

**Minutes**  
**Regular Town Board Meeting**  
**Town of Paonia, Colorado**  
**June 13, 2023**

**RECORD OF PROCEEDINGS**

Mayor Bachran calls the meeting to order at 6:30 pm

**Roll Call**

PRESENT

Mayor Mary Bachran

Trustee/Mayor Pro-Tem Thomas Markle (joins at 6:40 pm)

Trustee Dave Knutson

Trustee Paige Smith

Trustee John Valentine

Trustee Rick Stelter

Trustee Morgan MacInnis

**Correspondence Received**

Mayor Bachran thanks the 4th graders from North Fork School of Integrated Studies for their persuasive letters and input on town needs!

**Approval of Agenda**

Trustee Stelter makes a motion, Seconded by Trustee MacInnis to approve the agenda. The motion carries unanimously.

**Announcements**

There is an open seat on the Planning Commission, letters of interest due by next meeting, June 27th. Monica Foguth's term has ended and the Town thanks her for her service.

Highway133 will be open early next week with the temporary bridge!!! Thank you CDOT!

Town Administrator interviews: Four finalists have been selected: Kevin Flanagan, Angela Lawrence, Stefen Wynn and Patrick Marsh; they will all be arriving in Paonia on June 19th to participate in final interviews.

There will be a Community Meet and Greet with the finalists on June 20th at 6:15 pm, please submit your questions ahead of time by emailing them to [Paonia@townofpaonia.com](mailto:Paonia@townofpaonia.com) or dropping them by the Town Hall.

Mayor Bachran gives 'Kudos' to Paonia Police Department with their handling of a call with visitors in town and their excellent representation of Paonia.

**Public Comment**

W. Brunner: Recorded his complaint about the discussion about him at the May 15 Special Meeting that he was unable to attend and defend himself. He also didn't appreciate the registered letters he received from the Interim Town Administrator and Town Attorney afterwards. He states the charges against him were false and overblown and highlights the incompetence of the Interim Administrator and Town Attorney.

S. Watson: Observes that we are having lots of downtown business discussions and events, suggests that the Town needs to start some downtown planning instead of addressing issues one by one. If a planning process were to start; including business owners, citizens and committees, more could be accomplished effectively.

**Consent Agenda**

Trustee Knutson makes a motion, Seconded by Trustee Stelter, to approve the Consent Agenda.

Trustee Smith asked questions about the exact fees waived for Cherry Days and the BMW Rally. Town Clerk Vetter clarified that only the park fees were waived as the Board voted and all other fees were still assessed.

The motion carries unanimously.

## **Staff Reports**

Interim Town Administrator

Reports that the new finance funds in place and ready to begin being used.

Accountant/ Deputy Clerk Amanda Mojarro doing a great job being proactive with the training she received in Utah and already putting in place things she learned.

Dorris sewer line grant is awarded and the project is being put out to bid tomorrow. Thank you to Mayor Bachran for writing the grant.

The Town is expecting to hear about the funding for the Hydrology study soon.

The Town received insignificant damage from flooding and we are anticipating the peak point is past, though caution should still be used.

The Town will be applying to DOLA for grants to fix the code and resolutions.

Trustee Knutson asks whether a budget revision will likely be needed this year, Administrator Klusmire explains that the complicated budget format made budget revisions more likely, the simplified version may preclude this.

Trustee Knutson also asks about sidewalk funds and the marijuana shop money and for clearer answers for what is being done with that revenue. Administrator Klusmire explains that is a conversation to be had with the new administrator, closer to budget time.

Police Chief

Chief Laiminger encourages all citizens to sign up for Delta County Alerts. He also asks the public to please slow down on Hiway 133 where construction is taking place, it isn't safe and State Patrol is now monitoring the area.

Public Works Director

The new part for the Water treatment plant should be here next week.

Cedar Hill fire mitigation has started, right now it is a small crew, but they have already made significant progress.

## **Actions & Presentations**

### **Other Items**

1. Discussion about support of Public Art at the Hearth (138 Grand Avenue) - Alicia Michelson

Alicia Michelson presents and passes out handouts. The Learning Council has received a grant to curate the space for art and gathering.

Public Comment:

S. Watson: Asks if the Town has an encroachment permit process.

W. Bunner: states that the sign code was abandoned with the Thiliveris annexation so doesn't see why it should apply here.

1. Consideration of Request to install Speed Limit Signs on 3rd St and on Rio Grande Avenue - Ben Graves

Ben Graves presented by Zoom and talks about the walkable streets and how dangerous they are becoming and asks for the Board to add speed limit signs in key places to make our town safer, more walkable and bikeable.

