

Town Council Regular Meeting
Town of Paonia, Colorado
September 25, 2012

RECORD OF PROCEEDINGS

The Regular Meeting of the Town Council held Tuesday, September 25, 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; Chief Scott Leon, Public Works Director Travis Loberg, Attorney Sandra Nettleton (proxy for Attorney James Briscoe); and Town Clerk Barbara Peterson.

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

Approval of Agenda

Mayor Schwieterman suggested removing the Schwartz – Farm Lease Renewal, as today is a religious holiday for Mr. Schwartz, and to move the Employee Retirement Accounts – Broker of Record Appointment second on the agenda. Trustee Ferguson moved to approve the agenda as amended. Trustee Wissbeck seconded and the motion passed unanimously.

Announcements

- None

Visitors

- Karen Fogg requested information regarding the paving of the town streets. Mayor Schwieterman noted the Town is working on Third Street in three (3) phases. This year was slated to line the storm sewers, next year is scheduled for engineering, and 2014 will have the street taken down to an appropriate grade, replace the water lines and repave the street. Mayor Schwieterman noted the amount to repave a street has increased since 2005.
- Terrea Bear is preparing for the craft fair at the Teen Center scheduled for the second weekend in November. The fee charged for each table goes towards advertising. This issue is before the Board because historically, there is no private gain on public property. This issue will be researched and addressed at the next meeting.
- Suzanne Watson submitted material regarding architecturally appropriate signage.

Unfinished Business

New Business

VanVleet – Home Occupation Request

Tenille VanVleet was present. Mayor Schwieterman noted the application and read into the record a letter from neighbor Gene Grange and the Planning and Zoning Commission (P&Z) minutes of September 18, 2012. Ms. VanVleet is requesting to have a photography and design studio in her home located at 215 Colorado Avenue. Ms. VanVleet noted the studio would be located in the front room and utilizes the bathroom and two (2) closets for a usage total of 354.06 feet out of the 1814.1 total square footage of the first floor of the home, less than the 25% stated regulation for a home occupation. There will not be any walk-in traffic as there will only be scheduled appointments. Mayor Schwieterman opined that the request will not change the character of the neighborhood. Trustee King moved to approve the home occupation request as presented. Trustee Kleinman seconded and the motion passed unanimously.

7:29 p.m. Trustee Ayers left the meeting.

Employee Retirement Accounts – Broker of Record Appointment

Trustee Ferguson reported that the current broker of record is via Dreyfus; someone on the east coast who has had nearly zero contact with employees regarding their retirement investment accounts.

7:31 p.m. Trustee Ayers returned.

Employee Retirement Accounts – Broker of Record Appointment continued

Dolly Schaub, a representative from New England Financial, was present. Ms. Schaub would be available to help the Town decide what retirement plans would best fit the needs of the Town. New England Financial has a pension resource center for municipalities to help decide on a mutual family fund. Information would be gathered as to the options available and the Board of Trustees would make the final decision. Ms. Schaub would work directly with the Bookkeeper ensuring compliance with state and federal laws. Ms. Schaub would also work directly with each employee to present and explain the options available, ensuring what mutual fund is best suited for the individual employee. Ms. Schaub's pay is included in the front end where the commission is built. There is no cost to the Town for these services. Cindy Jones, Bookkeeper, indicated she has called Dreyfus who told her to go online and educate herself. Trustee Ferguson is currently reviewing other retirement options and is recommending that the Town put Ms. Schaub in place as the Broker of Record, assess the information and evaluate. Trustee Ferguson moved to appoint Dolly Schaub as Broker of Record for the Town employee retirement accounts. Trustee Goold seconded. Trustee Ayers noted one financial advisor from Peaks Investments has already been contacted. Clerk Peterson noted that person has only called the Town once for a transaction approval. Trustee Ferguson noted that the employees are unhappy with the current retirement benefits. Ms. Jones noted she spent two (2) days looking for a company that could do the pension actuarial study and New England Financial would be able to handle that in the future for the Town. Trustee Wissbeck thinks that the retirement funds have suffered from benign neglect and this is a step in the right direction. Motion was brought to a vote and passed with Trustee Ayers and King voting "nay".

