

Minutes
Regular Town Board Meeting
Town of Paonia, Colorado
June 11, 2019

RECORD OF PROCEEDINGS

Roll Call

PRESENT

Mayor Charles Stewart
Trustee Mary Bachran
Trustee William Bear
Trustee Karen Budinger
Trustee Dave Knutson

ABSENT

Mayor Pro-Tem Chelsea Bookout
Trustee Samira Hart

Approval of Agenda

Motion to approve agenda as presented.
Motion made by Trustee Bear, Seconded by Trustee Bachran.
Voting Yea: Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Knutson.

Announcements

Trustee Bachran announced being chosen, along with Elaine Brett - to attend the National Endowment of the Arts Institute for creative place-making. Will be attending in Washington D.C.

Recognition of Visitors & Guests

Miner's Plaza Memorial Wall Update

Dave Bradford - committee member for the Miners Plaza Memorial Wall presented an update to the Board. The dedication originally planned for Memorial Day has been rescheduled for the Cherry Days events, July 4th, tentatively at 11:15am, following the parade. An update regarding the engraving, process, tracking and placement of brick faces, and dedication was given.

Deborah Spiegel - Orchard Avenue - asking the Board to re-visit the new fence ordinance, specifically the difference between a solid fence and open/chain-link fence. Pamela Jackson concurred with the request and showed an image of the iron fence she wants at her home.

Motion to place fence ordinance discussion on the next agenda.
Motion made by Trustee Knutson, Seconded by Trustee Bachran.
Voting Yea: Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Knutson.

Consent Agenda

Motion to approve consent agenda.
Motion made by Trustee Bear, Seconded by Trustee Budinger.
Voting Yea: Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Knutson.

Bob Bushta – informed the Board of the schedule change for Cherry Days, noting that Down Town Days are the day after the 4th of July instead of the day before.

Mayor's Report

Requested direction from the Board regarding setting a work session for short-term rentals discussion.
Motion made to schedule a work session for 5pm at the first regular Board meeting in July to discuss short-term rentals.
Motion made by Trustee Knutson, Seconded by Trustee Bachran.
Voting Yea: Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Knutson

Staff Reports

Administrator's Report

Received completed annexation petition that will be before the Board in July due to notice requirements.
Provided information regarding the current stand pipe card reader and the deficit between expenses and revenues. The item will be on the agenda soon.

Motion made to refer the stand pipe card reader to Public Works Committee to review and bring recommendations back to the Board.

Motion made by Trustee Bachran, Seconded by Trustee Knutson.
Voting Yea: Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Knutson.

Motion made to direct Public Works Director Loberg and Administrator Knight to research and bring ideas to the next committee meeting.

Motion made by Trustee Bear, Seconded by Trustee Knutson.
Voting Yea: Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Knutson.

Public Works Report

Street Cleaning underway.
Striping and crosswalks to be completed before July 4th.
Replacement of street signs beginning.
Tree trimming in right-of-way continues.
Spilling 430,000 a day at 1mg.
Spilling 160,000 a day at 2mg.

Production is down due to consumer conservancy.
Both storage tanks are full.

Police Department Report

Back the Badge June community meeting is the 19th for community presentation.
92 incidents in two-weeks.
Drone purchase for marijuana enforcement finalized this week.

Town Treasurer Report

Disbursements reviewed.
Payroll reviewed.
Audit continues and is going well.
Working on information regarding Stahl and Price Road Sewer project.

Disbursements

Motion to approve disbursements as presented.
Motion made by Trustee Budinger, Seconded by Trustee Knutson.
Voting Yea: Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Knutson.

Unfinished Business

Colorado Detours, LLC – Commercial Use of Public Property
Mayor Stewart provided a brief update regarding the request from Colorado Detours, LLC to use the Twin Lakes property for a staging area for carriage tours. A licensing agreement was presented. The Sixty (60) day limit is to allow the LLC and the Town an opportunity to assess income, impact and fees.

Motion made to approve the agreement as presented.
Motion made by Trustee Bear, Seconded by Trustee Knutson.
Voting Yea: Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Knutson.

Colorado Code Consulting Contract – Collaborative Update of Building Code
Mayor Stewart provided a brief history of the proposed agreement with Colorado Code Consulting.

Discussion ensued regarding cost-sharing.

Motion to approve Colorado Code Consulting contract as presented.
Motion made by Trustee Bachran, Seconded by Trustee Budinger.

Motion to amend main motion, making the contract contingent upon cost sharing with Three (3) other jurisdictions.

