



**Regular Town Board Meeting, December 14, 2021**

Mayor Bachran  
Trustee Knutson  
Trustee Budinger  
Trustee Johnson  
Trustee Meek  
Trustee Thompson  
Trustee Smith

December 14, 2021,                      Regular Meeting Minutes                      6:30 pm

Mayor Mary Bachran called the Regular Meeting of the Town of Paonia to order at 6:30 pm.

**ROLL CALL:**

Mayor Bachran asked Finance Clerk Candy Wuollet to call the roll.

Finance Clerk Candy Wuollet called the roll and those present were Mayor Bachran, Trustee Johnson, Trustee Meek, Trustee Budinger and Trustee Knutson, Trustee Thompson, and Trustee Smith

**Approval of the Agenda:**

Trustee Knutson moved to approve the amended agenda as presented, seconded by Trustee Budinger. Motion unanimously passed.

Trustee Meek moved to amend the motion to revise item 18 the Advisory Water Committee Board Liaison appointment and include the mayor's report to include the discussion in item 9, seconded by Trustee Knutson. Motion unanimously passed

**Announcements:**

Trustee Knutson discussed the strategic planning meeting days for January 2022. Stated he would like to set one half day on the 7<sup>th</sup> or 8<sup>th</sup> of January in the morning and schedule the second half day meeting upon his return.

**Board of Trustees Vacancy Appointments – Affirmation of Office:** Town Clerk/Administrator Corinne Ferguson swore in new Trustee Jeff Thompson and Page Smith.

**Affirmation of Office – Police Officer Kaden Heiniger:** Town Clerk/Administrator Corinne Ferguson swore in new PD officer Kaden Heiniger.

**Visitors and Guest:**

Suzanne Watson commented that she does not agree with Back the Badge funding requirements. Pamela Jackson commented that she does not agree with the Town of Paonia mask mandate for board meetings. Steven Keenan commented that the water usage could be lower by raising awareness. Shirin Patterson commented regarding that public works is manually shoveling the leaves.

**Staff Reports:**

**Town Administrator Corinne Ferguson** report was included and answered question. Trustee Meek moved to have a water report and some documentation from the state that the 1ml plant is operational by the first meeting in January, seconded by Trustee Smith. Motion unanimously passed.

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Town Attorney Nerlin no report was provided.  
Finance Director Cindy Jones report was included and answered questions.

**Disbursements:** Trustee Knutson moved to approve disbursements as presented, seconded by Trustee Budinger. Motion unanimously passed.

**Disbursements Through December 2021- To Be Reviewed First Meeting In 2022:** Trustee Budinger moved to approve the second part December 2021 disbursements and will look back at them January 2022, seconded by Trustee Knutson. Motion unanimously passed.

**Consent Agenda**

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Liquor License Renewal - Blue Sage Center for the Arts – Art License

Liquor License Report of Changes – Friends of the Paradise Theatre – Officers, Directors, Managing Members.

Trustee Knutson moved to approve the consent agenda with changes presented by Trustee Smith. To change word from consistently to constantly, seconded by Trustee Smith. Motion unanimously passed.

**Public Hearing**

Lodging & Entertainment Liquor License Application – Brossanova, LLC dba Bross Hotel Bed &

Breakfast: Mayor Bachran opened the public hearing at 7:39 pm. Trustee Smith questioned if there was going to be entertainment. Owners Mike and Susan stated that there would be none and would only be serving local wine. Community member Suzanne Watson commented on the 350 feet from the technical school.

Public Hearing opened at 7:39 pm

Public Hearing Closed at 7:47 pm

Trustee Smith moved to approve the license, seconded by Trustee Budinger. Motion unanimously passed.

**Unfinished Business**

**Ordinance 2021-09 Outdoor Lighting Regulation – First Read:** Trustee Thompson moved to approve Ordinance 2021-09 Outdoor Lighting Regulation – First Read as written, seconded by Trustee Knutson. Motion unanimously passed.