Union Pacific Railroad – Crossing Closure Requests

Kelly Abaray, Manager of Special Projects, was present. Due to the recent fatality, the railroad is requesting to see if the Town is willing to close three (3) ungated crossings at Delta, Oak and North Fork Avenues.

7:55 p.m. Trustee Goold left the meeting.

Ms. Abaray proceeded with a PowerPoint presentation.

7:56 p.m. Trustee Goold returned.

Ms. Abaray noted the railroad would repair the pedestrian crossings on Second and Third Streets as agreed to in 2005. Karen Fogg, resident on Delta Avenue, indicated a preference to have the Delta Avenue crossing close and indicated that seven (7) residents in that block that have signed a petition to that effect. The Board concurred to have initial conversations happen with the Streets Committee and emergency service personnel. No action was taken.

8:47 p.m. Meeting recessed.

8:53 p.m. Meeting reconvened.

Additional Business

Mayor's Report:

Mayor Schwieterman reported at the last meeting, the Board had voted to send a letter of support for the Great Outdoors Colorado (GOCO) youth corps trail building grant. The Western Slope Conservation Center was unaware of a requirement to have the participating municipality sign the application. Mayor Schwieterman polled Board members individually to obtain consensus. The application has been signed.

Public Works: Public Works Director Loberg reported Onarga Avenue will be closed for a couple of days to repair the concrete. The Third Street and Rio Grand Avenue patches are complete. The Apple Valley playground installation will commence on Thursday, and the ADA compliant ramp to the bathrooms in Apple Valley Park is complete.

Police Report: Chief Leon reported the department is hosting a Driving Under the Influence (DUI) training next week. The Colorado State Patrol is putting on the DUI training that is required every two (2) years. The Department of Revenue, Liquor Enforcement division had a minor (underage) serving sting resulting in four (4) businesses in Paonia being investigated.

Finance Report: Trustee Ayers and Wissbeck continue to review accounts payables and payroll. Trustee Wissbeck is expecting reimbursement from the property owner for their share of the retaining wall in the alley Onarga and Poplar Avenues. Clerk Peterson noted that Deputy Clerk Wingfield thought the disbursement only had to be published quarterly, and has since been informed the

disbursements need to be published on a monthly basis. The Town is caught up at this point in getting disbursements published.

Parks Report: Trustee Kleinman had nothing to report.

Public Safety Report: Trustees Goold reported that Chief Leon has \$12,000 budgeted for a Caselle court software program and is requesting to reallocate from capital to purchase operational items. Trustee Goold moved to approve the reallocation of funds from capital expenditures to operational expenditures for the Police Department vehicles and equipment. Trustee Kleinman seconded. Motion was brought to a vote and passed with Trustee King voting “nay”.

Street Report: Trustees King thanked Public Works Director for getting the streets repaired.

Water/Sewer Report: Trustee Ferguson reported that Public Works Director Loberg has \$17,000 allocated in the 2012 budget for an excavator. That item has already been purchased in a prior year and the loan has already been paid off. Director Loberg is requesting to reallocate the funds to purchase attachments for the excavator and skid steerer. Trustee Ferguson moved to reallocate funds set aside for the excavator to be reallocated to attachments for already owned equipment not to exceed \$17,000. Trustee Kleinman seconded. Discussion noted the attachments include a compact roller, a brush hog for mowing and a gravel bucket to pick up brush. Motion was brought to a vote and passed unanimously.

Personnel Report: Trustee Wissbeck anticipated the latest draft of the personnel manual.

Minutes:

Corrections noted. Trustee King moved to approve the minutes of September 11, 2012 as amended. Trustee Ferguson seconded and the motion passed unanimously.

Disbursements:

Trustee Wissbeck moved to pay the bills ending September 25, 2012. Trustee Ayers seconded and the motion passed with Trustee King voting “nay”.

9:12 p.m. Meeting adjourned.

Town Clerk, Barbara Peterson

Mayor, Neal Schwieterman