

Minutes
Regular Town Board Meeting
Town of Paonia, Colorado
February 14, 2023

RECORD OF PROCEEDINGS

Mayor Bachran opens the meeting at 6:30 pm.

Roll Call

PRESENT

Mayor Mary Bachran
Trustee/Mayor Pro-Tem Thomas Markle
Trustee Dave Knutson
Trustee Paige Smith
Trustee Dave Weber
Trustee John Valentine
Trustee Rick Stelter

Correspondence Received

Dangers of Smart Cities
Dog Park Support
United States Department of the Interior
BLM Comment and Meeting
Wintering Wildlife Flyer
Rate Raises
Opioid Settlement

Approval of Agenda

Motion made by Trustee Weber, Seconded by Trustee Stelter, to approve the agenda with disbursements taken off.

Motion carries unanimously

Announcements

Colorado Municipal League (CML) conference is coming and they have scholarships available, board members are encouraged to attend.

The trail next to the school (Rupert) is barricaded off due to wintering elk.

Energy and Environment Symposium is happening April 12-13, 2023, in New Castle Colorado. Trustee Knutson is the Local Government Designee and wants to apply for a scholarship to attend.

Finance Director Cindy Jones enters the meeting and asks that the Board of Trustees put disbursements back on the agenda and give authority to the Finance Committee to approve them for this month since she will be on vacation for the next meeting.

Motion made by Trustee Knutson, Seconded by Trustee Smith, to put the disbursements back on the agenda and give authority to the Finance Committee to sign for the month, as is done in December.

Motion carries unanimously

Recognition of Community & Guests

K. Haynie: Wrote a letter that was included in Correspondence Received about research done for maintenance and upkeep costs for a dog park. GOCO also elaborates that they would pay for a project manager and administrator. Cost is not prohibitive to accept this grant.

W. Brunner: You took microphones out and put TV's in and it makes it hard to hear, fix the sound.

S. Watson: Fees shouldn't be raised on Land Use Code while it is such a mess, fix the table in there.

S. Keenan: organizations, childrenheroes.org and superhuman.com, both are legitimate and worthy of support.

S. Patterson: Against GOCO grant, money comes from lottery ticket purchases that are often bought by impoverished people and that is what is funding an unneeded park.

Staff Reports

Administrators report covered progress and staffing in the Clerk's office, status on funding and DOLA efforts to fast-track requests, sewer collapse update, large water leak found under train tracks, coordination with railroad troubleshooting and Town Administrator Search.

A screening committee was appointed for Administrator applicants: Interim Administrator Leslie Klusmire, Trustee Smith and Trustee Valentine.

Personnel Handbook needs updating, CIRSA has good templates for this.

The Interim Administrator will begin working remotely on non-meeting weeks now that things are moving smoother administratively and water/sewer projects are progressing.

Trustee Knutson asks questions about fire mitigation.

Public Works Director Cory Heiniger, attending on Zoom, gives a verbal report including a county project on Cedar Hill and gives further information on the railroad leak.

Trustee Markle asks them to also keep in mind some meter pit issues in that area that could be dealt with at the same time.

Police Chief Laiminger gives update on some software issues that have been resolved making things much smoother for the officers reporting.

Mayor Bachran asks if Hotchkiss also has dog at large problems and what they do and wonders if a meeting with area police departments and the county might help with solving the problem of where to kennel at large animals.

Consent Agenda

Motion made by Trustee Weber, Seconded by Trustee Smith to approve the consent agenda with Disbursements to be reviewed by the Finance committee for the month of February.

Motion carries unanimously.

Unfinished Business

Discussion and Direction to Town Attorney on Street Closure Ordinance Revision

Trustee Knutson makes a motion, Seconded by Trustee Weber, to require event organizers to provide their own insurance.

Motion carries unanimously.

Trustee Smith makes a motion, Seconded by Trustee Stelter, that no block shall be closed more than two times in a calendar month.