Public Comment:

Z. Bowman: has children and lives on one of the streets in question and is very supportive of the speed limit signs, the speeding is dangerous and believes it would be more enforceable with more speed signs.

S. Watson: wanted to lower speeds in 2017 and there are not enough signs because it is city wide. It was more economical to do it that way and the signs say city instead of town also because that was cheaper. Still supports lowering the town speed limits because at the time they were changed they were not considering e-bikes, OHV's and deer.

I. Oeser: notices himself speeding and a handmade speed limit sign on a toy has helped him remember to slow down. In favor of more signs.

T. McCurdy: also supports the addition of signs, and glad the parks committee has stayed on top of it! Also wants to say thanks to Cory for clearing the branches from the children at play sign.

Trustee Knutson echoes that living on Pan American he knows how easy it is to speed down that street. He also thanks Mr. Graves for his well put together packet of information.

Trustee Markle: thanks Mr. Graves for starting the conversation and process, Onarga is also bad for speeding and this could alleviate some tension.

Trustee MacInnis points out that the town has many new residents and the additional signs would be a good reminder and that without these signs enforcement becomes a lot harder for the police department. This is also a direct impact around using the Apple Valley Park as a trailhead for Jumbo.

Trustee Knutson makes a motion, Seconded by Trustee Smith, that we approve 'pedestrian/bikes', 'blind curve', multiple '25 mph' and 2 'Apple Valley Park' directional signs to be placed as determined by staff.

The motion carries unanimously.

Trustee Smith makes a motion, Seconded by Trustee Stelter to have Chief Laiminger come to the Board with proposed changes to speed limits.

Public Comment:

S. Watson: Requests a 'No Passing' sign on Second or road markings to make the road narrower.

Z. Bowman: Third St speed limit needs to be lower, lots of kids being walked to school.

E. Horn: lived on the Third St. for over 20 years and there is an increased amount of traffic due to businesses but it is still residential and has a lot of elderly people, she excited it is being looked at.

Trustee Stelter points out that we need to have set in stone standards, stop signs have just appeared in the past and not always in appropriate places. We need to have engineers look at things.

Trustee MacInnis states that he thinks that a lot of this leads into the second Community Engagement session for the Master Plan on the June 24th at the Paonia K-8 school and encourages citizens to attend and be a part of the process.

Motion carries unanimously.

2. Consideration of Nido's request to be allowed to serve alcohol at sidewalk tables at 138 Grand Avenue

Ed Vaughn and Lindsay Cusack, owners of Nido's, state for the record that the address is incorrect on the agenda, Nido's is at 201 Grand Avenue.

Public Comment:

S. Watson: wonders if smaller Bistro tables could help with the space restrictions.

W. Brunner: If you take a restaurant's revenue and how much it costs to have a table; you should raise the sidewalk permit rate because it is a disservice to the community to miss the revenue.

Trustee Smith asks for clarification about the language in the Liquor code about contiguous and adjacent.

Trustee MacInnis wonders if physical barriers are necessary since it is for a sidewalk area instead of a parklet in a parking stall.

Trustee Markle suggests consulting with the fire department about hydrant space requirements.

Trustee Cotten-Baez requests time to go through the code to ensure no ordinances need to be changed and then a public hearing can be scheduled, if needed.

3. Consideration & Approval of Supplemental Budget Request from Phoenix Rising Resources LLC

Calla Rose Ostrander and Marissa Mommaerts attended by Zoom for Phoenix Rising Resources LLC to request \$650 of supplemental budget funds for postage costs to send out a mailer in an attempt to reach people who are not using technology for community information.

Interim Administrator Klusmire discusses the need to have these things go through the proper channels and allow the Planning Commission to make suggestions.

Public Comment:

W. Brunner: has lived on fixed price bids for 40 plus years, not reasonable to expect your employer to change prices because you had more work than expected.

Ms. Ostrander explains that they are not over budget- the request is for a task not originally budgeted for and it was suggested at their first community engagement session.

The board discusses research time increases, due diligence and the importance of the Town sticking with the original budget approval.

Trustee Knutson makes a motion, Seconded by Trustee Stelter to take a 5 minute break.

Meeting resumes at 8:52 pm

Trustee Smith makes a motion, Seconded by Trustee Stelter to move agenda items 9,10, 12, 13, 14 be moved before Agenda item 5.

Voting Yea: Trustee Knutson, Trustee Smith, Trustee Valentine, Trustee Stelter, Trustee MacInnis

Voting Nay: Trustee/Mayor Pro-Tem Markle

The motion carries.

