

Minutes
Regular Town Board Meeting
Town of Paonia, Colorado
January 22, 2019

RECORD OF PROCEEDINGS

Roll Call

PRESENT

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

Approval of Agenda

Motion made by Trustee Bear, Seconded by Trustee Budinger to approve the agenda as presented. Motion carried.

Announcements

None.

Recognition of Visitors & Guests

None.

Consent Agenda

Regular Minutes - January 8, 2019

Motion made by Trustee Bachran seconded by Trustee Knutson for removal of wording on page seven (7) striking *expressed her disdain with*. Motion carried.

Motion made by Trustee Budinger, Seconded by Trustee Hart to approve the consent agenda.

Mayor's Report

Nothing to report.

Staff Reports

Town Administrators Report

February 6th - 8th attending CCCMA annual conference.

Another meeting to discuss the proposed county public safety tax has been scheduled.

The Planning Commission meeting scheduled for February 5th at 6:30pm.

Public Works Report

Continue to plow snow and address potholes when possible.

The IMG storage tank is near 3/4 full.

Investigating problems with some of the springs.

Police Department Report

Extended the ad for help wanted in the newspaper. The police department is accepting applications for a part-time officer.

Officers rotating shifts this month for training.

Requested direction from the Board regarding purchases approved during budget season, specifically the police department vehicles. Administrator Knight requested the Board authorize the Administrator to move forward on budgeted items and bring to the Board after the fact for notice. Trustee Hart and Bear stated that Chief Ferguson has proven his ability to spend wisely.

Motion made by Trustee Bear, Seconded by Trustee Hart to approve the purchase of two vehicles unless amount exceeds the budgeted amount. Motion carried with Trustee Knutson voting nay.

Town Treasurer Report

Disbursements have been reviewed.
The 2019 budget has been submitted to the State.

Disbursements

Motion made by Mayor Pro-Tem Bookout, Seconded by Trustee Budinger to approve disbursements as presented. Motion carried.

Unfinished Business

Memorandum of Understanding – DMEA/Elevate Public Access

Mayor Stewart provided an overview of the history regarding the elevate franchise agreement, specifically to the public access channel. Attorney Nerlin added that the memorandum requirements are for live-streaming meetings and content and suggested the Town contact the City of Montrose for details, as they are in process of adding the live-stream option for their meetings. Trustee Knutson noted concern regarding potential additional costs.

Motion made by Trustee Bachran, Seconded by Trustee Hart to approve the DMEA MOU as presented. Motion carried.

New Business

Colorado Code Consulting – Building Code Update Proposal

Dan Reardon was present to address the Board regarding the Colorado Code Consulting proposal. Mr. Reardon leads the Western Colorado Code Professionals; a group of the Western Slope building officials who meet once a month to discuss topics and issues. Multiple building officials noted the need to update the building code. Six communities expressed an interest in updating their building codes and to share costs.

Mr. Reardon presented a slideshow presentation to the Board and community, which included reasons to update code, including federal legislation requiring the adoption of updated building codes. The estimated timeline is August 2019.

Administrator Knight stated the plan for the building department budget to pay for the process, and if needed, re-allocate line items from the general fund.

Trustee Knutson requested the Board give the Governmental Affairs Committee the opportunity to begin setting meetings for community, specifically builders, contractors, and other interested parties to present ideas and ask questions. The item was referred to Governmental Affairs.

A five (5) minute recess was called.

Edesia Community Kitchen – Six Month Review

At the July 30, 2018 Board meeting a public hearing was held, in which the Board provided Edesia Kitchen approval of the special use request, which included a 6-month compliance review. Trustee Bookout noted a conflict of interest and recused herself from any vote.

Administrator Knight provided a six-month administrative review of the location, noting no complaints received by the Clerk, Police Department, or Administrator prior to notice of review.

Carol Viner spoke on behalf of the owners of 370 Clark Avenue. Ms. Viner stated her clients felt attacked following the public hearings in 2018 and were uncomfortable notifying the Town of issues prior to the 6-month review. Ms. Viner provided an overview of the two-page handout given to the Board during the meeting, which include an updated request.

Discussion ensued regarding the non-compliance complaints and suggestions provided by Ms. Viner.

Mary George was present on behalf of the Edesia Kitchen. Ms. George provided an overview of the documents supplied to Board and included in the packet, noting the progress and actions taken to address requirements placed by the Board and requests from the fire department.

Discussion ensued regarding the compliance efforts provided by Ms. George and potential changes that could be made to appease issues on Clark Avenue.

Motion made by Trustee Bear for staff to investigate the concerns and provide advice for further review. Motion failed for lack of a second.

Motion made by Trustee Knutson, Seconded by Trustee Bear to direct staff to take 6-month review, suggested conditions, and meet with both parties to discuss possible solutions and report back to the Board on February 26th. Motion carried.

Paonia Park Memorial Wall – Update and Request for Support

Dave Bradford was present. Mr. Bradford provided an update regarding the increased costs of granite and the current state of brick sales and funds collected; adding that forty-four (44) bricks have been purchased to date. Mr. Bradford provided a list of historical information requested for inclusion on the wall and asked the Board to re-allocate \$4,000 to the project. The timeline goal for north wall completion is Memorial Day, 2019.

