

Town Council Regular Meeting
Town of Paonia, Colorado
December 10, 2013

RECORD OF PROCEEDINGS

The Regular Meeting of the Town Council held Tuesday, December 10, 2013 was called to order at 7:03 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 removing “Schneider-O Road Water Pressure” from the agenda per Mr. Schneider’s request. Trustee King moved to approve the agenda as amended. Trustee Kleinman seconded and the motion passed unanimously.

Paonia High School Update

No one was available to report.

Announcements

None

Visitors

Russ Chapman reiterated concerns from the last meeting he attended regarding questions and receiving answers in a public forum. Mr. Chapman cited examples such as covenant enforcement, Arbor Day citizen empowerment, traffic lines on Third Street and the dumpster at Apple Valley Park. When noted by Mayor Schwieterman that the concerns were addressed in writing, Mr. Chapman felt there was no clear direction as to who is in charge if he disagreed with the answers provided. Mr. Chapman felt that some kind of answer should be issued at the meeting, although he was appreciative of being able to speak uninterrupted. Mayor Schwieterman noted there are forms in the front office, which provides staff time to research questions before the meeting. Mr. Chapman voiced the opinion that Board members should be able to think on their feet and provide an answer anyway; to not correct misinformation is inexcusable. Suzanne Watson agreed with Mr. Chapman, adding that these Board meetings are a place for discussion to address issues more publicly. Ms. Watson feels she, along with a few others, have been labeled as “rabble rousers”, even though concerns brought forth have been valid. Ms. Watson indicated that when she brings forth concerns, she is stepping on toes. The Board needs to separate the self from the ego so things get taken care of instead of being swept under the rug, like the Chesnik situation. Mayor Schwieterman noted that the Board has tried to be conscious of staff time and workloads, as well as Board members to be effective with time. The Board wants to address concerns without overloading.

Steve Keenan thanked the Board for their service. Mr. Keenan feels that he would rather see people complain and get involved, and is offended when bickering about Sunshine laws take up valuable time. Mr. Keenan suggested putting an agenda on the front door and re-instating the Friday meetings because work flowed better. Once the mission statement is established, his previously commented upon soil carbon project will continue.

Unfinished Business

New Business

Louie’s Pizza – Liquor License Renewal

Louie’s Pizza is requesting the renewal of a beer and wine liquor license for the property located at 202 Grand Avenue. Chief Leon indicated no issues. Trustee King moved to approve the liquor license renewal as requested. Trustee Kleinman seconded. During discussion, Trustee King suggested investigating allowing staff to approve renewals administratively. Motion was brought to a vote and passed unanimously.

Christmas Light Judging – Appointment

Mayor Schwieterman appointed Liane Mattson, Katya Schwieterman, Clerk Peterson and Deputy Clerk Ferguson to judge holiday lights. No objections were noted.

Town Attorney – Appointment

Trustee King noted a request for proposal was issued October 25, 2013. The interviewing committee comprised of Trustees King and Kleinman, Chief Leon and Clerk Peterson. All three (3) candidates, Bo James Nerlin, Susan Baker and David Marek were interviewed. All attorneys were acceptable with varying levels of experience in different areas. Other dimensions came into consideration such as access, knowledge of community, fees and expenses and other costs that may be incurred by the Town. Trustee King moved to appoint David Marek, subject to negotiations, Trustee Kleinman seconded. During discussion, Mayor Schwieterman read a letter from Ms. Baker regarding her interest in the position. Mr. Nerlin was present and reiterated his desire to serve the community and be available for any questions. Mr. Marek noted his 19 years in Paonia and is looking forward to working with the Town. Discussion regarding estimated costs of the civil case, Friday staff meetings ensued. Trustee Sauter thanked Trustees King and Kleinman for stepping in to conduct the interviews for the Personnel Committee. Trustee King amended the motion to make the appointment effective January 1, 2014. Trustee Kleinman seconded. The amended motion was brought to a vote and passed unanimously. The main motion was brought to a vote and passed unanimously. Suzanne Watson expressed the concern that Paonia displays the ability to hire from within. Ms. Watson is unsure what is happening with the Town Manager, but it seems like the Town is discouraging outsiders from applying. Trustee Sauter indicated that the Personnel Committee has been working with Human Resource consultant Dave Knutson and there is an extensive search underway and the selection committee is doing everything to make sure the best candidate is hired. Mayor Schwieterman also added that the Town Manager position would be advertised internationally.