Motion made by Trustee Knutson, Seconded by Trustee Knutson Budinger.
Voting Yea: Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Knutson.

Main amended motion carried.

Business Licensing – Continued Discussion

Mayor Stewart updated the Board regarding the sample ordinances provided by Attorney Nerlin. Administrator Knight stated he would be prepared to report at the next meeting and provided a list of benefits and needs regarding licensing to the Town and community.

Discussion ensued regarding different types of business registering, remaining business friendly, keeping the process simple, costs associated with the applications as well as use of excess funds.

Deborah Spiegel - Oak Avenue - questioned which businesses would be required to be licensed, specifically regarding multiple office buildings and home occupations.

Michelle Pattison - 2nd Street - agreed with voluntary registration and incentives for registering.

Thomas Markle - 2nd Street - questioned if the Town staff have the time to give to complete the process. Questions the benefit. And believes it is unfair to require a business that is out-of-town but receives mail in Town to register.

Clerk Ferguson stated the time is available to make the program work and listed several reasons why the staff believes it is an important function of government.

Motion to direct Administrator Knight and Attorney Nerlin to draft an ordinance for business registrations and bring to the Board for review.

Motion made by Trustee Bachran, Seconded by Trustee Knutson.

Voting Yea: Trustee Bachran, Trustee Budinger, Trustee Knutson.

Voting Nay: Trustee Bear.

New Business

Special Review – Ruppert/Hunter – Home Occupation Application

Mayor Stewart recused himself from chairing the Board for the special review - due to conflict of interest, as a direct neighbor. Trustee Bear, as member of Planning Commission, is willing to chair in a temporary fashion.

Motion made to appoint Trustee Bear as chair for the special hearing.

Motion made by Trustee Knutson, Seconded by Trustee Budinger.

Trustee Bachran, Trustee Budinger, Trustee Knutson.

Trustee Bear assumed the chair for the special hearing.

Hearing opened at 7:47pm.

Jeff Ruppert provided information regarding the civil structural engineering home-based business run out of at 337 Main Avenue.

Public Questions: None.
Board Questions: None.

Chairman Bear noted one neighbor noted concern with potential parking issues at the planning commission meeting. The business owners have no expectation for more than Two (2) clients and one (1) employee.

Hearing closed at 7:49pm

Motion made to approve the home occupation request for 337 Main Avenue.
Motion made by Trustee Budinger, Seconded by Trustee Knutson.
Voting Yea: Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Knutson.

Green Belt Addition - Acceptance of Annexation Petition
Mayor Stewart provided information regarding the process of accepting of petition and annexation resolution.
Motion made to accept the Greenbelt Annexation Petition as presented.
Motion made by Trustee Budinger, Seconded by Trustee Bear.
Voting Yea: Trustee Bachran, Trustee Bear, Trustee Budinger.
Voting Nay: Trustee Knutson.

Resolution 2019-10 Initiating Annexation Proceedings
Motion made to adopt Resolution 2019-10, initiating annexation proceedings for Greenbelt Addition.
Motion made by Trustee Bear, Seconded by Trustee Bachran.
Voting Yea: Trustee Bachran, Trustee Bear, Trustee Budinger.
Voting Nay: Trustee Knutson.

Home Occupation Application Process - Discussion
Mayor Stewart explained why he believes the home occupation process should be revised, whether administrative, or eliminating the planning commission review and recommendation.

Administrator Knight added he believes the process is too cumbersome but does believe there is a need for public notice. Administrator Knight does not recommend a strictly administrative review, and suggested a 30-day review, notice mailing, and Board of Trustee review for final approval.

Trustee Knutson stated he doesn't agree to take planning out of the process.

Motion made to direct Administrator Knight and Attorney Nerlin to bring a draft ordinance amendment to the Board for review.
Motion made by Trustee Bear, Seconded by Trustee Knutson.
Voting Yea: Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Knutson.

Committee Reports

Finance & Personnel

None.

Public Works/Utilities/Facilities

None.

Governmental Affairs/Public Safety

None.

Space to Create

Will be presenting at Rural Philanthropy Days.

Gates Foundation grant given to Arts Space for pre-development costs.

Tree Board

None.

Adjournment

Motion made to adjourn.

Motion made by Trustee Knutson, Seconded by Trustee Bachran.

Voting Yea: Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Knutson.

Meeting adjourned at 8:10pm.

J. Corinne Ferguson, Town Clerk

Charles Stewart, Mayor