

Town Council Regular Meeting
Town of Paonia, Colorado
November 12, 2013

RECORD OF PROCEEDINGS

The Regular Meeting of the Town Council held Tuesday, November 12, 2013 was called to order at 7:04 p.m. with the Pledge of Allegiance. Those present were Mayor Neal Schwieterman, Trustees Brian Ayers, Eric Goold, Ross King, Amber Kleinman and Sarah Sauter; Attorney James Briscoe; Chief Scott Leon; Public Works Director Travis Loberg; Finance Officer Cindy Jones; Deputy Clerk Corinne Ferguson and Town Clerk Barbara Peterson. Trustee Larry Wissbeck was absent.

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

Approval of Agenda

Mayor Schwieterman suggested adding the Paonia Elementary School Update after the Paonia High School Update. Trustee Goold moved to approve the agenda as amended. Trustee King seconded and the motion passed unanimously.

Paonia High School Update

Mayor Schwieterman noted that in a partnership with the Town, students raked leaves for elderly residents in town as part of their community service requirement. Mayor Schwieterman recognized students Dillan Tomei, Chloe Helmer, Uriel Lozano, Isaac Ferguson, Jared Byrge, Josiah Spano, Brian Peterson, Braiden Clement and Carson Piepher and thanked them for their commitment to their community.

Paonia Elementary School Update

Principal Sam Cox, Teacher Robert Bushta and the Paonia Elementary Student Council were present. Mayor Schwieterman presented a certificate of appreciation for The Great Rake at Town Park and thanked the elementary school for their efforts in raking leaves. Mr. Bushta announced that two (2) Knowledge Bowl teams from the elementary school and one (1) junior high school team competed last week. The Junior High team took first place. Elementary Team A went into the final round up by one (1) point. Elementary Team B took on the second place team and won the round, allowing Team A to win by one (1) point. Paonia Elementary School has won first place for the third year in a row. Congratulations!

Announcements

Mayor Schwieterman announced the results of the election. Ballot question 2A regarding the sidewalk fund passed with 300 “yes” votes and 212 “no” votes. Ballot question 2B regarding de-Brucing from the mill levy passed with 356 “yes” votes and 158 “no” votes.

Visitors

Russ Chapman voiced quality issue concerns regarding Public Works staff. Mr. Chapman feels the staff need to take more pride in their work. Mr. Chapman voiced displeasure at not having the traffic control lines painted on the new stretch of road on Third Street. Concerns were also expressed about drainage issues at the corner of Fourth Street and North Fork Avenue, Apple Valley Park fitness trail construction, the dumpster, the parks contract, and requested that the Board keep accountability in mind when hiring a Town Manager. Trustee Goold responded that the parks contract has been a divisive issue. Trustee Goold has been pleased with the current contractor’s performance, although Public Works should provide that service. Mr. Chapman’s honesty is appreciated. The basketball court is horrendous. Trustee Goold indicated he had no idea what he was getting into when he signed on for the Parks Committee. Trustee Goold echoes the disappointment in Public Works department. Trustee Goold thinks Director Loberg is a good department head, but is inexperienced. Director Loberg has a long, hard job and oversees several employees, but at this point Trustee Goold is willing to give the benefit of the doubt. Trustee Kleinman indicated the parks are slowly getting better. The Town has purchased equipment and noted the Apple Valley project is not completed yet. Mayor Schwieterman said he will have Director Loberg respond to the complaints. Pete Hylton, sees that Apple Valley is horrible and wondered how long it would continue. Mr. Hylton feels the east end of the park is gone and it should be a high priority to complete.

Jim Black had brought attention of deficiencies in the new tennis courts to this Board a couple of

weeks ago. Mr. Black read the article in the Delta County Independent and disagrees with the assessment that the courts are fine.

7:31 p.m. Trustee King left the meeting.

Mr. Black submitted photos showing pinholes in the court surface, holes collecting water where the center straps are for the nets, leaves and mud on the courts, requested the second gate on the creek side be locked, and indicated that pieces of the court were peeling. Trustee Kleinman saw the pinholes, but did not find any chunks missing. Clerk Peterson notified the North Fork Pool, Park and Recreation District (NFPPR) after the last meeting to have the NFPPR Executive Director inspect the courts.

7:34 p.m. Trustee King resumed his seat.

Mr. Chapman said to bring a broom because leaves are going to fall. The rear access is handy if a ball is hit over the fence.

Suzanne Watson wanted to know if the Town still had a Tree Board. Mayor Schwieterman indicated that the Town has an arborist available for consultations. Ms. Watson encouraged volunteers to bring issues to the Town and to get citizens engaged. The Town used to have a Garden Club that would take care of the peony beds in the park.

7:45 p.m. Trustee Goold left the meeting.

Doug Long. Notice a trailer parked at Apple Valley Park. That is not a public parking area. Mr. Long has looked at the work done already and thinks it is terrible. Mr. Long thinks that nobody is overseeing the work being done and that the people working on the project are not qualified. A manager needs to oversee the work so it may be done properly as nothing has been done right.