Public Comment:

K. Haynie: recommends using section instead of block.

S. Watson: This could cause a safety issue, like only having one exit

Motion passes unanimously.

Trustee Knutson makes a motion, Seconded by Trustee Smith, that street closures can be up to 10 hours on any day.

Trustee/ Mayor Pro-Tem Markle makes a motion, Seconded by Trustee Knutson to strike "review and" from the final sentence of 11- 1- 80 (m)

Voting Aye: Trustee Stelter, Trustee/ Mayor Pro-Tem Markle and Trustee Valentine

Voting Nay: Trustee Smith, Trustee Weber, and Trustee Knutson

Mayor Bachran breaks the tie voting Nay.

Motion to amend fails.

Board Discussion includes appropriate venues, not putting the Board in a position like it has been in the past about approving closures, applications don't mean yes, set up and breakdown times.

Public Comment:

J. Kleinman: Seemed like the biggest problem from before was adding the authority for the Board to be able approve longer closures.

A. Deluca: Process shouldn't be about where a festival is best held but about the process and who has authority to approve changes outside of code.

W. Brunner: Doesn't want Paonia to turn into Estes Park. Use the Town park instead of a public street, the ordinance should be the same for all or by criteria so that there is a level playing field. Paonia needs institutional integrity.

Trustee Knutson makes a motion, Seconded by Trustee Smith to amend the main motion to include striking the Board Approval Sentences in 11-1-80 (m)

Aye: Trustee Stelter, Trustee/ Mayor Pro-Tem Markle, Trustee Smith, Trustee Weber

Nay: Trustee Valentine, Trustee Knutson

Motion to amend the main motion carries.

Public Comment:

S. Watson: There is a value of things coming to the Board, as that means it comes to the public as well and allows the public the opportunity to ask questions and know what is happening.

Main Motion: to change 18-1-80 (m) to have street closures not exceed 10 hours in duration on any day and remove final sentence "Any closure request falling outside these restrictions shall require review and approval by the Board of Trustees."

Voting Aye: Trustee/ Mayor Pro-Tem Markle, Trustee Weber, Trustee Smith, Trustee Stelter

Voting Nay: Trustee Valentine, Trustee Knutson

Motion Carries.

Trustee Knutson makes a motion, Seconded by Trustee Stelter for a five minute recess.

The motion carries unanimously.

Clarifying Revisions to Water Moratorium Ordinance Language

Trustee Weber makes a motion, Seconded by Trustee Knutson, to accept the revisions as discussed previously and adopt Ordinance 2023-02

Board Discussion: tap size, no more meters, R-2, existing service lines

Public Comment:

W. Brunner: Confusion not due to the wording of water moratorium but due to water code. Requests more time to finish his comments

Trustee Smith makes a motion, Seconded by Trustee Weber to allow Mr. Brunner one more minute.

Voting Aye: Trustee/Mayor Pro-Tem Markle, Trustee Knutson, Trustee Smith, Trustee Weber, Trustee Stelter

Voting Nay: Trustee Valentine

K. Haynie: moratorium inhibits the development of affordable housing.

Board discussion: undefined terms, clearing up language.

Public Comment:

C. Patterson: asks a question and asks the Board to make a concession for Mr. Brunner if he still has things to say.

Motion passes unanimously.

Staff Paid Holidays

Motion made by Trustee Knutson, Seconded by Trustee Weber, to rescind the previous action limiting paid staff holiday to eleven and approve the twelve holidays as suggested.

Motion carries unanimously.

New Business

MOU between Paonia Police Department and Dolphin House

Motion made by Trustee Knutson, Seconded by Trustee Valentine to accept the MOU with Dolphin House.

Trustee Smith asks that before it is signed that it is corrected to say Chief Laiminger.

Motion passes unanimously.

NFVCC Letters of Support Request

Trustee Weber makes a motion, Seconded by Trustee Knutson, to approve the letters of support.

Board discussion includes additional changed to Town Park, increasing property values vs working towards affordable housing, support for grant vs support for project, sculptures, vandalism, additions to maintenance and operation costs, improving or completing existing amenities.

