

**Minutes**  
**Regular Town Board Meeting**  
**Town of Paonia, Colorado**  
**April 23, 2019**

**RECORD OF PROCEEDINGS – Work-Session**

**Roll Call**

PRESENT

Mayor Charles Stewart  
Mayor Pro-Tem Chelsea Bookout  
Trustee Mary Bachran  
Trustee William Bear  
Trustee Karen Budinger  
Trustee Dave Knutson

ABSENT

Trustee Samira Hart

Continued Town Administrator Goals & Objectives

An overview of the previous discussion was given. Discussion resumed on item 7. Trustee Bear stated he would like to see updated budgets monthly or quarterly at a minimum and suggested a goal for financials for the previous month to be disbursed to the Board by the end of the following month.

Discussion ensued regarding how to report the actions of the Finance Officer during meetings.

Discussion ensued regarding how to plan for employee backups for key department positions.

Discussion ensued regarding behavior, collaboration, and conflict resolution.

Discussion ensued regarding improving follow-up reporting on projects. Administrator Knight questioned the goal and requested a better definition and explanation of the goal.

Mayor Stewart noted some topics are driven by the Board and can be decided and scheduled during regular meetings.

Discussion ensued regarding packet publication and addition of items.

**Motion** by Trustee Bear, supported by Trustee Bachran to adjourn the work session. Motion carried unanimously. Work Session Adjournment at 6:22pm.

The regularly scheduled Meeting of the Board of Trustees was called to order at 6:30pm.

Roll Call

Mayor Charles Stewart  
Mayor Pro-Tem Chelsea Bookout  
Trustee Mary Bachran  
Trustee William Bear  
Trustee Karen Budinger  
Trustee Dave Knutson

ABSENT

Trustee Samira Hart

**Approval of Agenda**

**Motion** made by Trustee Bear, Seconded by Mayor Pro-Tem Bookout.  
Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger,  
Trustee Knutson.

### **Announcements**

Trustee Bachran announced a public meeting for Space to Create to be held April 30th at 6:30pm.

Arbor Day Celebration is scheduled for Friday at 2pm at Lee's Park.

Trustee Knutson - Received an email asking if individual trustees wished to sign a letter for climate change letter from Senator Donovan.

### **Recognition of Visitors & Guests**

Christina Patterson - Price Road - requested an update regarding the Riverbank subdivision. Administrator Knight stated a minor subdivision occurred last year. A major subdivision would require a complete process and approval by the Board.

Curtis Foster read a statement to the Board regarding the property at 207 Third Street. Administrator Knight provided administrative follow-up to the statement for the Board.

Suzanne Watson - Delta Avenue - Believes steps were over-looked with the 207 Third Street property permitting and approval process.

Bill Brunner - Second Street - Requested the Town stop selling water taps and read a document to the Board.

### **Consent Agenda**

Regular Minutes April 9, 2019

One Thirty-Three, LLC – dba West Elk Wine & Spirits License Renewal

**Motion** made by Trustee Bachran, Seconded by Trustee Knutson.

Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger,  
Trustee Knutson.

### **Mayor's Report**

Nothing to report.

### **Staff Reports**

Town Administrators Report

April 24<sup>th</sup> is Administrative Professional Day

Provided information regarding upcoming meetings

Board questions: none

Public questions: none

Public Works Report

Park preparations for the season are underway

Street cleaning continues

Clark Alley sewer-line RFP is out

Maintenance of ditch near Town Park underway

Gutters are being cleaned

Board questions: none.

Public Questions: Suzanne Watson - questioned where the sand goes that is swept up from streets.

Collette Clock - Price Road - Requested information regarding expansion of the sewer line on Price Rd.

#### Police Department Report

Blotter included in the packet.  
Speed sign will be out for the season.

Board Questions: none.

Public Questions: Mike Gruenefeldt - 3rd Street - Asked why the speed limit sign was removed from alley on North Fork.

Luke Reschke - Box Elder Avenue - Believes the alleys should have speed signs.

Suzanne Watson - Delta Avenue – questioned why there are no signs posting speed limits for ATVs.

#### Town Treasurer Report

Reviewed Payroll and Disbursements

Worked on Highway Users Report for submittal

Working on Purchasing Policy

Investigating re-financing a USDA loan that could result in significant savings to Town

Board Questions: none.

Public Questions: none.

#### Disbursements

Motion to approve disbursements as presented.

**Motion** made by Mayor Pro-Tem Bookout, Seconded by Trustee Budinger.

Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Knutson.

#### Unfinished Business

##### **Town Clerk Public Records Policy**

Motion to accept public records policy as presented.

