

Minutes
Work Session and Regular Town Board Meeting
Town of Paonia, Colorado
November 09, 2021

YouTube Link:
<https://www.youtube.com/watch?v=xx4AFualTpU>

MAYOR AND TOWN COUNCIL MEMBERS

Mayor Bachran
Trustee Knutson
Trustee Budinger
Trustee Bear
Trustee Pattison
Trustee Johnson
Trustee Meck

November 09, 2021

5:00 pm

RECORD OF PROCEEDINGS

Work Session

1. Work Session Roll Call – Trustee Bear Absent.
2. 2022 Proposed Budget – Continued
RCAC – Cost of Service Analysis Report – The written report was included in the packet. The scenarios presented were discussed. Trustee consensus for staff to present scenario six (6) at the next meeting.

1. **Roll Call**

PRESENT

Mayor Mary Bachran
Trustee Karen Budinger
Trustee Dave Knutson
Trustee Michelle Pattison
Trustee Mick Johnson
Trustee Tamie Meck

Approval of Agenda

2. Approval of Agenda
Motion made by Trustee Knutson, Seconded by Trustee Budinger to approve the agenda, moving Town Administrator Contract Review prior to Executive Session. Motion carried unanimously.

Announcements

3. Announcements
Mayor Bachran informed the Board of the immediate resignation of Trustee Bill Bear for reasons beyond his control. Recognition of his time and service was acknowledged by trustees and community members.

4. Oath of Office - Police Officer Lance Kramer
Town Administrator/Clerk introduced and welcomed officer Lance Kramer who then received the oath of office.

Motion made by Trustee Budinger, Seconded by Trustee Meck to temporarily appoint Trustee Knutson as Mayor Pro-Tem, should Mayor Bachran need to leave the meeting. Motion carried unanimously.

Mayor Bachran read rules for citizen comments.

Recognition of Visitors & Guests

1. Visitors & Guests

Bill Brunner - notified Board and Community of the initiative petition being circulated in the community.

Joan Hunt - asked how to receive notification for planning commission meetings and noted concern with potential water rate increase.

Chris Kendall - voiced issues regarding water rate increase.

Suzanne Watson - Suggested the Board think about completing the strategic plan and comprehensive plan prior to implementing a one-hundred-year capital improvement plan.

Motion made by Trustee Pattison, Seconded by Trustee Knutson to include allocation table as suggested by Page Smith to next work session packet. Motion carried unanimously.

Motion made by Trustee Pattison, Seconded by Trustee Meck to review additional information to be included on agendas regarding how to request to be on an agenda. Motion carried unanimously.

Motion made by Trustee Pattison, Seconded by Trustee Meck to include a Grand Avenue public restroom access discussion to an agenda in January 2022. Motion carried unanimously.

Staff Reports

2. Administrator's Report was included in the packet. Administrator Ferguson answered Board and public questions.

Town Attorney Report was included in the packet.

Motion made by Trustee Pattison, Seconded by Trustee Meck to include electronic participation policy for the Town Attorney to the agenda in January. Motion carried unanimously.

Public Works Report – Director Loberg was present to answer Board and public questions.

Disbursements

3. Disbursements

The agenda item was opened to Board and public for questions and discussion.

Motion made by Trustee Budinger, Seconded by Trustee Knutson to approve Disbursements. Motion carried unanimously.

Consent Agenda

4. Regular Minutes:

10/26/2021

Special Minutes:

11/02/2021

Motion made by Trustee Knutson, Seconded by Trustee Johnson to accept the consent agenda. Motion carried unanimously.

Public Hearing

5. Public Hearing - DMT Paonia, LLC Regulated Marijuana License

The Public Hearing opened at 7:15pm.

Administrator Ferguson provided a brief overview of the application process and submittal from DMT Paonia.

Thomas Scudder and Dale Cecil provided history of the submittal and information regarding the expertise in the business.

The Hearing was opened to the Board for staff and applicant questions.

The Hearing was opened to the community for questions.

Suzanne Watson - noted improper noticing at location and within the newspaper. Stated administrator "made up" regulation for a public hearing. Town Attorney provided information from Ordinance 2021-01 that included the public hearing portion as approved by the Board. Issue with signage has not been evaluated. Suzanne Watson's corrected comment " nothing about public hearing in the ordinance."

