

**Town Council Regular Meeting**  
**Town of Paonia, Colorado**  
**September 27, 2011**

RECORD OF PROCEEDINGS

The Regular Meeting of the Town Council held Tuesday, September 27, 2011 was called to order at 7:03 p.m. with the Pledge of Allegiance. Those present were Mayor Neal Schwieterman, Trustees Corinne Ferguson, Brian Ayers, Blake Kinser, Sid Lewis, Lucien Pevec and David Weber, Scott Leon and Town Clerk Barbara Peterson.

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

**Approval of Agenda**

Trustee Lewis moved to approve the agenda as presented. Trustee Kinser seconded and the motion passed unanimously.

**Announcements**

- None

**Paonia High School (PHS) Update**

Mayor Schwieterman noted the Town is trying to bridge the gap between the Town and the school with more avenues for open communication. Mayor Schwieterman, Clerk Peterson, Principal Palmer and Vice-Principal Molitor met last week and agreed that have a Student Council update would be beneficial for the community. Due to homework, the update will be at the beginning of the meeting. Student Council Co-Presidents Adrian Lopez and Anthony Roeber announced the following:

- 80% of the Junior High is participating in Fall activity/sports.
- 47% of the High School is participating in Fall activity/sports.
- 39 students tried out for the play with the performance scheduled for November 21, 2011.
- Over half of the North Fork High School Band is from PHS and will be performing at the Colorado West tournament on October 8, 2011.
- Choir student will compete at All State on October 7, 2011.
- Volleyball is at 3-0 and the football team is 2-2 in league games.
- The Junior High students are participating in the Farms to School field trips.
- Students are being sent to various community organizations to represent the schools as part of community service.
- Homecoming is next week. Check the school website or facebook page for more details.

**Visitors**

- None

**Unfinished Business**

**Ordinance 2011-04 – Sewer Rates**

This item was tabled pending further information.

**Ordinance 2011-05 - Junk**

Mayor Schwieterman noted Attorney Briscoe had incorporated comments from the municipal judge, the Police Department and staff. Trustee Lewis moved to table this until the next meeting. Motion failed for lack of a second. Trustee Ferguson moved to adopt Ordinance 2011-05 as presented. Trustee Ayers seconded and the motion passed with Trustee Lewis abstaining.

## **New Business**

### **Western State College – Small Business Development Center Update**

Marilyn Laverty noted there is a team of experts available to assist small businesses with marketing, business plans, loan applications and assorted services free of charge. The SBDC serves eight (8) counties and is funded by the state.

### **Heck – Lot Coverage and Side Setback Variances**

Barb and Mike Heck were present. Mayor Schwieterman noted the application, Building Official comments indicating no additional issues, a letter from Derryberry neighbor approving request and read the Planning and Zoning (P&Z) Commission minutes of September 20, 2011 for visitor benefit. The house is currently setback five (5) feet from the side with the garage set back at one (1) foot from the side. The existing structure predates the Land Development Regulations (LDR). It would be more aesthetically pleasing if the roofline could tie in rather than having the required six (6) foot side setback on the new addition. The addition request will increase the lot coverage to approximately 3% over the required 30% lot coverage. Mayor Schwieterman noted that it is now realized by land planners that 30% lot coverage encourages sprawl and 40% seems reasonable. Trustee Pevac concurred. Trustee Weber noted the additional 3% would have an insignificant visual impact on the neighborhood. Trustee Pevac moved to approve the lot coverage and side setback variances as presented in the submitted drawings. Trustee Kinser seconded and the motion passed unanimously.

### **Street Lights - Update**

Trustee Ferguson noted the town is still waiting for the free lighting survey from Mountain States Lighting. The Delta-Montrose Electric Association (DMEA) needs to submit the specific lights in specific locations to complete the survey, unfortunately that is a low priority for DMEA. As the light upgrades will take at least a few years to budget for all light upgrades, Trustee Ferguson requested that the Town move forward with the hooding of the existing lights that may be hooded with the \$1,600.00 budgeted funds. There were no complaints on the sample hooded lights at the public hearing. There are thirty-four (34) lights and hooding will cost approximately \$45.00 per light. Council concurred to move forward on the hooding of the existing lights that are able to be hooded.

### **Resolution 2011-01 – IMG Project Acceptance**

Mayor Schwieterman read Resolution 2011-01 accepting Pall Water Processing and ECO Contracting LLC for the IMG water treatment plant construction for visitor benefit. Public Works has signed off on the project indicated the minor issues still being addressed are under warranty. Trustee Pevac moved to adopt Resolution 2011-01 as presented. Trustee Ferguson seconded and the motion passed unanimously.