Public Comment:

A. Deluca: wanting to support the existing project being proposed by planning and NFPP&R not add more projects. No municipal buy-in is the death of public grants.

Interim Administrator Klusmire brings up that this is the second time a letter of support has been asked for at the last minute instead of allowing time and planning for the Board, Staff and Community; for better decisions when it comes to public property.

Trustee Weber makes a motion, Seconded by Trustee/ Mayor Pro-Tem Markle, to table this decision until after the new templates are approved on the agenda.

Mayor Bachran asks Susie Kaldis if they would have enough time to come back to the February 28th meeting.

S. Kaldis: The grant is due the 23rd and explains that they were asked by North Fork Pool Park & Recreation, to step up and help match funds for the GOCO project. She agrees that the planning period is short, which is what they have been used to working with the Town but would love to see some efficiency, guidance and better structure between the Town and the non-profits who are more involved in economic development and municipal projects.

Motion is made by Trustee Weber, Seconded by Trustee Smith to table this item until after the new reports' templates approval.

Voting Aye: Trustee/Mayor Pro-Tem Markle, Trustee Smith, Trustee Weber, Trustee Stelter

Voting Nay: Trustee Knutson and Trustee Valentine

Motion carries.

Review Housing Needs Assessment Firm Proposals

Interim Administrator provides guidance in what to look for.

Board Discussion: community engagement, Matrix, firms that stood out, subcommittee for background vetting, pros and cons of each.

Trustee/ Mayor Pro-Tem makes a motion, Seconded by Trustee Smith, to interview Matrix, EPS and Urban Rural

Board discussion includes interview process, researching background.

Shay Coburn from Urban Rural stands and gives a brief introduction.

Public Comment:

W. Brunner: Enforce the code about short-term rentals and open housing that way.

Motion carries unanimously.

Low-Income Household Water Assistance Program

Motion made by Trustee Weber, Seconded by Trustee Stelter to approve the Town signing up as a water vendor for the Low Income Household Water Assistance Program.

Board asks questions of Town Clerk Vetter about the program, estimated percentages and processes.

Public Comment:

K. Haynie: provides some additional information.
Motion carries unanimously.

Caselle/Point & Pay Integration

Motion made by Trustee Stelter, Seconded by Trustee Smith, to approve the acquisition of the Caselle/ Point & Pay integration.

Board discussion includes questions about paper billing, transaction fees, whether it saves money on postcard mailers and the effect on Town Staff.

Motion carries unanimously.

Staff Fee Schedule Update

Motion made by Trustee Knutson, Seconded by Trustee Weber to direct staff to research and suggest updated fees based on similar town sizes and economic make-up.

Motion passes unanimously

Staff Report Template Approval

Motion made by Trustee Smith, Seconded by Trustee Weber to adopt Trustee Smith's Citizen Template and Interim Administrator Klusmire's Staff Report Template .

Motion made by Trustee Knutson, Seconded by Trustee Stelter, to amend the main motion to include alternate solutions at the beginning along with the recommended solution.

Motion to amend carries unanimously.

Main motion carries unanimously to adopt Citizen and amended Staff Report Templates.

Motion made by Trustee/Mayor Pro-Tem Markle, Seconded By Trustee Knutson, to also provide the new forms in electronic, fill-able format on the website.

Motion passes unanimously.

NFVCC Letters of Support (cont)

Trustee Knutson makes a motion, Seconded by Trustee Stelter, to approve the letters of support for the two projects from NFVCC.

Motion made by Trustee Weber, Seconded by Trustee Smith, to have them reapply with the template that was just approved.

Board discussion includes special meetings and grant deadlines.
Voting Aye: Trustee Smith, Trustee Weber

Voting Nay: Trustee/ Mayor Pro-Tem Markle, Trustee Knutson, Trustee Stelter and Trustee Valentine

Motion fails to have NFVCC reapply with newly adopted template.