9. Consideration and Selection of Colorado Employee Benefit Trust as Employee Insurance Company for July 2023- - June 2024

Trustee Knutson makes a motion, Seconded by Trustee Stelter, to approve the proposal for Colorado Employee Benefit Trust.

The motion carries unanimously.

10. Discussion and Direction to Staff regarding Board policy for Town cost share of health benefits.

Interim Administrator Klusmire explains that the policy to pay 90% employee and 50% dependent was not documented as approved by the Board, employee notifications required for a change were not done and if the Board wished to carry forward with that policy it needed to be taken care of properly. Currently the Town has been paying 90% of the premium across the board.

Public Comment:

W. Brunner: How is this different than embezzlement?

S. Watson: Point of order is called due to off topic.

Trustee Markle: How much money did this cost us?

Trustee Knutson makes a motion, Seconded by Trustee Stelter, to move back to the 90% Employee 50 % dependent contribution in a tiered fashion, 10% a month.

The motion carries unanimously.

12. Consideration, approval, and authorizing signatories to sign agreement with UMB Financial for Purchasing Cards (P-Cards) to replace the Town's current credit cards.

Interim Administrator Klusmire explains the benefits to P-Cards over credit cards and how it can be used for more internal controls.

Public Comment:

W. Brunner: What problem are we addressing here?

Trustee Knutson makes a motion, Seconded by Trustee Stelter to approve signing the agreement with UMB Financial for Purchasing Cards.

The motion carries unanimously.

13. Consideration and Approval of the of the Mayor signing the United States Geological Survey Joint Funding Agreement

Trustee Stelter makes a motion, Seconded by Trustee Knutson to pay the Town's cost of \$4517.00 for the gauging station.

The motion carries unanimously.

14. Consideration and Approval of the Mayor signing Drinking Water Revolving Fund Planning Grant Agreement

Trustee Knutson makes a motion, Seconded by Trustee MacInnis to approve the Mayor signing the Drinking Water Revolving Fund Planning Grant agreement.

The motion carries unanimously.

4. Designation of a handicapped parking at Town Park  
Moved to the next meeting agenda
5. Consideration of a mid-block pedestrian crosswalk on Grand Avenue from Town Hall to Poulos Park  
Moved to next agenda.
6. Consideration of a directional sign to Apple Valley Park on 3rd street, a crosswalk and traffic signs for AVP entrance  
Moved to next agenda
7. Discussion and decisions on parking at the top of Pan American and Vista Drive  
Moved to next agenda.

11. Discussion & Appointment of committee's and Mayor Pro-Tem

Trustee/ Mayor Pro-Tem Markle makes a motion, Seconded by Trustee Smith, to extend the meeting to 10 pm.

Voting Aye: Trustee Stelter, Trustee Smith, Trustee Valentine, Trustee MacInnis,

Voting Nay: Trustee/Mayor Pro-Tem Markle

Mayor Bachran appoints Trustee Morgan MacInnis to the Finance and Water Committee.

Trustee/ Mayor Pro-Tem asks that the citation for Mayoral appointments to committees be presented.

15. Struck due to being a duplicate agenda item

16. Discussion of request to vary Building Valuations

Trustee Stelter makes a motion, seconded by Trustee Smith, to have a work session on Building Permit Valuation and Administrative Fee Schedule on the 11th of July at 5pm at the Town Hall.

The motion carries unanimously.

Trustee Knutson makes a motion, Seconded by Trustee Stelter, to extend the meeting to 10:15pm.

**Executive Session**

Trustee/ Mayor Pro-Tem Markle makes a motion, Seconded by Trustee Stelter to go into Executive Session pursuant to C.R.S. 24-6-402(4)(b) for purposes of conferencing with the Town Attorney to receive legal advice on specific legal questions regarding the encroachment of a fence on Town owned property.

The motion carries unanimously.

Executive Session begins: 9:42 pm

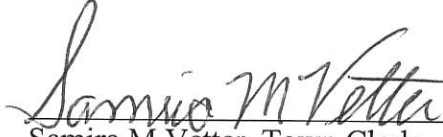
Executive Session ends: 10:11 pm

Participants in the Executive Session are Mayor Bachran, Trustee/ Mayor Pro-Tem Markle, Trustee Stelter, Trustee Valentine, Trustee Smith, Trustee Knutson, Trustee MacInnis, Interim Town Administrator Klusmire and Town Attorney Cotten-Baez.

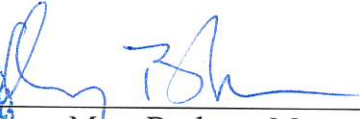
No concerns were stated.

**Adjournment**

Meeting adjourned at 10:13 pm.

  
Samira M Vetter, Town Clerk



  
Mary Bachran, Mayor