7:48 p.m. Trustee Goold resumed his seat.

Unfinished Business

New Business

Department of Local Affairs (DOLA) – Grant Agreement for Water Project

Mayor Schwieterman noted this is a one-million dollar (\$1,000,000) grant agreement from Energy and Mineral Impact Assistance Funds (EMIAP) for the two-million gallon water treatment project. The Town does have enough insurance as stipulated by the grant. Trustee King moved to approve the grant agreement as presented. Trustee Kleinman seconded and the motion passed unanimously.

7:50 p.m. Trustee Ayers left the meeting.

Our Colorado River – Letter of Support

Mayor Schwieterman read the letter for visitor benefit. The letter expresses support for keeping our rivers healthy and supporting the values of Our Colorado River.

7:52 p.m. Trustee Ayers resumed his seat.

Trustee Goold moved to approve the letter of support as presented. Trustee Sauter seconded and the motion passed unanimously.

Blue Sage Center – Liquor License Renewal

Annette Pretorius was present. The Blue Sage Center for the Arts is requesting a renewal of an Arts Liquor License for the property located at 228 Grand Avenue. Discussion regarding board member changes ensued. Chief Leon had no issues. Trustee King moved to approve the liquor license renewal as presented. Trustee Kleinman seconded and the motion passed unanimously.

Foreign Product Manufacturing – Congress Petition Request

Greg Mellott was present. Mr. Mellott has a petition to Congress that would like to impose a fee for products not made to standards in the United States. Germany uses a value added tax that is universally applied. Mayor Schwieterman inferred that Mr. Mellott is asking for the Board of Trustees to represent this community on a national issue. Mayor Schwieterman is unsure of how this community would feel about the petition. Trustee King felt there may be philosophical points in the petition that many could support, but was unsure if this is the correct forum. Trustee Sauter said that as a community organizer, she would be happy to meet with Mr. Mellott to discuss options.

Sierra Club – National Fracking Rules

Mayor Schwieterman noted that while this Board has taken a strong stand with leasing and endorsing the community alternative, this request for a letter regarding national fracking rules goes beyond this community. Trustee King felt that while there are some points that he agrees with, he felt this Board should not be pursuing or endorsing on behalf of all our citizens. After a brief discussion, the Board of Trustees concurred to take no action on this item.

Additional Business

Mayor's Report: Mayor Schwieterman passed on a thank you from the Delta County Housing Authority for keeping funds in the Town's budget for them. Mayor Schwieterman noted that staff meetings have been held for as long as the Town has not had a Town Manager. There are a small number of people who are questioning the legalities of the meetings. At the last staff meeting, Charles Stewart voiced a concern that the agenda was not specific enough. Staff meetings were used to discuss what staff wanted to discuss or get direction from the Board. Since no decisions were made, Attorney Briscoe had suggested that a general agenda could be posted to satisfy concerns. Mayor Schwieterman said that because of the continued disagreement regarding the meetings, the staff meetings are now restricted to the staff and the mayor. What this board has done is avail themselves of learning more about the town, but if there is a perception that the town is doing something underhanded, then this is the way it is being addressed. Charles Stewart voiced concern that the Board was having discussions regarding major issues and the citizens were unaware of what was going to be discussed. Mayor Schwieterman indicated that staff was not always aware of what was going to be discussed and to honor the concerns, the Town will dispense with the ability to have the Board participate in nuanced discussions with staff. Trustees Goold and King found the meetings helpful, but respected the decision being made. Mayor Schwieterman indicated the blue bag program has ended for this season. Suzanne Watson wanted to know if the street sweeper could be retrofitted for leaves. Mayor Schwieterman noted that would be a very expensive endeavor.

Public Works: Director Loberg reported receiving a letter from the state with three (3) maintenance deficiencies. There are no water quality deficiencies, and nothing to endanger the public. Work on the Second Street culvert will begin next week. There are a couple of leaks that need repair.

8:36 p.m. Chief Leon left the meeting.

Police Report: Chief Leon was unavailable to report.

Finance Report: Trustee Ayers had nothing to report.

Parks Report: Trustees Kleinman and Goold had nothing to report.

Public Safety Report: Trustees Ayers and Goold had nothing to report.

Street Report: Trustee King had nothing to report.

Water/Sewer Report: Trustee King asked for information regarding the letter written to the West Paonia Domestic Water Company. Clerk Peterson noted a meeting is to be held tomorrow regarding that topic.

Personnel Report: Trustee Sauter reported waiting for direction with the budget regarding the hiring of a Town Manager.

Minutes:

Corrections noted. Trustee King moved to accept the minutes for October 22, 2013 as amended. Trustee Goold seconded and the motion passed unanimously.

Disbursements:

Trustee Ayers moved to pay the bills through November 12, 2013. Trustee Goold seconded and the motion passed unanimously.

8:41 p.m. Meeting adjourned.

Town Clerk, Barbara Peterson

Mayor, Neal Schwieterman