

Town Council Regular Meeting
Town of Paonia, Colorado
July 12, 2011

RECORD OF PROCEEDINGS

The Regular Session of the Town Council held Tuesday, July 12, 2011 was called to order at 7:08 p.m. with the Pledge of Allegiance. Those present were Mayor Neal Schwieterman, Trustees, Corinne Ferguson, Lucien Pevec, Sid Lewis and David Weber, Scott Leon, and Town Clerk Barbara Peterson. Trustees Brian Ayers and Blake Kinser were absent.

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

Approval of Agenda

Trustee Weber moved to approve the agenda as presented. Trustee Pevec seconded and the motion passed unanimously.

Announcements

- None

Visitors

Richard Schmidt requested the status of the comments submitted to Council regarding the Galaxy Bike sign. Mayor Schwieterman noted they have been submitted to legal counsel for review. Mr. Schmidt also voiced concern over who is in charge at the office. Mayor Schwieterman noted the Town Manager duties have been distributed between the Department Heads. The Building Official reports directly to Council, and is shared with Hotchkiss.

Unfinished Business

New Business

Resolution 2011-05 – Special Election

Should the Town decide to proceed with a dedicated revenue stream for non-motorized accesses, this resolution would allow the Clerk to enter into an intergovernmental agreement with Delta County to participate in a mail ballot election in November. Trustee Weber questioned if TABOR (Taxpayers Bill of Rights) ballot questions could be posed in odd numbered years. Clerk Peterson to check if TABOR would allow the participation. Suzanne Watson submitted a letter regarding the non-motorized accesses. Concerns included property owner negligence, the increase in individual bills, other projects that need financing, the expense of an election and a lack of public awareness. The Town is not forcing this proposal through, this resolution merely provides an avenue to participate in the election. There is plenty of time for public comment. An ordinance does not have to be drafted before the issue goes to a vote and the issue will be an agenda item. Trustee Weber moved to approve Resolution 2011-05 as presented. Trustee Ferguson seconded and the motion passed unanimously.

Special Event Liquor Licensing - Options

Mayor Schwieterman noted that in the packets is a memo from the Liquor Task Force Liaison detailing how a local licensing authority could opt out of the existing two (2)-phase process of approving a special event liquor license and then send to the State for final approval. After brief discussion regarding layers of bureaucracy and timing issues, Trustee Weber moved to remove the State from the special event liquor licensing process and approve those applications at the local level. Trustee Pevec seconded and the motion passed unanimously.

Additional Business

Mayor's Report: Mayor Schwieterman reported attending the Cherry Days debriefing. The carnival setting up on the grass has caused considerable consternation and the Mayor suggested when the Town approves the park request next year, a set number of days be approved for the carnival and a two-week

notification to the Town for which days would be required. Mayor Schwieterman has been asked by citizens if a letter to the railroad company has been completed. Kathy Browning, a visitor, called the railroad company, who informed her that there are only two (2) crossings still scheduled for repairs, neither in Paonia. After discussion regarding the dangerous nature of the crossing and its effects on cars and cyclists, Trustee Pevec moved to send a letter to the railroad expressing concern regarding the crossing condition and requesting an estimated time for repair. Trustee Weber seconded. Trustee Lewis amended the motion to include sending the letter to newspapers as a letter to the editor. Trustee Weber seconded. During discussion, Scott Leon noted repairs need to be done on Third Street and requested that in the letter a permit be requested so that maybe the Town could do the work. The amended motion was brought to a vote and passed unanimously. The main motion was brought to a vote and passed unanimously. Mayor Schwieterman reported meeting with Trout Unlimited who would like to have a discussion regarding the Town donating water to keep water in the North Fork of the Gunnison. Trout Unlimited has requested a work session on August 2, 2011 at 7:00 p.m. to discuss the issue. Trustee Pevec will chair that meeting, as the mayor will be out of town. The quarterly and mid-year financial reports were submitted for Council review.

Public Works: Scott Leon reported the rains have caused flooding at the intersection of Main Avenue and Third Street. In researching, a collapsed line was found 120 feet up from the river, next to a manhole. It is Leon's belief that the line was damaged during construction/installation of the outfall sewer line. A new cleanout manhole will need to be installed; cost estimates forthcoming. It was noted the library is on a different line, and the crushed steel line at Fourth Street is on the to-do list.

Police Report: Scott Leon reported no major incidents during Cherry Days. There were three (3) documented incidents of people taking alcohol outside the boundaries. The Chamber has been contacted regarding the violations. There have not been any further incidents of criminal vehicle trespass since a suspect was chased.

Finance Committee Report: Trustee Pevec reported the quarterly and mid-year financials were submitted, but there has been no time to review.

Parks Committee Report: Trustee Lewis reported the rains have slowed the progress on the concrete for the basketball courts at Apple Valley Park. Trustee Lewis met with the dog park coalition and they are making progress on a proposal.

Public Safety Committee Report: Trustee Ayers was not available to report.

Street Committee Report: Trustee Ferguson reported speaking with Delta-Montrose Electric Association (DMEA) regarding the streetlights. If DMEA cannot find the information the Town is requesting, another light survey may be completed by DMEA in the next few months to obtain the information for the specifics on each streetlight. This is not a high priority for DMEA.

Water/Sewer Committee Report: Trustee Weber reported receiving comments on the first draft of the new sewer ordinance, which may not need another work session. Trustee Weber will compile the second draft and then submit to legal for review, and then appear as an agenda item. Trustee Weber moved to approve ECO change order #5 in the amount of \$173.76 to replace a failed valve. Trustee Ferguson seconded and the motion passed unanimously.

Personnel Committee Report: Trustee Weber had nothing to report.

Minutes:

Corrections noted. Trustee Ferguson moved to approve the minutes of June 28, 2011 as amended. Trustee Lewis seconded and the motion passed unanimously.

Disbursements:

Trustee Pevec moved to pay the bills ending July 12, 2011. Trustee Ferguson seconded and the motion passed unanimously.

8:21 p.m. Meeting adjourned.

Mayor, Neal Schwieterman

Town Clerk, Barbara J. Peterson