

**Town Council Regular Meeting**  
**Town of Paonia, Colorado**  
**June 28, 2011**

RECORD OF PROCEEDINGS

The Regular Session of the Town Council held Tuesday, June 28, 2011 was called to order at 7:01 p.m. with the Pledge of Allegiance. Those present were Mayor Neal Schwieterman, Trustees Brian Ayers, Corinne Ferguson, Lucien Pevec, Sid Lewis and David Weber, Scott Leon, and Town Clerk Barbara Peterson. Trustee Blake Kinser was absent.

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

**Approval of Agenda**

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

**Announcements**

- Mayor Schwieterman proclaimed Master Nathan Giffin Mayor for a day. Mayor Giffin took control of the meeting.

**Visitors**

Richard Schmidt voiced concerns over a non-conforming business sign erected at 334 Grand Avenue. Mr. Schmidt's concerns included improper sign application, improper placement of the sign, and the lack of documented approval of the sign. After lengthy discussion over particulars, Council concurred to get an opinion from the current building official and submit to legal for review.

**Unfinished Business**

**New Business**

**The Casa – Liquor License Transfer**

Mr. and Mrs. William Brown were present. Mayor Schwieterman noted application contents in packets. La Casa Victorian, L.L.C. is requesting a transfer of a malt, vinous and spirituous liquor license transfer for the property located at 312 Grand Avenue. Mayor Schwieterman read the preliminary findings for visitor benefit and noted that in discussion with Attorney Briscoe, the application is complete and approval recommended. It was noted the birth dates were cut off in the application during the printing process. Clerk Peterson to add the last digit on the application. Trustee Weber moved to approve the liquor license transfer as amended. Trustee Ayers seconded. During discussion it was noted the posted sign may be taken down after tonight. Motion was brought to a vote and passed unanimously.

**Orton Foundation – Letter of Support**

Mayor Schwieterman noted that a couple of meetings ago, the 2020 Vision group informed the Town of an application regarding an economic development plan for the North Fork valley. The group realized last week that letters of support were due. A letter was sent on behalf of the Town, which Mayor Schwieterman read for visitor benefit. Trustee Pevec moved to ratify the letter of support as presented. Trustee Ferguson seconded and the motion passed unanimously.

**Poplar Apartments – Utility Overcharges**

Hal Matteson was present and submitted a copy of his current billing in the amount of \$28,943.92. Mayor Schwieterman read a letter from the Town Clerk dated June 14, 2011 for visitor benefit that noted the correction on June 2, 2011 regarding the water charges. Mr. Matteson is disputing the trash charges. The billing reflects a \$15.00 charge per unit. Mr. Matteson contends that the account should only pay for the cost of a dumpster with once a week pickup. Council read to Mr. Matteson the sections of Ordinance 2008-03 whereby each household unit must pay a base rate and the Town may request a dumpster for convenience. Clerk Peterson noted that all apartment complexes are set at the standard rate of \$15.00 per unit. After discussion, Trustee Weber moved that the current Town policy regarding trash collection for the Poplar Apartment be continued. Trustee Pevec seconded and the motion passed unanimously.

Delta County Homeless Shelter - Update

Kami Collins provided information on The Abraham Connection homeless shelter in Delta. The shelter was started last winter and is operated by volunteers and donations. This is an emergency shelter and can only house a person for 180 days. Ms. Collins is requesting that people help support the shelter with volunteer hours or personal donations.

Non-Motorized Access – Policy Issue Statement

Clerk Peterson had submitted a policy issue statement in the packets. The statement asks for consideration of adding a small fee to utility bills dedicated to non-motorized accesses in the town limits. The Tree Board completed a sidewalk report in 2007. Mr. Bob McHugh walked every foot of sidewalk and a comprehensive evaluation and prioritization is included in the report. The current ordinance has the property owners responsible for the sidewalk. It is difficult to impose upon citizens to bring the sidewalks up to code in this financial climate. This is a TABOR (Taxpayers Bill of Rights) issue and would need voter approval in November. If the dedicated revenue stream is approved, the Town would take over the installation and repair of sidewalks and the property owner would still be responsible for keeping the right of way clear of snow and debris. The proposal does not limit the funds to sidewalks as the money could also be used as matching funds for trail connections in town limits. Council is requesting feedback on the proposal to determine if this issue will go to the voters in November.

**Additional Business**

Mayor's Report: Mayor Schwieterman reported the flag pole cable in Poulos Park broke this week. Emergency parts are being picked up from Grand Junction for reinstallation before Cherry Days. The revised junk ordinance is at the staff level for comments. The Highway 133 Access Control Plan is being reviewed by Patricia Bliss as she was on the committee during its evolution. CAWS has chosen not to get involved in the dog park issue at this time.

Public Works: Mayor Schwieterman reported last minutes items are being addressed for Cherry Days. Equipment has been mobilized for the spring repair.

Police Report: Last night there were motor vehicle criminal trespasses. A suspect was chased, but not apprehended. Citizens are encouraged to lock their vehicles. New officer Nick Rogers has been out on bike patrol.

Finance Committee Report: Trustee Pevec reported the town receiving mineral leasing distribution in the amount of \$77,133.00, which is more than budgeted. The town also received approximately \$700,00.00 in reimbursements from the Department of Local Affairs (DoLA). The audit has been scheduled for the second week in August. DoLA has also provided examples of investment policies.

Parks Committee Report: Trustee Lewis noted the parks look good, although it is too late for fertilizing before Cherry Days. Rotary had submitted a letter regarding Poulos Park. Mayor Schwieterman will work with Scott Leon to address the suggestions.

Public Safety Committee Report: Trustee Ayers had nothing to report.

Street Committee Report: Trustee Ferguson had nothing to report.

Water/Sewer Committee Report: Trustee Weber had nothing to report.

Personnel Committee Report: Trustee Weber reported the new officer waves at citizens, of whom are impressed.

Minutes:

Trustee Lewis voiced concern over the dog park heading on the minutes of June 14, 2011. Trustee Lewis felt it was misleading as he was proposing an ordinance word alteration and not proposing a dog park in Apple Valley. Clerk Peterson said the heading may not be changed at this point. Trustee Pevec moved to approve the minutes of June 14, 2011 as presented. Trustee Ferguson seconded and the motion passed with Trustee Lewis voting "nay".

Disbursements:

Trustee Pevec moved to pay the bills ending June 28, 2011. Trustee Ayers seconded. Trustee Weber will inquire about a mow repair bill. Council suggested putting out cones at the Third Street railroad crossing for the holiday. Motion was brought to a vote passed unanimously.

8:54 p.m. Meeting adjourned.

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Mayor, Neal Schwieterman

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Town Clerk, Barbara J. Peterson