

Minutes
Regular Town Board Meeting
Town of Paonia, Colorado
May 14, 2019

RECORD OF PROCEEDINGS

Roll Call

PRESENT

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

ABSENT

Mayor Pro-Tem Chelsea Bookout

Approval of Agenda

Motion made to approve the agenda as presented.

Motion made by Trustee Hart, Seconded by Trustee Bear.

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

Announcements

A Little Help has 42 volunteers for service Saturday. The group has two events coming up. How to write your own obituary and Pints for the People at the Paonia United Brewery.

Recognition of Visitors & Guests

Thomas Markle - Asked for a plan to remove or address a hump in road on the north side of Onarga and 2nd Street.

Suzanne Watson - stated the Town Hall restrooms are not compliant with the International Plumbing Code due to closed toilet seats.

Consent Agenda

Large Park Event - Pickin in the Park

Special Event Liquor License - Friends of the Paradise Theatre for Pickin in the Park

Large Park Event - North Fork Valley Community Rights Advocates

Liquor License Renewal - Friends of the Paradise Theatre dba Paradise Theatre

Liquor License Renewal - The Living Farm Cafe` LLC dba The Living Farm Cafe`

Motion to approve consent agenda.

Motion made by Trustee Bachran, Seconded by Trustee Hart.

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

Mayor's Report

Mayoral Proclamation – Building Safety Month – May 2019

Mayor Stewart read the proclamation for the record, declaring May Building Safety Month.

Staff Reports

Administrator's Report

Town staff has received the preliminary draft of the After-Action Report from the Town water incident. A meeting to finalize the draft is set for Monday, May 20th.

Out of town May 26th to June 9th.

Trustee Knutson - complimented the Town Staff on including the spring cleanup on the utility bill.

Eric Goold - KVNF – questioned if the all agency after action meeting will be a public meeting. The report will be available to public once finalized following the meeting on the 20th.

Public Works Report

Parks clean up and prep for upcoming season is going well.
Interviewing potential employee applicants this week.
A current public works employee member passed his CDL.
The treatment facility is producing approximately 190,000 gallons a day at the 2MG.
Running 1MG only for maintenance 2 days a week. The 1MG storage tank is full.

Trustee Bear noted a pothole on 3rd and Rio Grande.

Trustee Knutson appreciated the mowing in Apple Valley Park.

Water is spilling approximately 400,000 gallons a day.

Suzanne Watson – 2nd Street - questioned if using the 2MG tank is putting Town pipes at risk.

Police Department Report

Blotter is in the packet.
Code enforcement heavy in Town, weeds, grass, and parking violations.
Officer Winnett anticipating moving to area in next few weeks.
Officers will be out later in early morning hours with school ending.

Town Treasurer Report

Disbursements and payroll reviewed.
Reviewed procedures and processes for payroll review, disbursements, and fund balances.
Auditors were in office last week working on 2018 audit.
Pursuing options to secure additional funding for sewer.

Disbursements

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

Unfinished Business

Colorado Code Consulting Building Code Proposal Update

Dan Reardon - Building Official - updated the Board on the status of agreements with other municipalities. Ridgeway, Montrose and Cedaredge have signed a contract and Colorado Code Consulting believes they will have a minimum of 4 communities in agreement. The contract deadline is June 28th.

Trustee Knutson asked for clarification regarding the fee structure and maximum fee amount that could be billed.

Administrator Knight added he believes it would be a disservice to continue moving forward with a 15+ year old building code and believes building codes should be updated every 3 to 6 years to stay up to date. Administrator Knight strongly recommends the contract approval.

Trustee Hart added she believes the Board needs to move forward with the Colorado Code Consulting contract, which will be included on the next agenda.

Richard Schmidt - questioned whether Delta County is adopting building codes.

Suzanne Watson - Hotchkiss and Orchard City are considering accepting the contract. Believes the Board should consider a do not exceed clause for the costs presented in the contract and asked if there may be a state requirement regarding building codes.

Thomas Markle - provided some considerations for the process for the Board.

Ordinance 2019-03 Clark Avenue Parking

Second reading of Ordinance 2019-03 regarding parking limitations to a certain section of Clark Avenue.

Thomas Markle - believes parking should be on the west side of the street instead of the east.

Motion to accept second read and adopt Ordinance 2019-03.

Motion made by Trustee Bear, Seconded by Trustee Hart.

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

Administrator Knight Contract Renewal Draft

Mayor Stewart provided an overview of the contract renewal included in the contract. He noted potential oversights in the draft contract such as:

1. There is a provision discussing conditions upon which severance would be payable but is not in the contract including the 3-month severance package pay-out.
2. Section 7 - paragraph A - should be removed. It is for the 6-month trial period for a new employee and is no longer relevant.

