

**Town Council Regular Meeting**  
**Town of Paonia, Colorado**  
**August 28, 2012**

RECORD OF PROCEEDINGS

The Regular Meeting of the Town Council held Tuesday, August 28, 2012 was called to order at 5:03 p.m. with the Pledge of Allegiance. Those present were Mayor Neal Schwieterman, Trustees Corinne Ferguson, Brian Ayers, Ross King, Eric Goold, and Larry Wissbeck; Attorney James Briscoe; and Deputy Town Clerk Tracy Wingfield. Trustee Amber Kleinman and Town Clerk Barbara Peterson were absent. Travis Loberg arrived later.

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

**Approval of Agenda**

Trustee Wissbeck moved to approve the agenda as presented. 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 Ayers seconded and the motion passed unanimously.

5:05 p.m. Meeting recessed.

5:15 p.m. Travis Loberg arrived.

6:09 p.m. Meeting reconvened.

Participants in the executive session included Auditor Pete Blair and Jo Lance via telephone, Attorney James Briscoe, Mayor Neal Schwieterman, Trustee Ayers, King, Wissbeck, Ferguson and Goold. No concerns were noted.

**Announcements**

- Trustee King noted a group of citizens are requesting an open meeting regarding the railroad crossing on Delta Avenue.
- Riverbank Neighborhood is addressing the planner's memorandum regarding final plat submittal.
- Trustee King prefers to have a zero based budget and is requesting a cash flow analysis. Trustee King requested the budget packets be delivered to the Board immediately. Trustee Wissbeck noted the packets are delayed due to an unusually high amount of disconnect notices and the Clerk being ill.

**Visitors**

- Renee Atchley thanked Chief Leon and the Town for all the guidance and support regarding the Ellen Hansen Smith Center (EHSC), also commonly referred to as the "Teen Center".

**Unfinished Business**

- None

**New Business**

**Chamber of Commerce – Community Center Fee Waiver Request**

The Chamber of Commerce is hosting a Cherry Days meeting on Thursday, August 29, 2012 in the community center. On behalf of the Chamber, Alexis requested for one-half of the \$25 fee for the community center to be waived. After discussion, Attorney Briscoe volunteered to pay the fee for the Chamber.

**First State Bank of Colorado – Parking Lot Memorandum of Understanding (MOU)**

Trustee Ferguson provided a brief history of 117 Main Avenue. A neighbor complaint in the winter of 2010 prompted research into the lot use. Early in the 1990's, a special review request to turn the property into a permanent parking lot was denied. A verbal agreement was made after that, whereby the bank could use 50% of the lot for parking purposes, but not permanently pave the area in the event the lot was sold and could revert to a buildable lot. Landscaping is addressed to help maintain the neighborhood feel of the street. The MOU simply records the verbal agreement for future reference, and outlines the rights and responsibilities for each party. Trustee Ferguson moved to approve the MOU regarding 117 Main Avenue. Trustee King seconded and the motion passed unanimously.

**Comprehensive Plan – Red Pen Campaign**

Trustee King expressed concern regarding demands on staff time and feels there are other issues that are higher in priority. Trustee Wissbeck noted the Town has been operating without a good comprehensive plan and felt the project could wait. Trustee Goold agreed and offered the possibility of there being a less expensive way to accomplish the comprehensive plan rollout. Trustee Ayers moved to table this item until the first meeting in September. Trustee Goold seconded and the motion passed unanimously.

**Additional Business**

**Mayor's Report:**

Mayor Schwieterman reported writing a letter with Lee and Kathy Bradley on behalf of the Town to designate the Black Bridge on a historical registry. Mayor Schwieterman read the letter for visitor benefit and explained it was a time-sensitive issue. Trustee King moved to ratify the letter of support for the Black Bridge. Trustee Ferguson seconded and the motion passed unanimously.

**Public Works:** Public Works Director Loberg reported the retaining wall in the alley by Town View apartments should be finished by Friday. Elam Construction is scheduled to patch Third Street and Rio Grande Avenue after Labor Day.

**Police Report:** Chief Leon reported working with the Code Enforcement regarding violations. An autopsy report is pending regarding the fatal auto/train accident investigation.

**Finance Report:** Trustee Ayers and Wissbeck continue to review accounts payables and payroll. Trustee Wissbeck would like to wait on paying off the interim financing loan to determine if it would create a cash flow problem.

**Parks Report:** Trustee Goold was unable to attend the EHSC meeting, but reported it went well and was decided that it would basically run as it has been in the past for the interim.

**Public Safety Report:** Trustees Goold requested direction to respond to citizens regarding the railroad crossing accident. Mayor Schwieterman indicated the Town does not have jurisdiction over the railroad and the railroad has already advised they will close the crossings before spending hundreds of thousands of dollars for gates and lights. The closing of the roads will cause issues for local emergency vehicle response times.

**Street Report:** Trustees King continues to wait to hear from the street lighting consultant. Trustee King received a letter from the Methodist Church concerning the alley off Third Street, requesting that project be added for the 2013 capital expenditures. Public Works Director Loberg noted it has been patched before and the Town can do it again, but Third Street needs to be repaired before permanent alley repair project may be completed.

**Water/Sewer Report:** Trustees Ferguson noted the Town is in the final stages of the agreement with Bone Mesa regarding the installation of remote metering at the Mays spring.

**Personnel Report:** Trustee Ferguson noted that the Town was looking at a "Broker of Record" for the employee Dreyfus accounts at the staff meeting. It was brought up that the Town might review the entire retirement accounts and possibly move the investments to another company. Trustee Ferguson noted final comments are being requested for the Personnel manual. Council was reminded to review the codification documents in a timely manner.

**Minutes:**

Corrections submitted. Trustee Ferguson moved to approve the minutes of August 14, 2012 as amended. Trustee King seconded and the motion passed unanimously.

Disbursements:

Trustee Wissbeck reviewed and moved to pay the bills ending August 28, 2012 with the exception of the interim financing loan to First Colorado National Bank. Trustee Goold seconded and the motion passed unanimously.

7:15 p.m. Meeting adjourned.

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Mayor, Neal Schwieterman

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Deputy Town Clerk, Tracy Wingfield