Trustee Smith moved to amend the motion - Ordinance 2021-09 to be placed in the correct chapter of the town ordinance and definition 2.1.7, 2.1.8, 2.1.9 and 2.1.10 be revised to reflect existing definitions for these types of dwelling units currently in the existing town ordinance, seconded by Knutson. Motion unanimously passed.

**Discussion Item Only: Main Avenue Fence Encroachment:** Discussion ensued regarding the issue that has been ongoing for several months regarding the fence that property owner Ashley Sargent built on her property. The issues were encroachment on town property, the height of it, and regarding issues with the neighbor. Community discussion regarding moving the fence back inside the property line in order to comply and set a precedence, the town's liability, encroachment permits, Mr. McCarney also talked about the fence being too high and, on his property, making it hard for him to possibly build on the lot in the future.

Trustee Knutson moved to take five-minute recess, seconded by Trustee Budinger. Motion unanimously passed.



**Board Consideration of DOLA Housing Assessment Grant Application & Board Clarification of the Grant Review Process:** Trustee Knutson moved that we deny this grant application at this time, seconded by Trustee Meck. Motion passed with one (1) nay and five (5) aye.

Trustee Knutson moved that before writing a grant application bring the basics, intent of the grant, matching requirements in dollar and resources, and a rough estimate of staff's time, seconded by Trustee Smith. Motion unanimously passed.

**Board Consideration of Modification of Ordinance 2020-09 Advisory Water Committee:** Trustee Smith moved to modify section 2-10-20 organization number one revise not more than five (5) members, to not more than seven (7) members, delete one (1) membership shall be filled by representation from the Town's public works department or administration staff and the chair shall be a non-voting member, but may break a tie, seconded by Trustee Meck. Motion unanimously passed.

**New Business**

**Resolution 2021-10 Mill Levy:** Trustee Knutson moved to approve resolution 2021-10 mill levy, seconded by Trustee Budinger. Motion unanimously passes.

**Resolution 2021-11 2022 Budget:** Trustee Budinger moved to approve resolution 2021-11 2022 budget, seconded by Trustee Knutson. Motion passed with five (5) ayes and one (1) nay by Trustee Meck.

**Town Attorney Amendment to Contract - Extension Through January 2022:**

Trustee Knutson moved to extend the meeting to 10:35pm, seconded by Trustee Smith. Motion unanimously approved.

Trustee Budinger moved to extend Attorney Nerlin's contact to the end of February 2022 at the latest, seconded by Trustee Knutson. Motion unanimously approved.

**Board Consideration of Municipal Attorney Proposals for 2022:** Trustee Budinger moved to choose three (3) members of the Board to review and choose the top two (2) candidates and bring back to the Board at a later date for interviews, seconded by Trustee Smith. Motion rescinded by Trustee Budinger.

Trustee Smith moved to have Trustee Knutson, Smith, and Thompson, along with the Administrator Ferguson, and Attorney Bo Nerlin to organize a zoom meeting which will be noticed to identify all of the process for candidate interviews, seconded by Trustee Budinger. Motion unanimously passed.

Trustee Smith moved to interview Jeffrey J. Conklin of Karp Neu Hanlon Attorneys at Law and Kelly PC. Municipal Lawyers, seconded by Trustee Budinger. Motion unanimously passed.

**Board Consideration of Final Grant Expenditure for CDOT Revitalize Main Street:** Trustee Budinger moved to approve the expenditure of the final funds of the CDOT grant, seconded by Trustee Knutson. Motion unanimously approved.

Trustee Knutson moved to extend the meeting for fifteen minutes (15), seconded by Trustee Meck. Motion unanimously approved.

Trustee Knutson moved to table items 15, 16, 18,19, and 20, seconded by Trustee Thompson. Motion unanimously approved.

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**ADJOURNMENT:**

The Regular Council Meeting was adjourned at 10:39 pm.

*Candy Wuollet*

Candy Wuollet, Finance Clerk



*Mary Bachran*

Mary Bachran, Mayor