Administrator Knight suggested August 31st instead of July 31st for renewal to allow more meetings for new Boards to review.

Motion to amend the contract to change renewal date to August 31, 2020.

Motion made by Trustee Bachran, Seconded by Trustee Knutson.

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

Motion to amend the contract, adding a 90-day review notice requirement be given to the Board.

Motion made by Trustee Knutson, Seconded by Trustee Bachran.

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

Voting Nay: Trustee Hart Trustee Budinger.

Motion to amend Paragraph f requiring cost sharing of mediation between the Town and Administrator.

Motion made by Trustee Knutson, Seconded by Trustee Bear.

Discussion ensued regarding the burden or lack of burden on the staff member and whether the addition of a mediation split of cost places undue burden on the administrator.

Trustee Bachran called the question.

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

Voting Nay: Trustee Knutson

Motion to amend Paragraph f requiring cost sharing of mediation between the Town and Administrator was brought to a vote.

Voting Yea: Trustee Knutson

Voting Nay: Trustee Bachran, Trustee Bear, Trustee Hart Trustee Budinger.

Main motion as amended to approve the contract as presented with 8/31 expiration, 90-day notice provision, removal of section 7, and addition of 3-month severance payout.

Motion made by Trustee Bear, Seconded by Trustee Hart.

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

New Business

Curtis Foster - Community Member Request for Discussion Regarding 207 3rd Street

Curtis Foster – Onarga Avenue – State his concern with the way the duplex approval was handled at 207 3rd Street. Mr. Foster read a statement for the Board, noting what he believes were administration approval and code violations.

Administrator Knight provided information regarding the administrative approval that was under the code at the time of approval and how water and taps are billed for in a duplex.

Building Official Reardon addressed the Board regarding Mr. Curtis' concerns with the project. Mr. Reardon added while all legal, it could have been done better.

Motion to direct Administrator Knight to discuss concerns with owners regarding the ramps and come back to the board with an update.

Discussion ensued regarding safety, parking, and discussions with the property owner.

Motion made by Trustee Bear, Seconded by Trustee Knutson.

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

A 5-minute recess was called.

Memorandum of Agreement - Delta County Risk MAP Phase 2

Motion to accept the Delta County Risk MAP Phase 2 plan and authorize Administrator Knight to sign.

Motion made by Trustee Knutson, Seconded by Trustee Hart.

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

Grand Avenue, Samuel Wade Road, and a Portion of 3rd Street Striping Proposal

Public Works Director Loberg provided an explanation for road striping from 3rd Street to Highway 133, installation of cross walk at 3rd Street and Grand Avenue, 2nd Street and Grand Avenue, and new cross walk at 1st Street and Grand Avenue. New cross walk installations are indented and will have a longer life expectancy.

Discussion ensued regarding location of striping, prep work, and parking lines.

Motion to approve striping proposal.

Motion made by Trustee Hart, Seconded by Trustee Bachran.

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

Resolution 2019-09 Town Sale of Surplus Property

Administrator Knight and Public Works Director Loberg provided information regarding the vehicles and equipment listed for surplus.

Motion to adopt Resolution 2019-09 as presented.

Motion made by Trustee Hart, Seconded by Trustee Bachran.

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

Motion to extend meeting to 10pm.

Motion made by Trustee Hart, Seconded by Trustee Knutson.

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

Ordinance 2019-04 Municipal Code Addition to Chapter 6, Article 1. – Alcoholic Beverage Licenses; an Ordinance Permitting Alcohol Beverage Tastings

A brief explanation regarding the request and ordinance was provided by Town Clerk Ferguson.

Motion to adopt Ordinance 2019-04 as presented and set for second reading.

Motion made by Trustee Knutson, Seconded by Trustee Hart.

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

Committee Reports

Finance & Personnel

None.

Public Works/Utilities/Facilities

None.

Governmental Affairs/Public Safety

Met last week regarding plastic bag ordinance - want to encourage incentives before discussing a ban.

Building Code update

Food truck regulations

VRBO and Airbnb regulations

Business licensing would help to identify businesses.

Space to Create

Received paperwork approving Evan Bolt as S2C Vista intern and Town comprehensive plan update. He will be starting June 10th.

Tree Board

Arbor Day celebration was a success.

Adjournment

Motion to adjourn.

Motion made by Trustee Hart, Seconded by Trustee Bear.

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

Meeting adjourned at 933pm.

J. Corinne Ferguson, Town Clerk

Charles Stewart, Mayor