

Minutes
Regular Town Board Meeting
Town of Paonia, Colorado
March 23, 2021

RECORD OF PROCEEDINGS

The Regular Meeting on Tuesday, March 23, 2021, was called to order at 6:31 p.m. by Mayor Mary Bachran, followed by the Pledge of Allegiance. Formal Video Record at <https://youtu.be/IKittgJePBk>

Roll Call

- PRESENT
- Mayor Bachran
- Trustee Bear
- Trustee Budinger
- Trustee Knutson
- Trustee Johnson
- Trustee Meck
- Trustee Pattison – Absentee

Approval of Agenda

- ✚ Motion made by Trustee Bear, Seconded by Trustee Budinger and unanimously carried to approve agenda as presented.

Council Member	For	Against	Abstain	Absent
Trustee Bear	X			
Trustee Budinger	X			
Trustee Johnson	X			
Trustee Knutson	X			
Trustee Meck	X			
Trustee Pattison				X
Mayor Bachran				

Announcements

None.

Recognition of Visitors & Guests

Cassandra Shenk – Lambert Grange #439 presentation:

- Grange Master Cassandra Shenk spoke about what the Grange is.
 - The Grange is a fraternal organization based on the freemasons that was organized in Paonia on September 21, 1936. They are an agricultural advocacy group.
 - The Lambert Grange #439 would like to offer a class that is custom made to the Board.
 - A work session was scheduled for April 6, 2021 at 5pm.
- Public:
 - A community member requested that the Building Department’s form be in an electronic fillable format.
 - A community member expressed concern about the timeline for replacement of the current building official.

Staff Reports

Administrator’s Report:

- The Administrator’s report was included in the packet.
 - Provided the Riverbank Subdivision hearing calendar.
 - Provided the calendar for the upcoming variance application before the planning

- Board members expressed their concerns regarding the compliancy the public works director's licenses to operate the sewer and water plants.
 - The Public Works Director is scheduled for testing to update his (ORC) Operator in Responsible Charge certification license.
- Board members expressed their concern in regard to the information that was reported on the Environmental Protection Agency (EPA) website.
 - Admin/Town Clerk Ferguson stated that all violations have been reported accurately and any new violations would need to be looked in to.
- Board member was concerned with errors in the Tree Board ordinance 2020-05 document.
 - Mayor Bachran suggested that the ordinance be provided at the next meeting to discuss errors.
- Suggestion from a Board member to investigate a contract for the Town's sewer and water plants reporting to the State.

Public comments:

- A community member suggested to add the 2021 Tree inventory's appendices onto the Town's website.
A community member questioned how information they may deem as misinformation to media/radio is handled after the fact.

Public Works report:

- The Public Works report was included in the packet.
- Trustee Meck a member for the Public Works Committee would like to be present for the street repair bid opening.
- A Board member requested the status of the consumer annual sample cross connection control report.
 - Public Works Director Loberg stated that the report will be completed by end of April.

Police Report:

- The police blotter was included in the packet.
- Patrol car is still in the Town shop getting customized.
- Reported that there have been numerous calls from citizens about workers compensation fraud.
 - Chief Ferguson stated to not release any information out to these callers who are scammers.
- Reported on the agreement about assisting the Hotchkiss Marshals Office with coverage.
- A community member suggested that the Police Department have an outreach program regarding fraud for the community.

Attorney Report:

- The attorney's report was included in the packet.

Treasurer's Report:

- Reviewed disbursements and payroll.
 - Disbursements were included in the packet.

Disbursements

Disbursements Report:

- Finance Director Jones reported that the year-end entries have been completed.
- A trial balance will be supplied to the auditors on 3/24/2021.
- The funds balance and finance policy, and personal time off (PTO) will be discussed at the finance meeting held 3/24/21.

