belong to Mr. Torstveit, but a visiting friend. Mr. Torstveit is planning on moving out of town at the end of the lease. Trustee Wissbeck moved to grant an exception to the ordinance until either Mr. Torstveit's lease expires, or the Police Department receives more complaints from the neighbors. Trustee Goold seconded and the motion passed with Trustee King voting "nay".

Paonia High School – Great Outdoors Colorado (GOCO) Grant Support Request

Cindy Schwartzendruber, Randal Palmer and Christine Fischer were present. Jackie Miller from GOCO was also present. Ms. Miller provided background on the services, detailing the process for applications. Lisa Cook, North Fork Pool, Park and Recreation District (NFPPR) Board member, voiced concerns that the NFPPR came to each community for needs for their master plan, that this project was not mentioned. GOCO is only able to fund approximately 25% of the applications received. Christine Fischer, Paonia High School (PHS) project grant writer, indicated the PHS project ranked 7 out of 17, of which the top 5 were funded. Both projects are wanted and needed, and there is a time constraint. After discussion, Trustee Ferguson moved to amend the agreement with NFPPR striking the clause requesting support for only one GOCO application. Trustee Kleinman seconded. Discussion regarding Council's decision to support non-competing grant applications ensued. Trustee Goold voiced his opinion that at the last meeting it was made clear that the Apple Valley tennis courts are an existing resource that needs the financial focus. Motion was brought to a vote and passed with Trustee Goold voting "nay". Trustee Ferguson moved to support the GOCO planning grant by the PHS Facilities for the August 2012 GOCO grant cycle. Trustee Kleinman seconded and the motion passed with Trustee Goold voting "nay".

SESAC – Music Performance License

SESAC is a music licensing company that is requesting the Town of Paonia to purchase music licenses for music performed in town limits. Mr. Bill Powers explained how the licensing companies work for visitor benefit. Mayor Schwieterman noted there is a paragraph that excludes concerts. Trustee King went online to obtain information on what artists were affected and did not find any information. Board concurred to take no action.

Minnesota Canal and Reservoir – Memorandums of Understanding

Sarah Sauter, Western Slope Conservation Center (WSCC) Director, and Willie Kistler, Minnesota Canal and Reservoir (MCR) President, were present. The first memorandum of understanding (MOU) outlines the wildlife habitat mitigation responsibilities on the North Fork of the Gunnison River between the Bureau of Reclamation (BOR), MCR and the Town of Paonia. The second MOU outlines the responsibilities between the Town of Paonia, WSCC and MCR. After discussion regarding a habitat “unit”, wetland drying and an environmental assessment, Trustee King moved to approve the MOU between the BOR, MCR and the Town of Paonia. Trustee Ferguson seconded and the motion passed unanimously. Trustee Kleinman moved to approve the MOU between the WSCC, MCR and the Town of Paonia. Trustee Goold seconded and the motion passed unanimously.

Additional Business

Mayor’s Report:

Mayor Schwieterman reported receiving a complaint regarding Don’s Market delivery trucks. The refrigeration units stay on overnight. Chief Leon investigated and the sounds are as loud as a car driving past. Mayor Schwieterman indicated that it is an appropriate C-1 (Core Commercial District) activity in a C-1 zone, and no further action will be taken.

Public Works: Public Works Director Loberg reported waiting for the grass to dry before being able to finish cleaning up Apple Valley Park. A logjam overflowed the bridge, creating flood conditions in the park.

Police Report: Chief Leon reported the rumors regarding an assault incident at the Town Park on July 3, 2012 are not accurate. There were between five (5) and seven (7) people present, but only a couple were actually involved in the incident. The victim was transported to Delta Memorial Hospital and released later. A suspect was arrested for 2nd degree assault with possibly more charges pending. On July 8, 2012 the storage units building near Apple Valley was destroyed due to arson. Smoke had gathered in the attic and when the Fire Department started its efforts, the smoke created an explosion that weakened the entire building, rendering it unsafe.

Finance Report: Trustee Wissbeck reported the audit will be presented to the Finance Committee next Friday and a full Council presentation will happen at the next meeting. Trustee Wissbeck continues to monitor accounts payables and have not found any discrepancies.

Parks Report: Trustee Kleinman reported the new Apple Valley park equipment is on order. It was noted the south end of the basketball concrete pad is crumbling due to possible bad concrete. Public Works to investigate.

Public Safety Report: Trustee 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 working on internal changes in the office and continued work on the personnel manual.

Minutes:

Corrections submitted. Trustee Ferguson moved to approve the minutes of June 24, 2012 as amended. Trustee Wissbeck seconded and the motion passed unanimously.

Disbursements:

Trustee Wissbeck reviewed and moved to pay the bills ending July 10, 2012. Trustee Ferguson seconded and the motion passed unanimously.

8:57 p.m. Meeting adjourned.

Mayor, Neal Schwieterman

Town Clerk, Barbara J. Peterson