Funding is anticipated to come from re-allocation of conservation trust fund monies set aside for the park playground.

Discussion ensued regarding the process, installation and funding options.

Motion made by Trustee Bear, Seconded by Trustee Bachran for the Town contribute up to \$4,000 toward finalization of the north memorial wall and allow staff to determine how the funds are allocated.

Motion to amend made by Trustee Bookout, Seconded by Trustee Knutson that the re-allocated funds come from capital improvement funds, specifically office furniture. Amended motion carried.

Main amended motion carried.

Resolution 2019-03 Adopting a Policy Concerning the Destruction, Disposal, & Protection of Records Containing Personal Identifying Information

Mayor Stewart provided an overview of an adopted house bill requiring the Board to adopt a policy regarding the destruction, disposal, and protection of personal identifying records.

Motion made by Mayor Pro-Tem Bookout, Seconded by Trustee Bachran to adopt Resolution 2019-03 as presented. Motion carried.

Ordinance 2019-02 Municipal Code Amendment – Fences, Hedges, & Walls

This is the first reading and approval of Ordinance 2019-02, amending section 18-9-10. The amendment will require a fence review with the Town building official prior to installation and establish a fence review fee.

Administrator Knight provided an overview of the ordinance. Mayor Stewart read the opening caption for the record.

Motion made by Trustee Bachran, Seconded by Trustee Hart to adopt Ordinance 2019-02 as presented. Motion carried.

Resolution 2019-04 Fee Schedule

Motion made by Trustee Hart, Seconded by Trustee Budinger to adopt Resolution 2019-04, modifying fees for the Town of Paonia. Motion carried.

Town Administrator Contract Extension

Mayor Stewart provided an explanation regarding the expiration of the two-year administrator contract. The proposed extension was discussed.

Motion made by Trustee Bachran, Seconded by Trustee Hart to accept the administrator contract extension as presented. Motion carried.

Discussion ensued regarding setting the deadline for the administrator review. The Personnel committee will follow up at the next meeting.

At the Request of Bill Brunner – Claim by Bill Brunner That Mayor Stewart Violated Standards of Conduct for Elected Officials

Mayor Stewart recused himself and relinquished the chair to the Mayor Pro-Tem Bookout. It was noted that due to a misunderstanding Mr. Brunner had left the meeting, believing the item had been removed from the agenda. Mayor Pro-tem Bookout stated the issue was on the agenda and suggests people involved with agenda items wait to be sure of the direction of the Board and added she was going to allow the Mayor to present for ten minutes and will allow Mr. Brunner the opportunity to speak at the end, should he return. Town Clerk Ferguson left the meeting to phone Mr. Brunner.

Motion made by Trustee Budinger, Seconded by Trustee Hart to extend the meeting to 10pm. Motion carried.

Mayor Stewart read for the Board his written response regarding the allegations made against him by Mr. Brunner.

Mr. Brunner returned to the open meeting.

Mr. Brunner read for the Board his written complaint alleging Mayor Stewart violated the adopted Standards of Conduct.

Mr. Brunner requested an independent investigation or the appointment of a committee to investigate Mayor Stewart's alleged behavior.

Mayor Pro-Tem Bookout and Trustee Hart stated they do not believe the code of conduct was violated and it is time for the Board to move forward.

Trustee Bear requested Mr. Brunner submit his complaint to the town in writing for review and the Board can choose to respond in the future if they choose.

Trustee Knutson also stated it is time to move forward and asked the parties involved to let the bitterness go so it does not interfere with the work of the Board.

Mayor Pro-Tem Bookout echoed the sentiments to put aside personal differences and focus on what is best for the Town.

Committee Reports

Finance & Personnel

Met to discuss potential changes to the personnel manual suggested at the last Board meeting and plan to meet with Attorney Nerlin to draft the language for Board review in the future.

Motion made by Mayor Pro-Tem Bookout, Seconded by Trustee Hart to continue for additional seven (7) minutes. Motion carried.

Public Works/Utilities/Facilities

Met to discuss ongoing projects and tour the 1MG tank repair.
Set several goals for the near future and will bring to the Board at a later date.
Need to begin discussion regarding the Samuel Wade Sewer line extension.

Governmental Affairs/Public Safety

Several items on the table that are still under review and will be presented to the Board in the near future.
A citizen initiative is underway regarding a plastic bag ban, primarily led by students in the community.

Tree Board

Beginning the Arbor Day celebration planning which will include a poster contest at the schools and plan to plant a tree in Lee's Park for Arbor Day.

Space to Create

Artspace will have a community meeting next month at Town Hall.
Working on a vista volunteer process.

Adjournment

Motion made by Trustee Hart, Seconded by Mayor Pro-Tem Bookout to adjourn the meeting. Motion carried.

Meeting adjourned at 10:05pm

J. Corinne Ferguson, Town Clerk

Charles Stewart, Mayor