Council Member	For	Against	Abstain	Absent
Trustee Bear	X			
Trustee Budinger	X			
Trustee Johnson	X			
Trustee Knutson	X			
Trustee Meck	X			
Trustee Pattison				X
Mayor Bachran				

Consent Agenda

Regular Minutes:

- o March 9, 2021

Work session:

- o March 16, 2021

Special Event Liquor License:

- o Friends of the Paradise Theatre – Poulos Park concert series.

Liquor License Renewals:

- o Thomas Waldo's
- o The Flying Fork

🚩 Motion made by Trustee Knutson, Seconded by Trustee Meck and unanimously carried to approve the agenda as presented.

Council Member	For	Against	Abstain	Absent
Trustee Bear	X			
Trustee Budinger	X			
Trustee Johnson	X			
Trustee Knutson	X			
Trustee Meck	X			
Trustee Pattison				X
Mayor Bachran				

Unfinished Business

Retail Marijuana Ordinance 2021-01 – First Read:

- A Board member was concerned with delivery options as drafted in the ordinance.
 - o Town Attorney stated that all deliveries will be only in town limits.
- A Board member stated that the request to cross reference the Business Formula was not included the ordinance.
 - o Town Attorney stated that the request will be in the document for the second read.
- A Board member stated that the language on page-3 section H the language needs to be clarified and state that no more than 12 licenses and a total of 6 stores are allowed.
 - o The Board member's statement was a proposed change.
- A Board member stated that the language on page-5 first paragraph needs to be clarified and state that only stores are allowed.
 - o Town Attorney stated that only retail and medical stores are allowed, and that the marijuana license can be transferred under the commercial license under the State of Colorado regulations.
 - o The Board member's statement was a proposed change.
- Other topics that were discussed were page-9 section H first paragraph regarding the time the license needs to be put to use.
- On page 7 after section F should be G not H.

- A community member stated that the penalty and nuisance on page 12 section 6-4-200 should be separate items.
- A community member stated it should be cannabis, not marijuana.

✚ Motion made by Trustee Budinger, Seconded by Trustee Johnson and carried with 1 nay and 4 ayes to approve the Retail Marijuana Ordinance 2021-01 – First Read with the proposed changes made.

New Business

Council Member	For	Against	Abstain	Absent
Trustee Bear	X			
Trustee Budinger	X			
Trustee Johnson	X			
Trustee Knutson	X			
Trustee Meck		X		
Trustee Pattison				X
Mayor Bachran				

Large Park Event: The Learning Council – Town Park Farmer Market

- Discussion regarding the request by The Learning Council to hold a farmers’ market at the Town Park every Tuesday, May 18th through October 12th from 5pm to 8pm with a total of 25 expected vendors to attend. Documents were included in the packet.
- Concerns from the Board regarding the farmers market were:
 - Foot traffic on the grassy areas resulting in wear and tear of it.
 - Suggestions were to have the farmers market on the pavement areas.
 - The Learning Council stated that they prefer to have the set-up in the shaded area and that they would re-seed the whole park at the end of the farmers market session.

✚ Motion made by Trustee Knutson, Seconded by Trustee Budinger and carried with 1 nay and 4 ayes to approve the Farmers Market and direct staff to work with the Learning Council to mediate the grass issues.

Council Member	For	Against	Abstain	Absent
Trustee Bear		X		
Trustee Budinger	X			
Trustee Johnson	X			
Trustee Knutson	X			
Trustee Meck	X			
Trustee Pattison				X
Mayor Bachran				

Resolution 2021-05 Local Disaster Declaration Extension:

- Discussion ensued to extend Resolution 2021-05.

✚ Motion made by Trustee Bear, Seconded by Trustee Budinger and unanimously carried to approve Resolution 2021-05 Local Disaster Declaration Extension.