Hearing closed at 7:40pm

Board deliberation opened for the license. Discussion ensued regarding a continuance of the hearing to the December 14th meeting. Trustee Knutson suggested allowing the recreational and properly post the medical marijuana license request.

Discussion ensued regarding conditional approval on retail license and continuance for medical license hearing until January 11, 2022, meeting.

Motion made by Trustee Budinger, Seconded by Trustee Knutson to provide conditional approval subject to receipt of surety bond for the recreational license and continuance of public hearing subject to proper signage noticing at the January 11, 2022 regular meeting. Motion carried unanimously.

6. Public Hearing - Paonia Purple, Inc. Regulated Marijuana License
The Public Hearing opened at 7:52pm.

Administrator Ferguson provided a brief overview of the application process and submittal from Paonia Purple, Inc.

Applicants provided history of their experience in the business and the intent to educate on illicit drug use.

The Hearing was opened to the Board for staff and applicant questions.

The Hearing was opened to the community for questions.

Hearing closed at 8:03 pm.

Motion made by Trustee Pattison, Seconded by Trustee Budinger to approve contingent upon signage location on Second Street only, updated street address and receipt of surety bond. Motion carried unanimously.

7. Public Hearing – Valley High, LLC Regulated Marijuana License
The Public Hearing opened at 8:06 pm.

Administrator Ferguson provided a brief overview of the application process and submittal from Valley High, LLC.

Applicants provided history of their long-term residency within the community and plan to support other local businesses within the Town and surrounding areas.

The Hearing was opened to the Board for staff and applicant questions.

Trustees Knutson and Budinger acknowledged ex-parte communications to the extent of the applicant informing of their submittal of application to the Town.

The Hearing was opened to the community for questions.

Hearing closed at 8:15 pm.

Motion made by Trustee Budinger, Seconded by Trustee Meck to approve the application contingent on receipt surety bond. Motion carried unanimously.

Motion made by Trustee Knutson, Seconded by Trustee Budinger to take a five (5) minute recess. Motion carried unanimously.

Meeting resumed at 8:24.

New Business

8. Town Administrator Contract Review

Mayor Bachran noted changes needed in the contract agreement.

Motion made by Trustee Pattison to table discussion to a later meeting. Motion failed for lack of a second.

Motion made by Trustee Pattison, Seconded by Trustee Meck to limit discussion to contract review only. Motion carried unanimously.

Motion made by Trustee Knutson, Seconded by Trustee Budinger to extend meeting 45 minutes. Motion carried unanimously.

Motion made by Trustee Budinger, Seconded by Trustee Knutson to remove section 2(c) regarding oversight of chief of police from the contract. Motion carried unanimously.

Discussion ensued regarding the number of reviews that occurred throughout 2021 outside the administrator contract and the option to review goals on a regular basis.

Motion made by Trustee Budinger, Seconded by Trustee Knutson to remove personnel committee and replace with ad hoc committee to provide performance annual review of Town administrator. Motion carried with three (3) ayes and two (2) nays.

Motion made by Trustee Budinger, Seconded by Trustee Knutson to amend the job description with the removal of section prohibiting chief of police management, modification of language to state facilitates the development of the comprehensive plan. Motion carried unanimously.

Motion made by Trustee Budinger, Seconded by Trustee Knutson to modify the language to coordinates grant applications and supervises awards. Motion carried unanimously.

9. Executive Session

For discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees; specific to the Town Administrator Corinne Ferguson Administrator Contract.

Executive session was not held.

10. Impact Fee from Enterprise Funds to Streets Capital Fund Discussion

Trustee Pattison, Seconded by Trustee Knutson to keep impact fee out of budget until 2023 budget discussion. Motion carried unanimously.

Mayor Bachran excused herself from the meeting.

Unfinished Business

11. Main Avenue Fence

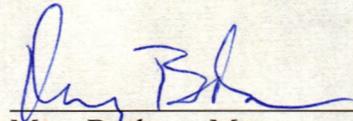
Discussion ensued regarding the fence ordinance, steps taken to remedy fence height approval error and potential encroachment application ordinance. No action taken. Fence encroachment to be on the December 14, 2021, agenda.

Motion made by Trustee Pattison, Seconded by Trustee Meck to table remaining items to next meeting. Motion carried unanimously.

Adjournment

16. Adjournment at 11:20pm



J. Corinne Ferguson, Town Administrator/Clerk

Mary Bachran, Mayor