**Motion** made by Mayor Pro-Tem Bookout, Seconded by Trustee Budinger.

Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Knutson.

##### **Town Administrator Review – Goals & Objectives**

Mayor Stewart provided an overview of the two work sessions to set goals and objectives for Administrator Knight. Sixteen original goals were narrowed to four goals.

**Motion** made by Mayor Pro-Tem Bookout seconded by Trustee Bachran to set goals for water systems as discussed.

Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Knutson.

**Motion** made by Trustee Knutson seconded by Trustee Bachran to set goals for planning as discussed.

Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Knutson.

**Motion** made by Trustee Bear seconded by Trustee Knutson to amend and set first goal for financial.

Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Knutson.

**Motion** made by Trustee Bear seconded by Mayor Pro-Tem Bookout to set second goal for financial as presented. Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Knutson.

**Motion** made by Trustee Budinger seconded by Trustee Bachran to set goals for communication as presented.  
Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Knutson.

Finalized list of Goals and Objectives attached to the minutes for the record.

**Annexation of County Road(s) – Stahl Road County road section of Grand Avenue to the bridge, County road sections of Colorado Avenue, Clock Road and Price Road**  
The continued discussion from last Board meeting regarding annexation of certain sections of County Roads, currently contiguous to Town.

Administrator Knight provided information regarding each road requested for annexation, including the benefits for installation of Town sewer line extension and Town entryways. Administrator Knight added that he has no plan to try to force annexation for any of the property owners along the road.

All roads are within the Town and County Highway 133 Planning area. Administrator Knight requests approval of the Board to move forward with a formal request to go before the Board of County Commissioners to present the road annexation request.

Public Questions:

James Sorensen - Price Road - questioned the costs to attach to Town sewer and when a person would be required to annex.

Bill Brunner – 2<sup>nd</sup> Street - Stated he believed the Town and County Highway 133 plan requires annual reaffirmation - and added that all Town funds will go to maintaining the new roads instead of existing roads in Town.

Suzanne Watson – Delta Avenue - noted concern with the condition of Colorado Road and believes annexation is premature.

Christina Patterson - Price Road - concerned with annexing roads prior to updating the existing Master Plan.

Frankie Wist - Price Road - asked for clarification regarding the annexation process.

Motion to authorize Administrator Knight to apply to County BOCC to annex roads as presented.

**Motion** made by Mayor Pro-Tem Bookout, Seconded by Trustee Budinger.  
Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger.  
Voting Nay: Trustee Knutson.

A five-minute recess was called.

### **New Business**

#### **Public Hearing: 120 North Fork Avenue – Non-Conforming Lot**

Mayor Stewart provided an explanation of the protocol for a public hearing.

Hearing Opened at: 8:17pm

Mr. Gruenefeldt is requesting a variance to build a house on a non-conforming lot. A complete application included in the packet.

Staff Presentation:

Administrator Knight stated for the Board that Mr. Gruenefeldt would have been able to replace the removed mobile home if he had acted within 12 months. Removing old out-of-date mobile homes with a site built home approves the appearance and character of the Town. Without a variance the lot is now un-developable. However, staff believes that variances should be issued only in extreme and unusual circumstances. The Planning Board recommends approval.

Applicant Presentation:

Mr. Gruenefeldt provided a history of the purchase and clean-up of the property since the purchase in 2015, as well as his request to build on the non-conforming lot. The mobile removed was approximately 980 square feet. The new build will have a total footprint of approximately 500 square feet.

Board Questions:

Are there existing sewer and water tap at lot?

Public Comment:

Luke Reschke - Box Elder Avenue - noted existing fence is not on the property, it encroaches on to railroad property and requests it be moved.

Suzanne Watson - stated she believes the Administrator used wrong section of code for the hearing process.

Hearing Closed at: 8:30 PM

Board Deliberation:

Motion made to grant the variance request as presented.

**Motion** made by Mayor Pro-Tem Bookout, Seconded by Trustee Budinger.

Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger and Trustee Knutson.

**Public Hearing: 332 Onarga Avenue – Non-Conforming Fence**

Hearing Opened at: 8:32pm

Mr. Skeels requests a variance to keep an eight-foot fence height. A complete application was included in the packet.

Staff Presentation:

Mr. Knight stated for the Board that a fence height of 8' is not normally allowed within a residential zone. Staff believes that variances should be issued only in extreme and unusual circumstances. The Board of Trustees should give careful consideration as to whether this request rises to those circumstances. The Planning Board recommends approval due to the previous building officials' fence approval.

