

Town of Paonia
214 Grand Avenue
Tuesday, August 12, 2025 6:30 PM
Town Board Minutes
REVISED AGENDA 8/07/2025

RECORD OF PROCEEDINGS

Mayor Smith calls the meeting to order at 6:30 PM.

Roll Call

Present:

Mayor Smith
Mayor Pro-Tem Swartz
Trustee Czech
Trustee Heck
Trustee Hunter
Trustee Stelter
Trustee Valentine

Approval of Agenda

Trustee Hunter makes a motion to approve the agenda with the removal of item #5 (Amended Fee Structure to Arbol Market), seconded by Mayor Pro-Tem Swartz.

The motion carries unanimously.

Announcements

Clerk Vetter earned her Certified Municipal Clerk (CMC) designation.

The Tree Board's annual Sick Tree Day will take place on Saturday, August 16, 2025.

Planning Commission and Zoning Board of Adjustments open seats available with applications due to the Town Clerk by August 21, 2025.

Public Comment

No public comment received.

Consent Agenda

Minutes:

- 07/08/2025 Regular Board Meeting Minutes
- 07/22/2025 Regular Board Meeting Minutes

Marijuana License Renewal - Valley High LLC

August 12, 2025 Disbursements

Mayor Pro-Tem Swartz notes that for July 22, 2025, Meeting Minutes - Page 16 of the packet, Under Item #4 for Wright Water Engineering, where it says, "wildlife recovery action plan", should read as "**wildfire** recovery action plan".

Trustee Stelter makes a motion to approve the consent agenda with the aforementioned correction, seconded by Trustee Heck.

The motion carries unanimously.

Staff Reports

- Town Administrator
Town Administrator Wynn's report included updated monthly financial summaries, fund balance tools, and grant activity; noted a \$26,000 sanitation fund deficit requiring a mid-year rate increase; confirmed acquisition of final construction easement.

Trustee Stelter steps out of the meeting at 6:35 PM.

- Police Chief

Police Chief Laiminger's report included July activity overview which highlighted increased park usage and calls for service; community policing efforts, including bike light education continues.

- Public Works Director
Public Works Director Poulos' report included hydrogeological study completion; Phase 1 water storage improvements underway; wastewater aerators installed; significant curb, drainage, and asphalt repairs completed; park rehabilitation following events; sprinkler system upgrades under review.

Actions & Presentations

Item #1 - Consideration of Resolution 21-2025 Enacting Stage 2 Fire Restrictions

Mayor Smith provides background on the need to align with County Stage 2 Fire Restrictions implemented August 7th.

Trustee Stelter steps back into the meeting at 6:47 PM.

Trustee Hunter makes a motion to approve Resolution 21-2025 – Stage 2 Fire Restrictions, seconded by Mayor Pro-Tem Swartz.

The motion carries unanimously.

Item #2 – Colorado Grand Thank You Letter for \$17,000 Grant for Bathroom Upgrades

Following a brief Board discussion, Mayor Smith requested additional time to make revisions that more accurately reflect the completed scope of work funded by the grant.

Trustee Hunter makes a motion to table this item until the next meeting, seconded by Mayor Pro-Tem Swartz.

The motion carries unanimously.

Item #3 - Consideration of Accepting Opioid Settlement for Purdue Pharmaceuticals

Town Administrator Wynn provides background and explains the settlement agreement.

Trustee Stelter makes a motion to approve the Purdue Pharmaceuticals opioid settlement agreement and allow the administration of the funds to be managed by Delta County, seconded by Trustee Hunter.

The motion carries unanimously.

Item #4 - Consideration of Reappointing the Town Administrator & Treasurer as the Town's CML Policy Committee Representative and the Town Clerk as the Town's Alternate.

Town Administrator Wynn provides background information and stressed the importance of Paonia representation.

Trustee Hunter makes a motion to re-appoint the Town Administrator and Treasurer as the Town's representative to the CML Policy Committee (Colorado Municipal League), with the Town Clerk as its representative alternate, seconded by Trustee Stelter.

The motion carries unanimously.

Item #5 - Consideration of Request from The Learning Council to Apply Ordinance 25- 04 Special Events and Resolution 15-2025 Amended Fee Structure to Arbol Market Retroactively.

This item was removed.

Item #6 - Consideration of Ordinance 2025-04 Modifying Chapter 13 Article 6 Garbage Collection

Town Administrator Wynn provides background and explained that the purpose is to correct contradictory and duplicative language in the existing code and provide administrative flexibility.

Trustee Hunter makes a motion to make the following changes to Ordinance 2025-04:

1. Change Section Number 13-5-70 to 13-6-70,

2. Change Section 13-6-70 (b) from "eighteen (18)" to "four (4)",
3. Change Section 13-6-70 (b) (1) to read "Yard waste including leaves and grass clippings shall be placed in certified compostable bags or clearly labeled re-usable containers for collection.",
4. Change Section 13-6-70 (b) (4) iii. to add "clearly labeled as such" after "reusable containers",
5. Change Section 4 to delete the word "Meat",
6. Throughout entire Ordinance, replace "plastic bags" with "non-compostable plastic bags".