## **Additional Business**

**Mayor's Report:** Mayor Schwieterman reported Allison Elliot went through the boundary adjustment process consolidating two (2) lots in the Creek Vista subdivision which was approved by the Development and Review committee. Great Outdoors Colorado (GOCO) announced a funding stream for river corridor projects. There are numerous entities in Delta County working on projects in the North Fork of the Gunnison river who will meet to discuss consolidating projects for one grant submission. Ross King is still moving forward on sign recommendations in the Grand Avenue transition area, but is not ready to report anything yet.

**Public Works:** Public Works Director Leon reported John Clausen is almost finished working on the Mays spring. Staff is working on the Pole Patch spring and Spore Spring is almost complete. Colorado Department of Public Health and Environment (CDPHE) performed sanitation inspections on the water system with only one minor violation. A hydro excavator has been scheduled to address the storm drains on Third Street.

**Police Report:** Chief Leon reported an incident behind La Casa regarding a fight involving an individual drawing a weapon. The individual has been arrested and the investigation is ongoing as there may be additional charges. There were no major problems during the Mountain Harvest festival and a debriefing is scheduled for next week. The department does have a suspect in the commercial burglaries and a warrant will be issued as soon as the last name of the suspect is obtained.

**Finance Committee Report:** Trustee Pevac recommends a professional consulting service for an investment policy.

**Parks Committee Report:** Trustee Pevac noted a request from the Parks Maintenance contractor, Mikel Altenhofen, to extend his contract for another year and moved to do so. Trustee Kinser seconded. Discussion noted this was discussed at the staff meeting with a suggestion to put the

contract out to bid in the fall. Trustee Pevec did consult with legal who indicated the contract could be extended via a Council motion. Trustee Weber has received positive feedback regarding Mr. Altenhofen's performance. Trustee Weber moved to amend the motion to extend the contract until October 31, 2012. Trustee Pevec seconded and passed with Trustee Ayers voting "nay". More discussion regarding the capital investment that is needed by the contractor, the bid process opens up opportunities for businesses planning for spring work and historically, the contract was for every three (3) years. The main motion was brought to a vote and passed with Trustee Ayers and Ferguson voting "nay".

Public Safety Committee Report: Trustee Ayers reported skateboarder and bicyclists create a safety issue on Grand Avenue. The signs are not working and requested that signs be painted on the sidewalks for better visibility. The Police Department has provided training at the school and Clerk Peterson noted bike safety could be incorporated into the information packets for new residents. The 300 block of Grand Avenue will eventually have to be addressed via the Land Development Regulations (LDR) as the block becomes more commercial and less residential.

Street Committee Report: Trustee Ferguson had nothing to report. Trustee Ayers requested whose responsibility is to maintain weed growth in the right-of-way greenspace between the sidewalk and the road. Public Works Director Leon noted the property owner is responsible.

Water/Sewer Committee Report: Trustee Ferguson noted phase 1 of the Mays repair is complete. The next phase is meter and solar installation at an estimated cost of \$3,500.00 for the Town's share of a joint project with Bone Mesa Water Company. Trustee Ferguson moved to approve up to \$3,500.00 for meter and solar installation at the Mays spring. Trustee Weber seconded. Discussion noted this item is in the budget and the Town will be able to remotely monitor meter transmissions. Motion was brought to a vote and passed unanimously.

Personnel Committee Report: Trustee Kinser had nothing to report. Trustee Ferguson moved to go into executive session for discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees. Trustee Kinser seconded and the motion passed unanimously.

8:29 p.m. Meeting recessed.

9:25 p.m. Meeting reconvened.

The participants of the session were Mayor Schwieterman, Trustees Weber, Ayers, Ferguson, Kinser, Pevec and Lewis with Clerk Peterson and Chief Leon participating at limited times. No concerns were noted.

Minutes:

Corrections noted. Trustee Kinser moved to approve the minutes of September 13, 2011 as amended. Trustee Ferguson seconded and the motion passed unanimously.

Disbursements:

Trustee Pevec moved to pay the bills ending September 27, 2011. Trustee Kinser seconded, and the motion passed unanimously.

9:27 p.m. Meeting adjourned.

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Mayor, Neal Schwieterman

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Town Clerk, Barbara J. Peterson