Council Member	For	Against	Abstain	Absent
Trustee Bear	X			
Trustee Budinger	X			
Trustee Johnson	X			
Trustee Knutson	X			
Trustee Meck	X			
Trustee Pattison				X
Mayor Bachran				

- Recess at 8:41 pm.
- The meeting resumed at 8:48 pm

Updating Board of Trustees Meeting Schedule:

- Discussion was requested by the Finance and Personnel Committee to modify the current

- Discussed the issue of requesting the packets to complete and posted for the public and Board with holding a meeting every 2nd and 4th Tuesday of the month has been difficult at times this gives 9 days to staff to gather all the required information that the Board has requested during a meeting for the following meeting while having to do their regular day to day work.
- Concerns discussed were the length of the meeting and if there would be enough time to discuss and decide on the agenda items.
- The Finance and Personnel Committee have researched other Towns who have a 3-week schedule and stated that the schedule has worked out for them.
- Concerns discussed were the approval of disbursements.
 - Finance and Personnel stated that the new and incoming disbursements would be both be approved at the same meeting.
- Town Attorney Nerlin suggested to keep April as scheduled and start the new schedule in May.
- The Board directed the Town Attorney to draft a plan regarding the 3-week schedule.

Grand Ave Closure Discussion:

- Discussion ensued by staff to request the Board to look into street closures specifically to Grand Ave. The Town Hall staff is looking for direction or recommendations from the Board on how to move forward with multiple organizations requesting consecutive days.
- Trustee Bear was not in favor of the street closures and preferred that the applicant come before the Board for approval.
 - The current process for street closures can administratively be approved if it is less than 5 hours under the current municipal code Chapter 11 Article 1 Section 11-1-80.
 - https://library.municode.com/co/paonia/codes/municipal_code?nodeId=CH11STSIPUPL_ART11STSI_S11-1-80STCLPE
 - The Board set a work session on April 06, 2021 at 5:00pm to discuss the street closures policy.

Mayor's Report

- Mayor's Report was included in the packet.
- Mayor Bachran elaborated on the America Rescue Plan and State Recovery Stimulus money that has been passed.
- Mayor Bachran is writing the AARP grant for the Town of Paonia and requested feedback as to which of these are high priority upgrading the electrical in the gazebo adding lights and resurfacing it, remodeling the bathrooms, and adding a bench in the playground area for the Board members.

Committee Reports

Finance & Personnel report:

- Nothing to report.

Governmental Affairs & Public Safety report:

- The short-term rental (STR's) survey is going out April 1st will give a recommendation in May after the survey is reviewed.
- The draft for additional dwelling units (ADU's) will be reviewed by the Planning and Zoning Commission.
- The draft ordinance for regulating Food Truck is in the works.

Public Works-Utilities-Facilities report:

- Nothing to report.

Tree Board:

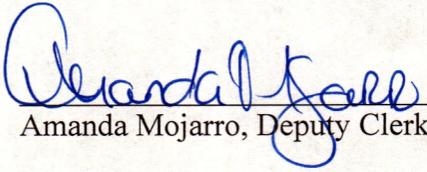
- Reviewing the Forest Service Tree results.
- Two trees will be planted on Box Elder Ave in celebration of Arbor Day April 30th.
- The Paonia Elementary and NFSIS will be participating in the Arbor Day poster contest.
- Meeting April 20th.

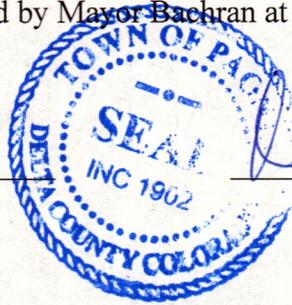
Advisory Water report:

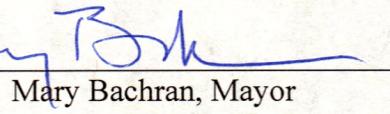
- Nothing to report.
- Meeting March 24th at 5pm.

Adjournment

The meeting was adjourned by Mayor Bachran at 9:45 pm


Amanda Mojarro, Deputy Clerk




Mary Bachran, Mayor