

Town Council Regular Meeting
Town of Paonia, Colorado
August 14, 2012

RECORD OF PROCEEDINGS

The Regular Meeting of the Town Council held Tuesday, August 14, 2012 was called to order at 7:12. 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; Travis Loberg; Attorney James Briscoe; and Town Clerk Barbara Peterson.

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

Approval of Agenda

Trustee King suggested adding 2010 Audit, 2013 Budget and Norris Settlement to the agenda. Trustee King moved to approve the agenda as amended. Trustee Wissbeck seconded and the motion passed unanimously.

Announcements

- Trustee King noted he was admonished by a member of the audience for behavior at the previous meeting. Trustee King issued a formal apology to Clerk Peterson for a rude and terse response. The Mayor's comments regarding civility are noted and Trustee King thanked the attendee for calling him on it.

Visitors

- None

Unfinished Business

- None

New Business

Thomas Waldo's – Liquor License Renewal

Aaron Papke was present. Thomas Waldo's is looking to renew the tavern liquor license for the property located at 240 Grand Avenue-Basement. Mr. Papke noted a new lease has been signed and he will submit a copy for Town files. Mayor Schwieterman noted that at the staff meeting, Chief Leon had indicated no problems. Trustee Wissbeck moved to approve the liquor license renewal as presented with the stipulation that the dates are filled in and a new lease presented covering the entire length of the liquor license period. Trustee King seconded and the motion passed unanimously.

Sol Margarita's Liquor License Renewal

Felix Barron was present. Sol Margarita's is looking to renew the hotel and restaurant liquor license for the property located at 240 Grand Avenue. Mr. Barron was not aware that the lease did not cover the entire length of the liquor license and will rectify. Mayor Schwieterman noted that at the staff meeting, Chief Leon had indicated no problems. Trustee King moved to approve the liquor license renewal as presented with the stipulation that the dates are filled in and a new lease presented covering the entire length of the liquor license period. Trustee Ferguson seconded and the motion passed unanimously.

La Casa Victorian – Liquor License Renewal

No one representing La Casa Victorian was present. La Casa Victorian is looking to renew the hotel and restaurant liquor license for the property located at 312 Grand Avenue. Mayor Schwieterman noted that at the staff meeting, Chief Leon had indicated no problems. Trustee King moved to approve the liquor license renewal as presented. Trustee Kleinman seconded and the motion passed with Trustee Goold voting "nay".

Living Farm Café – Report of Corporate Changes

Michael Gillespie was present. Living Farm Café is requesting to amend their corporate structure to include Michael Gillespie as he has turned 21 and is now eligible to be included in the limited liability corporation. Trustee King moved to approve the corporate changes as presented. Trustee Kleinman seconded and the motion passed unanimously.

Blossom Valley School – Zoning Variance

Chris Yates, Heather Ramsey, Christie Toohey and Carrie Tentori were present. Blossom Valley School is requesting a zoning variance to run a day care/pre-school at 520 Fifth Street. Mayor Schwieterman noted the application, previous special review documents and read the Planning and Zoning Commission (P&Z) minutes of August 7, 2012 for the record. Mr. Yates indicated the minutes were accurate. The school will have both half and full day programs. The half-day programs are in the morning only. No comments were received from interested parties. Trustee King moved to approve the zoning variance as requested. Trustee Kleinman seconded and the motion passed unanimously.

Proclamation – Food Month

Mayor Schwieterman read the proclamation proclaiming August as Food Month.

BMW Rally – 2013 Park Request

The Top O The Rockies rally is requesting to use the Town Park July 17-22, 2013. After discussion regarding security camping and donations, Trustee Ferguson moved to approve the park request as presented. Trustee Ayers seconded and the motion passed unanimously.

Paonia High School – Intergovernmental Agreement (IGA)

Mayor Schwieterman noted the agreement in the packets outlining responsibilities should the Paonia High School receive the Great Outdoors Colorado (GOCO) planning grant for the sports complex. Attorney Briscoe recommended adding an indemnity clause, which will become item number 15 in the agreement. Trustee Ferguson moved to approve the IGA between the Paonia High School and the Town of Paonia as amended with the indemnity clause. Trustee Kleinman seconded and the motion passed with Trustees Goold and King voting “nay”.

2010 Audit

Trustee King was under the impression that the Board of Trustees needed to accept the audit by a formal act, and was informed today that a formal motion was not necessary, as it has been filed with the State Auditor. Trustee King requested another meeting with the auditor to get a few more questions answered. Trustee King would like to have the 2011 audit completed before doing the 2013 budget. The 2010 audit was filed with the State Auditor on July 31, 2012 and is available for public review. Charges have not been filed, although the Assistant District Attorney advised their office is reviewing the misuse of public funds information for prosecution.

2013 Budget

Trustee King is aware that staff is preparing the budget and hoping for public participation in the process. The intent is to have all supplementary information available so everyone may understand where the money comes from and where it is spent. Trustee King is concerned as the reconciliation numbers for 2008 and 2009 are still not available.

Norris Settlement

Trustee King pointed out that the Town has a potential \$500,000 liability from the combined water and sewer enterprise funds. Trustee King would like more information regarding this liability and will be following up with the Town attorney. Mr. John Norris was the Town Manager and the settlement occurred in 2007.

Additional Business

Mayor's Report:

Mayor Schwieterman reported Double J Disposal is pursuing their recycling center and is offering curbside recycling for an additional fee. Public Works will be evaluating whether it might be in the Town's best interest to contract out the trash service if curbside recycling is available.

Public Works: Public Works Director Loberg reported the lights are repaired and an irrigation pump is being replaced at the Town Park. An exposed sewer line was also fixed as well as work begun on the alley wall. Water tanks are refilling at an acceptable rate. Discussion regarding reuse of ground asphalt ensued. This is not really an option for the town as the transportation costs to Grand Junction outweigh the savings from new asphalt.

Police Report: Mayor Schwieterman read Chief Leon's written report for visitor benefit.

Finance Report: Trustee Wissbeck reported the bookkeeper is now working full-time and has been working on reconciling several years of bad bookkeeping. Trustee Ayers and Wissbeck continue to review accounts payables and payroll.

Parks Report: Trustee Kleinman reported a meeting with volunteers would happen on Tuesday, August 21, 2012 at 7:00 p.m. to discuss the future of the Ellen Hansen Smith Center.

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

Street Report: Trustees King noted Public Works Director Loberg submitted an updated project listing. Trustee Ferguson indicated that Mountain States Lighting needed a few more details for the lighting survey.

Water/Sewer Report: Trustees Ferguson and King had nothing to report. Mayor Schwieterman noted the folks proposing the new bed and breakfast on Stewart Mesa have contacted a few economic development agencies. The issue is with the water company. Mayor Schwieterman noted the project off Highway 133 might be the Riverbank Neighborhood construction of an irrigation detention pond.

Personnel Report: Trustee Wissbeck reported the bookkeeper is full time and all personnel changes are within salaried budget figures.

Minutes:

Corrections submitted. Trustee King moved to approve the minutes of July 24, 2012 as amended. Trustee Ferguson seconded and the motion passed unanimously.

Disbursements:

Trustee Wissbeck reviewed and moved to pay the bills ending August 14, 2012. Trustee Kleinman seconded and the motion passed unanimously.

8:25 p.m. Meeting adjourned.

Mayor, Neal Schwieterman

Town Clerk, Barbara J. Peterson