Seconded by Mayor Pro-Tem Swartz

The motion carries unanimously.

Town Administrator Wynn and staff will focus on public education and outreach through TextMyGov, social media, and potentially flyers on garbage cans to ensure residents understand the new rules and fee structure before enforcement begins.

Trustee Hunter makes a motion to approve Ordinance 2024-04 as amended, seconded by Trustee Stelter.

The motion carries unanimously.

Item #7 - Consideration of Resolution 20-2025 Garbage Collection Rates and Charges

Town Administrator Wynn explained that the Sanitation Fund is operating at a significant deficit, which was primarily attributed to an unanticipated increase in landfill tipping fees, which rose by \$15 per ton instead of the budgeted \$5 per ton. The existing fee structure for bulk item pickup was also found to be subsidizing services, as the town was often charging less than the actual cost charged by the landfill.

Trustee Stelter makes a motion to approve Resolution 20-2025, seconded by Mayor Pro-Tem Swartz.

The motion carries unanimously.

Item #8 - Consideration of Requests from the Planning Commission Requesting Clarification about Commissioners' Terms and Asking the Town Attorney for Legal Advice Concerning Process for Canceling a Meeting with No Business

Clerk Vetter gives background on the committee terms.

Trustee Hunter inquired with Town Attorney Buchner regarding the legal process for addressing a meeting with no business, the preparation of a legal memo, the establishment of bylaws for boards and commissions, the authority to cancel a meeting, responsibility for drafting bylaws, and the procedure for the Board to adopt those bylaws by resolution. Town Attorney Buchner advised that meetings may be canceled if there is no business, but bylaws should be created for Boards & Committees.

Mayor Pro-Tem Swartz makes a motion to ask Town Administrator Wynn to develop bylaws for the Planning Commission, seconded by Trustee Hunter.

The motion carries unanimously.

Item #9 - Consideration of Approval of Purchasing Security Cameras for Town Facilities

Public Works Director Poulos and Police Chief Laiminger discussed the need for security cameras to enhance public safety, deter vandalism, monitor Town facilities, and provide reliable evidence in the event of incidents.

Police Chief Laiminger explains that Verkada was selected as a sole-source provider due to its proprietary, fully integrated security platform that ensures compatibility with the Town's existing system and provides unique features not available from alternative vendors.

Trustee Hunter makes a motion to waive the procurement and purchasing under Code Section 4-6-80, allowing for a sole source bid, and approve in an amount not to exceed \$50,288 the bid

from Mitchell and Company for the Verkata Security Camera System for Town facilities, seconded by Trustee Stelter.

The motion carries unanimously.

Item #10 - Modifying Chapter 11 Art. 1 Sec. 80 Street Closure; permit. Adding Block Parties

Town Administrator Wynn spoke to this being the final version of the proposed changes developed by the Special Events Ad Hoc Committee. The revisions modify Chapter 11, Article 1 of the Town Code, which addresses streets, sidewalks, and public places, and incorporate references to the new provisions for special events. The draft was circulated for review, and no additional feedback was received beyond what was discussed in the committee. During the committee's review, language was added to Section 11-1-82(7) specifying that block parties may not serve alcohol without obtaining a special liquor license in accordance with Paonia Municipal Code Sections 6-1-10 through 6-1-90, and that alcohol consumption requires an on-premise permit. These amendments establish conditions under which block parties may be permitted.

Trustee Hunter makes a motion to approve Ordinance 2025-05 – Block Parties, seconded by Trustee Stelter.

Trustee Heck raised a concern that the fee structure might be unfair to residents on blocks that cannot host a party on their street (e.g., those on truck routes where closures are prohibited by state statute) and who would therefore be forced to use an alley. He questioned if the fee could be adjusted for alley use and makes a motion to discuss and modify the fee schedule.

Trustee Heck's motion dies for lack of a second.

Trustee Hunter's original motion carries unanimously.

Trustee Heck makes a motion requesting a review of the administrative fees concerning private use of public places re-evaluated at a future meeting, seconded by Trustee Stelter.

Voting Aye:

Trustee Czech
Trustee Heck
Trustee Hunter
Trustee Stelter
Trustee Valentine

Voting Nay:

Mayor Pro-Tem Swartz

The motion carries.

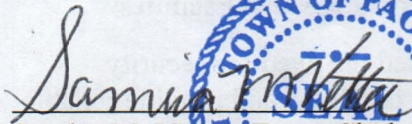
Mayor & Trustee Reports

Update from the Ad Hoc Short-term Rentals Committee

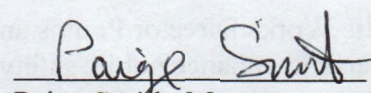
Mayor Pro-Tem Swartz provided an update, noting that applications for two public member positions are due August 18th, with selections planned for the August 26th Board meeting.

Adjournment

Mayor Smith adjourns the meeting at 8:06 PM.


Samira M. Vetter, Town Clerk




Paige Smith, Mayor