

Town Council Regular Meeting
Town of Paonia, Colorado
August 23, 2011

RECORD OF PROCEEDINGS

The Regular Session of the Town Council held Tuesday, August 23, 2011 was called to order at 7:00 p.m. with the Pledge of Allegiance. Those present were Mayor Neal Schwieterman, Trustees Corinne Ferguson, Brian Ayers, Lucien Pevec and David Weber, Attorney James Briscoe, and Town Clerk Barbara Peterson. Trustees Blake Kinser and Sid Lewis were 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

- Trustee Ayers attended an All Points Transit meeting where cost allocations based on new census figures were discussed.

Visitors

- Larry Wissbeck requested an update on the recent string of burglaries. Mayor Schwieterman noted suspects have been identified for these few incidents and the investigation has been turned over to the District Attorney's office.

Unfinished Business

Non-Motorized Access – Ballot Wording

Mayor Schwieterman provided a brief history, noting the proposal is a direct result of Clerk Peterson's schooling and the Paonia Pathways report. Council has opted to participate in the November mail ballot election coordinated with Delta County. Mayor Schwieterman read the proposed wording for visitors: "*Shall the Town of Paonia create a dedicated fund for the construction and maintenance of sidewalks and pathways within Town limits to be paid via utility billing at a rate of three-dollars (\$3.00) per month, per account, starting January 1, 2012 and remain in effect until December 31, 2021?*" Should the ballot measure pass, the sidewalk ordinance will need to be rewritten. Priorities include areas near the schools and the most deteriorated as outlined in the Pathways report. Funds could also be used to leverage grant monies. Discussion ensued regarding property owners abdicating responsibility for sidewalks and what to do in areas where sidewalks do not currently exist. Trustee Weber moved to approve the ballot wording as presented. Trustee Ferguson seconded. During discussion, it was noted the amount was arrived at consensus at the work session and terminology was slightly modified. Motion was brought to a vote and passed unanimously.

Television Signals – Lease Transfer Request

Sally Kane, KVNF General Manager was present. Mayor Schwieterman read the letter from KVNF requesting \$50.00 a month from the Town in a coordinated effort with Hotchkiss and Delta County ensuring that the emergency alert system requirements are met. The same letter was sent to the Town of Hotchkiss and Delta County requesting the same amount as the Town of Paonia, with no response to KVNF as of yet. It was noted that Hoak Media has received calls from citizens no longer receiving the television signals. Trustee Pevec moved to support the proposal outlined in the KVNF letter with the contingency that all the other named parties in the letter decide to contribute at the rate indicated in the proposal. Trustee Weber seconded and the motion passed unanimously.

Ordinance 2011-04 – Sewer Rates

This item was tabled pending further information. A work session has been scheduled for September 13, 2011 at 6:00 p.m. at Town Hall located at 214 Grand Avenue.

New Business

Region 10 - Update

Paul Gray, Executive Director, submitted packets of information detailing accomplishments for the past year. Mr. Gray made a brief presentation regarding specifics on Volunteers of America and senior meals, transportation project pertaining to senior transportation and financial aspect relating to tax credits for the region. Mr. Gray is requesting the Town remain a member of Region 10.

Sol Margaritas – Liquor License Renewal

No person was present representing Sol Margaritas. Sol Margaritas is requesting a renewal of the hotel and restaurant liquor license for the property located at 240 Grand Avenue. Mayor Schwieterman had spoken with Chief Leon at the staff meeting on Friday, who indicated there were no problems. Trustee Pevec moved to approve the liquor license renewal as presented. Trustee Weber seconded and the motion passed unanimously.

