

Minutes
Special Town Board Meeting
Town of Paonia, Colorado
August 17, 2022
<https://youtu.be/qXZxvdGoF9o>

RECORD OF PROCEEDINGS

(Recording doesn't start until the end of A. DeLuca's presentation in Unfinished Business)

Roll Call

Mayor Bachran
Trustee/ Mayor Pro-Tem Markle (On Zoom)
Trustee Stelter
Trustee Weber
Trustee Knutson
Trustee Smith
Trustee Valentine

Approval of Agenda

No record available

Announcements

No record available

Unfinished Business

1. Modification of the Mountain Harvest Festival Events Scheduled for Grand Avenue

(Recording starts when A. DeLuca offers to answer questions)

Trustee Weber makes a motion to rescind the motion made at the prior Thursday's meeting (8/11/22) and that the parts of the Harvest Festival that conflict with Town of Paonia Ordinance 2002-06 be denied.

Mayor Bachran requests the motion be split into two motions.

Discussion about proper procedure.

Trustee/ Mayor Pro-Tem Markle seconds the motion as it stands

Trustee Valentine makes a motion, Seconded by Trustee Smith to split the motion into two parts. One being a motion to rescind the previous motion (8/11/22) denying the Harvest Festival street closure and the second motion being, to deny the parts of the application in conflict with Town of Paonia Ordinance 2002-06.

Board Discussion:

Timeline of events, Open Meeting Laws, legal advice.

Public Comments:

(Name unknown): believes closure would be beneficial and they have the power to change the rules

Motion to Rescind:

Motion passes unanimously

Trustee Valentine restates the second motion, seconded by Trustee Weber, to deny the parts of the Mountain Harvest Festival that conflict with Ordinance 2002-06

Board Discussion includes topics: legal advice, Board authority, code enforcement, Ordinances, Board decisions vs Administrator decisions, validity of applications, micromanaging, & completing town business

Public Comment:

S.Kaldis: suggests modifying the ordinance in the future

S. Watson: Town codes should not have to be read by attorney to figure them out

C. Bookout: CIRSA training, Sunshine Law, Resolution 2017-06

S. Larsen: Just wants a fun festival after summer of hard work

E. Brett: Festival is tradition, make a decision

(unknown): community is split, no more division

S. Patterson: follow the law

(unknown): Festival made financial decision based from earlier approval.

S. Keenan: people have worked hard to make event happen, town should support it

J. Kleinman: thinks the ordinance needs cleaned up, NFVCC didn't do anything in bad faith or to mislead and the Board could have told them earlier what they needed to do.

C. Patterson: supports both the festival and law, redoing codes could help both happen

L. True: Let festival happen, bend the rule for one day

L. McCone: Board bends rules when convenient

(?). Lucas: Support your festival and businesses

M. Pattison: Hopes the Board finds a way to support both the festival and follow the law, please revisit ordinance in future and modify it so this doesn't happen again.

Main Motion:

Trustee/Mayor Pro-Tem Markle: questions what parts of the application are in violation of Ordinance 2002-06 and what, if any, modifications can be made to bring things in compliance.

Town Administrator/Clerk Ferguson: states that the application says four hours when it should say five but thinks that is the only thing.

Aye: Trustee Markle and Trustee Weber

Nay: Trustee Stelter, Trustee Valentine and Trustee Knutson

Abstain: Trustee Smith

Motion fails

Trustee Knutson makes a motion, Seconded by Trustee Stelter, to approve the Mountain Harvest Festival Application as modified.

Board Discussion: Past Harvest festivals, history of Ordinance 2002-06

Public Comments:

S.Watson: Is there a large event permit for the use of Poulos Park or the Town Park?
Align paperwork with Town Code

Town Administrator/Clerk Ferguson: Explains Poulos Park occupancy limits prevent the use of anything but a small event permit, which doesn't come before the board and that Resolution 2015-13 is where the small event permit fees are listed.

S. Kaldis: Let's work together

L. True: Let's go forward, not backward

(unknown): Need to support local businesses and community when we can

C. Bookout: Local businesses need this festival and the visitors/revenue it brings

M. Talbot: Leadership is hard, and we need to support those willing to lead, doesn't mean we have to agree on everything

S. Keenan: permit was already granted, let it happen

Main Motion:

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

Nay:

Abstain: Trustee Weber

Motion Passes

Trustee Smith makes a motion, Seconded by Trustee/Mayor Pro-Tem Markle, to direct the Administrator to present changes to Section 11-1-80 Street Closure; Permit and the Town of Paonia Street Closure Application.

Public Comment:

A. DeLuca: Please include the legacy events in the discussions, those experiences provide a good perspective.

Main Motion:

Motion passes unanimously

New Business

1. Resolution 2017-06 Rules of Conduct

Trustee Markle makes a motion, Seconded by Trustee Smith, direct the mayor to enforce Resolution 2017-06 during meetings as well as Robert's Rules of Order.

Board Discussion includes procedure for points of order, whether Resolutions are binding and Robert's Rules of Order.

Public Comment:

S. Watson: Make your own Resolution

M. Talbot: Board needs to agree what norms and expectations are, what does disrespectful and disruptive behavior look like to everyone

A. Deluca: Citizen process when they feel like they have been attacked

C. Patterson: Please review resolution attached to agenda while you are at it.

S. Larsen: Social contracts in school; be nice, be fair

Main Motion:

Aye: Trustee/Mayor Pro-Tem Markle

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

Valentine

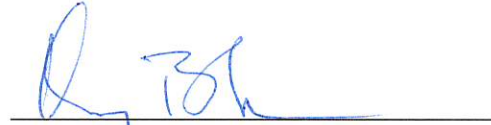
Motion Fails

Trustee Knutson makes a motion, Seconded by Trustee Weber, that they be nice and fair.

Motion passes unanimously

Adjournment


Amanda Mojarro, Deputy Town Clerk


Mary Bachran, Mayor