Board discussion of main motion includes letter of support isn't implicit in supporting project, planned projects seeking support, property values

Trustee Smith makes a motion, Seconded by Trustee Knutson to extend meeting to 9:45pm

Trustee Weber leaves meeting at 9:29pm

Voting Yea: Trustee/Mayor Pro-Tem Markle, Trustee Knutson, Trustee Smith, Trustee Stelter

Voting Nay: Trustee Valentine

Motion carries to extend meeting.

Board discussion of letters of support resumes including plans not being vetted, plans using visionary documents, wanting staff input on projects

Voting Aye: Trustee Knutson, Trustee Stelter, Trustee Valentine

Voting Nay: Trustee/ Mayor Pro-Tem Markle, Trustee Smith

Motion carries to provide letters of support to the North Fork Valley Creative Coalition.

Direction Regarding Future Meeting Structure

Interim Town Administrator Klusmire provides summary of meeting structures examples discussed at the January 30, 2023, work session.

Board discussion includes how to implement change, receiving more information, improving communication between Board of Trustees and public, cultivating other avenues of communication.

Motion made by Trustee Knutson, Seconded by Trustee Valentine, at the February 28th meeting use the revised agenda, newly adopted templates and having public comment before Board discussion on agenda items.

Motion made by Trustee Smith, Seconded by Trustee Knutson to extend the meeting until 10:30 pm

Voting Aye: Trustee/ Mayor Pro-Tem Markle, Trustee Knutson, Trustee Stelter, Trustee Smith

Voting Nay: Trustee Valentine

Public Comment:

K. Haynie: Doesn't like that there is no opportunity to rebut misinformation. Likes it the way it is

W. Brunner: The way it is now allows the public to call out the Board and without that the public cannot keep the Board in line.

Voting Aye: Trustee/ Mayor Pro-Tem Markle, Trustee Knutson, Trustee Valentine, Trustee Stelter

Voting Nay: Trustee Smith

The motion carries.

Scheduling Board Priorities Work Session

Interim Administrator Klusmire offers to send out a doodle poll and suggests that Work Session is held first with staff and then community can be surveyed.

The Board agrees with this suggestion.

Interim Administrators Contract Amendment

Motion made by Trustee Stelter, Seconded by Trustee/Mayor Pro-Tem Markle to approve the amendment to the Interim administrators contract.
Motion carries unanimously

Executive Session

Motion made by Trustee/Mayor Pro-Tem Markle, Seconded by Trustee Stelter to go into an Executive Session pursuant to C.R.S. Sections 24-6-402(4)(a) for the purposes of determining positions, developing strategy and instructing negotiators relative to matters that may be subject to negotiation, specifically pertaining to a potential amendment to a lease agreement with SBA Communications Corporation.

The motion carries unanimously.

Executive Session Start: 9:50 pm

Executive Session Ends: 10:21 pm

Present in Executive Session are Town Attorney Nick Cotton-Baez, Interim Town Administrator Leslie Klusmire, Mayor Bachran, Trustee/ Mayor Pro-Tem Markle, Trustee Knutson, Trustee Stelter, Trustee Smith and Trustee Valentine

Trustee Knutson makes a motion, seconded by Trustee Smith to approve negotiation strategy from executive session for the Interim Administrator and Town Attorney.

Motion carries unanimously.

Mayor's Reports

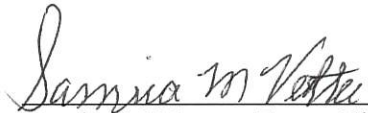
Nothing new added

Committee Reports

Nothing new added

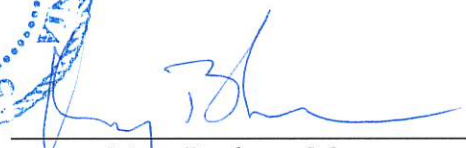
Adjournment

Meeting adjourns at 10:24 pm



Samira M Vetter, Town Clerk





Mary Bachran, Mayor