

**Town Council Regular Meeting**  
**Town of Paonia, Colorado**  
**July 24, 2012**

**RECORD OF PROCEEDINGS**

The Regular Meeting of the Town Council held Tuesday, July 24, 2012 was called to order at 7:05 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**

Trustee Ferguson moved to approve the agenda as presented. Trustee Goold seconded and the motion passed unanimously.

**Announcements**

- Double J Disposal is having an open house at their new recycling center located at 21358 Austin Road on Saturday, July 28, 2012 from 9:00 a.m. until noon.
- The Town of Olathe is offering the Paonia Board of Trustees complimentary tickets to the Sweet Corn Festival.
- On August 6, 2012 the Gunnison Basin Roundtable is celebrating 50 years of the Paonia Reservoir. There will be tours, an open house and a meeting at the Memorial Hall in Hotchkiss.
- Trustee Ayers and Ferguson, and Cindy Schwartzendruber on behalf of Paonia High School (PHS) Facilities Committee attended the North Fork Pool, Park and Recreation District (NFPPR) to answer questions and concerns regarding the PHS Great Outdoors (GOCO) planning grant application.

**Visitors**

- None

**Unfinished Business**

- None

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**New Business**

**Third Street Bistro – Liquor License Renewal**

Linda M. Little was present. The Third Street Bistro is looking to renew the hotel and restaurant liquor license for the property located at 212 Third Street. Mayor Schwieterman noted that at the staff meeting, Chief Leon had indicated no problems. Trustee Wissbeck moved to approve the liquor license renewal as presented. Trustee Ayers seconded and the motion passed unanimously.

**Mountain Harvest Festival – Overnight Camping Request**

The Mountain Harvest Festival is requesting that the vendors be allowed to camp in their tents for security purposes. Mayor Schwieterman indicated this topic was discussed at the staff meeting with Chief Leon. Chief Leon currently has an ad hoc policy for booth security that is not considered “camping”. Council concurred to leave the ad hoc policy currently in place. No action was taken.

**North Fork Pool, Park and Recreation District – Apple Valley Tennis Courts Lease Agreement**

The NFPPR is requesting the Town re-sign the Apple Valley Park Tennis Courts lease agreement for a period of one (1) year for \$3,000 payable on September 1, 2012. The terms and conditions may change in the event the NFPPR receives the GOCO grant to replace the tennis courts and will be addressed next year. Trustee King moved to approve the lease as presented. Trustee Goold seconded and the motion passed unanimously.

**Resolution 2012-08 – Paonia High School GOCO Grant Support**

Cindy Schwartzendruber was present. Mayor Schwieterman read the resolution for visitor benefit, noting the word change on Item 3. Ms. Schwartzendruber noted PHS secured full funding in the

amount of \$25,000 pledged cash and \$8,000 in-kind funds. The Town has pledged no money for this endeavor. Ms. Schwartzendruber noted an intergovernmental agreement would be requested in the event the grant is received. Trustee King would like to see a letter of commitment from the Delta County School District #50 as well as the final grant proposal before voting on the resolution. Ms. Schwartzendruber indicated that if the Town does not support this endeavor, then PHS would not have time to find another cooperating entity. Council has been given a copy of the last application and no significant changes will be made. Ms. Schwartzendruber indicated she would provide a copy of the school districts' letter of support. Trustee Ayers noted that this was essentially approved in concept at the last meeting. Trustee Ferguson moved to adopt Resolution 2012-08 as presented. Trustee Ayers seconded. During discussion, Mayor Schwieterman noted the process with GOCO does not allow for a final product to be presented before the resolution is passed because the resolution is part of the final application to be submitted to GOCO. Motion was brought to a vote and passed with Trustee King voting "nay".

### **Additional Business**

#### **Mayor's Report:**

Mayor Schwieterman reported the Colorado Municipal League (CML) is reformulating the Policy Committee, which meets quarterly. The Colorado Department of Transportation (CDOT) gave notice of rulemaking indicating changes proposed for our transportation-planning region.

**Public Works:** Public Works Director Loberg reported the grass has dried and Apple Valley Park is clean. Public Works is waiting for locates to be completed to finish the alley repair. Springs are holding up well and still spilling water.

**Police Report:** Mayor Schwieterman commended Officer Hinyard for interrupting a burglary. The perpetrator fled the scene before being identified but left the items behind. Evidence collected using new technology has delayed results back to the Town, but the department may have suspects soon.

**Finance Report:** Trustee Wissbeck continues to monitor accounts payables and has not found any discrepancies.

**Parks Report:** Trustee Kleinman had nothing to report. The BMW Rally went fine. The parks contractor had indicated the park was in need of restoring where the heavy carnival equipment sunk into the ground. The carnival did verbally indicate to the Chamber they would not be back.

**Public Safety Report:** Trustees Ayers and Goold met with Chief Leon. According to the Paonia Message Board on Facebook, crime is up in Paonia. The Police Department is very busy with a 34% increase over last year. Trustee Ayers indicated an adequate and appropriate number of officials for the amount of crime and population.

**Street Report:** Trustee King received a project listing from Travis Loberg. Delta-Montrose Electric Association (DMEA) has provided street light information. Trustee Ferguson has forwarded the information to Mountain States Lighting for a presentation to Council.

**Water/Sewer Report:** Trustees Ferguson and King met with Stewart Mesa to discuss the current contract regarding commercial use. A draft letter was read for visitor benefit. Remote metering is being finalized with Bone Mesa. Commercial accounts have been evaluated to ensure billing is in compliance with the new ordinance.

**Personnel Report:** Trustee Wissbeck reported three (3) employees with status changes. Officer Ferguson has accepted additional responsibilities, Deputy Clerk Wingfield has completed the six (6) month probationary period and Bookkeeper Jones has agreed to work more hours.

#### **Minutes:**

Corrections submitted. Trustee Ferguson moved to approve the minutes of July 10, 2012 as amended. Trustee Kleinman seconded and the motion passed unanimously.

#### **Disbursements:**

Trustee Wissbeck reviewed and moved to pay the bills ending July 24, 2012. Trustee Goold seconded and the motion passed unanimously.

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 Goold seconded and the motion passed unanimously.

7:59 p.m. Meeting recessed.  
9:23 p.m. Meeting reconvened.

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

9:24 p.m. Meeting adjourned.

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Mayor, Neal Schwieterman

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Town Clerk, Barbara J. Peterson