Applicant Presentation:

None

Board Questions:

None

Public Comment:

None

Hearing Closed at: 8:36 PM

Board Deliberation:

Mayor Stewart noted he would not be in favor of the request had it not been approved by a former Town employee.

**Motion** made by Trustee Bear seconded by Trustee Bachran to approve the variance request as presented.

Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger and Trustee Knutson.

### **Public Hearing: 511 Box Elder Avenue – Home Occupation**

Hearing Opened at: 8:39pm

Administrator Knight stated Staff does not have any issues for review with this application. The Planning Board recommends approval.

Board questions:

None.

Public comment:

None

Hearing Closed at 8:41pm

Motion to approve Home occupation permit.

**Motion** made by Trustee Bear seconded by Trustee Budinger.

Voting Yea: Mayor Pro-Tem Bookout, Trustee Bear, Trustee Budinger and Trustee Knutson.

### **Rural Philanthropy Days – Large Park Event Registration**

Elaine Brett, Alicia Michelson, and Michelle Livingston were present on behalf of Rural Philanthropy Days. All applications and documents are included in the packet.

No Board questions.

Motion to approve rural Philanthropy Days plans as presented.

**Motion** made by Mayor Pro-Tem Bookout seconded by Trustee Knutson.

Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger and Trustee Knutson.

### **Friends of the Paradise Theatre - Rural Philanthropy Days Special Event License**

Sunshine Knight was present on behalf of Friends of the Paradise Theatre.

Suzanne Watson - questioned where the Rural Philanthropy Days agenda is available at, is it a paid event, and if any logistical problems would occur with two or more trustees present.

Motion made to approve the special event license for the Friends of the Paradise Theatre as presented.

**Motion** made by Trustee Bachran, Seconded by Trustee Budinger.

Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Knutson.

### **Town Administrator Contract Extension**

Mayor Stewart opened the discussion regarding the need for the Administrator contract extension.

Suzanne Watson - Delta Avenue - thinks the renewal cycle makes sense to fit with Board elections and supports the new board making the decision to renew.

Motion to approve extension agreement as presented and authorize Mayor Stewart to sign.

**Motion** made by Trustee Bear, Seconded by Trustee Budinger.  
Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger,  
Trustee Knutson.

### **2019 Optional Coverage Program for Detainee Medical Coverage**

The optional coverage would allow the Town to have a medical coverage for detainee's hurt while being detained and/or arrested, this is not in reference to an excessive use of force. Chief Ferguson believes the potential for benefit is there and the Town should accept the additional coverage. Mayor Stewart asked to what extent the Town wishes to pay for injuries to individuals.

Discussion ensued regarding number of claims the Town has had in the past.

Motion to reject optional coverage.

**Motion** made by Trustee Budinger, Seconded by Trustee Bachran.  
Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger.  
Voting Nay: Trustee Knutson.

### **Ordinance 2019-TBD Clark Avenue Parking**

Administrator Knight - confirmed with the Fire Chief that parking may be an issue if on both sides of the street.

Discussion ensued regarding housing parking and which side to close and the ability for vehicles to turn around to exit Clark Avenue.

Motion to approve Ordinance 2019-TBD Clark Avenue Parking first reading and set for second reading at the next meeting.

**Motion** made by Trustee Knutson, Seconded by Trustee Budinger.  
Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger,  
Trustee Knutson.

### **North Fork Ambulance Association Lease Transfer**

Mayor Stewart provided an overview regarding the draft ordinance for one-side street parking on the 300 block of Clark Avenue.

### **Committee Reports**

#### **Finance & Personnel**

None.

#### **Public Works/Utilities/Facilities**

Met on the 16th to discuss multiple items  
Toured the Town parks  
Water tracking program not yet complete  
Remote meters continue to be replaced  
Clark Ave drainage bids are out  
GPS mapping grant is being worked on  
2mg lining plan in beginning stages  
Discussed curb cut near Ollie's and potential removal of tree

#### **Governmental Affairs/Public Safety**

Attended the listening session regarding updating building codes  
Next meeting set for May 2nd at 3pm - open to public

Curtis Foster - good time to decide if his issue will be on the next agenda.

Motion by Trustee Bear supported by Trustee Budinger to place 207 2<sup>nd</sup> Street topic on agenda. Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Knutson.

#### **Governmental Affairs/Public Safety**

None.

Space to Create  
None.

Tree Board  
None.

**Adjournment**

**Motion** made by Trustee Bear, Seconded by Trustee Knutson.

Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Knutson.

Meeting adjourned at 9:20pm.

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J. Corinne Ferguson, Town Clerk

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Charles Stewart, Mayor