Two Million Gallon (2MG) Engineering – Award

Mayor Schwieterman noted a request for qualifications was advertised for the Lamborn Water Treatment Plant Upgrade project, (also known as the upper treatment or 2MG treatment plant). One respondent, WestWater Engineering submitted a proposal for engineering services. WestWater Engineering provided engineering services for the lower (or 1MG) treatment plant upgrade and it is anticipated the ability to replicate the engineering would be one of the more expedient parts of the process. Trustee King moved to approve WestWater Engineering for engineering services for the Lamborn Water Treatment Plant Upgrade project. Trustee Kleinman seconded. Trustee King noted this firm has intimate knowledge of the project and provided the Town with all the preliminary engineering work. Trustee Ayers voiced a concern of only having one (1) engineer submit a proposal. The Town is aware that water rates will need to be increased, but the exact amount is not yet known due to grant funding sources still in process. Mayor Schwieterman noted the Town is doing what is mandated by the Department of Health, adding additional storage and relocating a couple of springs currently feeding the lower system to the upper system, making the entire water distribution system more flexible. This upgrade, additional flexibility and redundancy will take care of the major water issues for the next thirty (30) years. Suzanne Watson feels the infrastructure in Town is crumbling and is more important. Mayor Schwieterman explained that the Town needs to address the water issues before the water goes into the distribution system. The water has been reclassified and the State Health Department is giving the Town a little bit of leniency because the process has already started, but the mandate is to have the project completed sooner. Because the project must be done, it only makes sense to design for long-term needs. Although the 2MG primarily services out-of-town customers, the system is evaluated as a whole, so rate increases are for everyone, not just the out-of-town users. Motion was brought to a vote and passed unanimously.

Budget Message

Mayor Schwieterman read Section 1 for visitor benefit.

8:08 p.m. Trustee Ayers left the meeting.

8:10 p.m. Trustee Ayers resumed his seat.

Trustee Sauter read Section 2. Trustee Goold read Section 3. Trustee King read Section 4. Mayor Schwieterman read the conclusion.

Resolution 2013-09 – Budget Adoption

Mayor Schwieterman read for visitor benefit. Trustee King moved to approve Resolution 2013-09 as presented. Trustee Goold seconded. Mayor Schwieterman noted there were many budget work sessions and every line was discussed. This budget is much more user friendly. This budget does include a Town Manger. The motion was brought to a vote and passed unanimously.

Resolution 2013-10 – Set Mill Levy

Mayor Schwieterman read the caption setting the mill levy at 8.322 mils. Trustee King moved to approve Resolution 2013-10 as presented. Trustee Ayers seconded and the motion passed unanimously.

Department of Local Affairs (DOLA) – Grant Agreement for Town Manager

Mayor Schwieterman had hoped the documents from the Department of Local Affairs (DOLA) would be available for this meeting, but the Town did not receive as of today. Once the documents are executed, then the Town would be able to recoup reimbursable expenses. The Town Manager Selection Committee would like to advertise, but to proceed before the documents are executed, then those expenses are not reimbursable. Trustee King moved to approve the Section Committee to proceed with advertising. Trustee Sauter seconded and the motion passed unanimously.

Additional Business

Mayor's Report: Mayor Schwieterman reported the Gunnison Basin Roundtable increased its grant funds to the Town from \$35,000 to \$75,000 for the upper water treatment plant project. Mayor Schwieterman and Clerk Peterson will be attending a Colorado Water Conservation Board (CWCB) meeting on either January 27 or 28, 2014 for additional funding. The next regularly scheduled Board of Trustees meeting on December 24, 2013 is canceled.

Public Works: Director Loberg reported a few frozen pipes. The O Road project was completed yesterday, making a few homeowners very happy with increased water pressure. Trustee King requested that Third Street be sanded.

Police Report: Chief Leon reported that while there have been no major crimes, there have been increases in domestic violence calls. Chief Leon reminded everyone the department would be enforcing snow removal on sidewalks. Suzanne Watson thanked the numerous anonymous ATV plows that have cleaned sidewalks.

Finance Report: Trustee Ayers commended Finance Officer Cindy Jones for exceptional work on the budget.

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

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

Street Report: Trustees King suggested holding a public hearing in January to get public opinion regarding Third Street engineering plans. Mayor Schwieterman reported the railroad did do a little bit of work on the pedestrian path at the Third Street crossing.

Water/Sewer Report: Trustees King thanked Attorney Briscoe for service to this community and wished him well in retirement. Trustee Sauter thanked Clerk Peterson for following up on concerns on Stahl Road.

Personnel Report: Trustee Sauter reported there would be a meeting on Thursday to finalize the ad for the Town Manager position.

Minutes:

Trustee Kleinman moved to accept the minutes for November 26, 2013 as presented. Trustee King seconded and the motion passed unanimously.

Disbursements:

Trustee Ayers moved to pay the bills through December 10, 2013. Trustee Goold seconded and the motion passed unanimously. Trustee Ayers moved to pay the bills through December 31, 2013. Trustee Goold seconded and the motion passed unanimously.

8:40 p.m. Meeting adjourned.

Town Clerk, Barbara Peterson

Mayor, Neal Schwieterman