North Fork Pool, Park and Recreation District – Apple Valley Tennis Court Lease

Mayor Schwieterman noted the Apple Valley Park Renovation project has been contemplated by staff for the past four years. Council has two budgets for consideration. The North Fork Pool, Park and Recreation District (NFPPR) became aware of the Town's grant and because of funding changes at the last minute, proposed adding the tennis court renovation to the entire project. Isaac Nolte, NFPPR Board Member noted there were last minute changes in funding, allowing for a total pledged contribution of \$46,000. Mr. Nolte indicated this grant proposal fits the NFPPR newly adopted master plan to maintain current amenities and to improve where possible for multi-generational uses. The NFPPR supports this endeavor for renovation, and would like greater involvement in the Paonia community. The tennis courts are heavily used by all ages, including the Paonia High School. The Hotchkiss high school courts are in worse condition than the Paonia courts at Apple Valley. Unfortunately, the Hotchkiss courts are not good enough for competitive play and the tennis team has to go to Delta. Paonia does not want to get into that situation. All items on the grant proposal will need to go out for bid, should Great Outdoors Colorado (GOCO) vote favorably on the project. The tennis courts are leased to the NFPPR in the amount of \$3,000 per year for maintenance purposes. If the grant is awarded and new tennis courts are installed, the amount of the lease could be renegotiated, as the maintenance costs would purportedly decrease. When asked by the mayor, approximately 75% of the audience showed support for the grant proposal with new tennis courts. Trustee Weber moved to approve the budget including the tennis courts. Trustee Ayers seconded and the motion passed unanimously.

8:29 p.m. Trustee Pevec left the meeting.

8:30 p.m. Trustee Pevec resumed his seat.

Discussion regarding the lease term ensued. Trustee Weber moved to approve the lease agreement for the Apple Valley tennis courts with the NFPPR effective the 23rd day of August for a term of one year in the amount of \$3,000 payable on the 1st day of September, 2011. Trustee Ferguson seconded and the motion passed unanimously.

Resolution 2011-06 – GOCO Grant Support

Mayor Schwieterman read Resolution 2011-06 supporting the grant application for the Apple Valley Park Renovation project for visitor benefit. Trustee Pevec moved to approve Resolution 2011-06 as presented. Trustee Ferguson seconded and the motion passed unanimously.

Additional Business

Mayor's Report: Mayor Schwieterman reported Union Pacific Railroad has fixed the Third Street crossing. A thank-you letter will be sent. There has been discussion regarding the signage along the 300 block of Grand Avenue. The sign code for a C-1 zoning (Core Commercial) does not fit that neighborhood. Ross King, the owner of the property where Revolution Brewery is located, has extensive experience with special use and districts. Mayor Schwieterman has empowered Mr. King to lead a grass roots effort to organize, research and start conversations regarding what property owners would like to see in a transitional neighborhood such as the 300 block of Grand Avenue. Suzanne Watson, visitor, voiced concern that this approach would not be fair, as the businesses will be biased and the area is a main entrance into town. Ms. Watson believes the eclectic use of signage currently on this block looks trashy. Richard Schmidt, visitor, noted the Galaxy bike sign is still in violation of five (5) variances. Mr. Schmidt is unclear how that happened and regardless, the sign should be taken down immediately. Mayor Schwieterman reiterated that the issue is under negotiations and details are being addressed and it is premature to make decisions. Mr. Schmidt's concerns and opinions have been considered.

Public Works: Mayor Schwieterman reported Scott Leon working with the One-Million gallon water treatment plant (IMG) manufacturer, Pall. Minor issues have surfaced and the Town is not comfortable signing off on the final payment until those issues are addressed.

Police Report: Mayor Schwieterman reported the burglary reports were delivered to the District Attorney's office who has subsequently requested more information from the Paonia Police Department.

Finance Committee Report: Trustee Pevec had nothing to report. Mayor Schwieterman noted budget season is here and it would be good to get the investment policy in order.

Parks Committee Report: Trustee Lewis had nothing to report. Mayor Schwieterman noted there are brown spots at the Town Park due to problems with the irrigation system. Public Works is still investigating the possible causes.

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 reported first joint project with Bone Mesa is underway.

Personnel Committee Report: Trustee Weber had nothing to report.

Minutes:

Corrections noted. Trustee Ferguson moved to approve the minutes of August 9, 2011 as amended. Trustee Ayers seconded and the motion passed with an abstention from Trustee Pevec.

Disbursements:

Trustee Pevec moved to pay the bills ending August 23, 2011. Trustee Ferguson seconded, and the motion passed unanimously.

8:53 p.m. Meeting adjourned.

Mayor, Neal Schwieterman

Town Clerk, Barbara J. Peterson