

Minutes
Regular Town Board Meeting
Town of Paonia, Colorado
August 11, 2022

RECORD OF PROCEEDINGS

Roll Call

PRESENT

Mayor Mary Bachran
Trustee/Mayor Pro-Tem Dave Knutson
Trustee Paige Smith
Trustee Thomas Markle
Trustee Dave Weber
Trustee Rick Stelter (Zoom)

ABSENT

Trustee John Valentine

Approval of Agenda

Motion made by Trustee Weber, Seconded by Trustee Smith, to approve the agenda with modifications: removing July 14 and July 28, 2022 minutes (not provided in packet), moving Public Hearing for ICodes Ordinance to the next Regular Meeting.

Trustee Markle makes a motion, seconded by Trustee Smith, to amend the main motion to add Public Works Report and Finance Report to after 'New Business' and before 'Disbursements'. The motion to amend carries unanimously.

Main motion: To approve the agenda with modifications: removing July 14 and July 28, 2022 minutes (not provided in packet), moving Public Hearing for ICodes Ordinance to the next regular meeting, to add Public Works Report and Finance Report to after 'New Business' and before 'Disbursements'.

The motion carries unanimously.

Announcements

Announcements

Trustee Weber provided information regarding community concerns with hosting virtual meetings in response to Covid-19 and the potential of virtual meetings infringing on the people's right to assemble and petition their government.

Recognition of Visitors & Guests

A question regarding the lack of an updated ordinance regarding the contract with Charter Spectrum may impact the franchise fees collected.

P. Jackson: comment on problems virtual meetings.

S. Watson: comments on franchises fees and ordinances.

Public Hearing

Ordinance 06-2022 Amendment of Chapter 18 of the Municipal Code Concerning i-Codes – Public Hearing

Continued to August 25, 2022 Regular Board Meeting.

New Business

Mayoral Appointment to Planning Commission

Mayor Bachran appoints Steve Clissett and Lyn Howe to the Planning Commission. The Planning Commission is now fully seated.

Trustee Appointments to Advisory Water Committee

Trustee Smith provides information regarding the appointment request of Kayla Rosen as an out-of-Town user.

Motion made by Trustee Weber, Seconded by Trustee Knutson to appoint Kayla Rosen to the Advisory Water Committee.

Public Comment:

K. Rosen: comments on why she is interested in being on the Advisory Water Committee.

C. Patterson: asks about out of town water user seats.

The motion carries unanimously.

Motion made by Mayor Pro-Tem Thomas Markle, seconded by Trustee Knutson to appoint Trustee Weber to be the Board representative to the Advisory Water Committee in place of Trustee Smith.

The motion carries unanimously.

Paonia Signage & Wayfinding Plan

Susie Kaldis-Lowe with the Paonia Creative District (the District) was present and provided information to the Board from the Town of Paonia Signage and Wayfinding Plan accepted by the Board in 2018.

The District requests the Board adopt a resolution accepting the signage and wayfinding plan, accept the banners as the Town's flag, and a version of the banners approved for installation.

Board of Trustees Discussion: location placement creating a vehicle or pedestrian obstruction, costs associated with the double-sided flags, minimum height of 7ft. Trustee Knutson makes a motion, seconded by Trustee Smith, to send plan to streets committee for recommendations and proposed resolution.

Public Comment:

S. Watson: comments on Board priorities.

The motion was withdrawn.

Discussion ensued of the existing Resolution 2018-10.

Resolution 2013-04 Creative District Support was read by Ms. Lowe in response to continued discussion to postpone the approval of the banners.

Trustee Knutson makes a motion, seconded by Trustee Stelter, to approve banners for the street implementation.

Trustee Smith makes a motion to amend the main motion 'to be paid for and installed by the Town of Paonia.'

The motion to amend dies for the lack of a second.

Trustee Weber makes a motion, seconded by Mayor Pro-Tem Markle, to table this motion to the first meeting of September.

Public Comment:

S. Watson: comments in support of tabling.

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

Nay: Trustee Knutson, Trustee Stelter, Trustee Valentine.

The motion ties and Mayor Bachran votes Nay.
The motion to table the motion fails.

Main motion: to approve banners for street implementation.

Public Comment:

C. Patterson: ask question about banner design.

Member of the Public: comments about public input.

S. Watson: comments about potential conflict of interest.

S. Patterson: comments on pressure.

Trustee Weber asks Trustee Knutson to abstain from the vote, due to his wife being a member of the North Fork Valley Creative Coalition.

Trustee Knutson clarifies that he receives no financial gain from his wife being a member of the Creative Coalition, so he feels he has no need to abstain from the vote.

Aye: Trustee Stelter, Trustee Knutson and Trustee Valentine

Nay: Mayor Pro-Tem Markle, Trustee Smith and Trustee Weber

The vote on the motion is tied. Mayor Bachran votes Aye.

The motion carries.

Trustee Knutson makes a motion seconded by Trustee Smith for a five minute recess.

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

Nay: None

Abstain: Trustee Weber

The motion carries and the meeting recesses at 7:57 pm.

Street Committee - Banners and Flags Policies

The meeting resumes at 8:02 pm

The Streets Committee, Mayor Pro-Tem Markle and Trustee Valentine, provided an overview of the community meetings and process in drafting the proposed banners and flags policies.

Discussion topics include more restrictive policies, public comments, disallowing all banners besides the Paonia Creative District, community division, options within the proposed plan, liability and risk, public vs private property rights, approved list vs prohibitive, discussion opened.

Mayor Pro-Tem Markle makes a motion, seconded by Trustee Weber to change the fourth 'Whereas' with the community...town events and replace expression with government speech.

Public Comment:

S. Watson: comment about 'people of Paonia'

Community Member: comment about street pole use

P. Jackson: comments on divisiveness

A. DeLuca: comments on movable banners

Community Member: comment in support of the motion

Community Member: comment on Presidential statement on Pride month.

Mayor Pro-Tem Markle makes a motion, seconded by Trustee Weber, to amend 'people of Paonia' to the 'Town of Paonia'

The motion carries unanimously.

Main motion: to change the fourth 'Whereas'... promote town events and to express government speech and to amend 'people of Paonia' to the 'Town of Paonia'.

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

Nay: Trustee Smith.

The motion carries.

Trustee Smith makes a motion, seconded by Trustee Stelter, change second 'whereas' to include language 'so long as such use complies with appropriate safety codes, including the DMEA's safety regulations.'

The motion carries unanimously.

Discussion ensued regarding religious discrimination.

Trustee Smith makes a motion, seconded by Mayor Pro-Tem Markle, to strike Section B - 3 on religious discrimination.

Public Comment:

S. Watson: comments on the Board making legal interpretations

Community Member: comments on DMEA rules.

Aye: Trustee Smith, Trustee Valentine, Trustee Knutson, Trustee Weber, Trustee Stelter

Nay: Mayor Pro-Tem Markle

Board asks to have submitted to CIRSA for review.

Presentation of the Budget Meetings and Deadlines Calendar for the 2023 Budget

Trustee Smith requested the reserve policy and codes be included on the budget calendar for easy access for review.

Trustee Weber makes a motion, seconded by Trustee Knutson to approve the presented 2023 Budget Meeting Calendar.

The motion carries unanimously.

Request for Proposal - Town Administrator Recruitment Firm

Trustee Knutson provided information regarding the pros for utilization of recruitment firms for the hiring process of the Town Administration position.

Trustee Knutson makes a motion, seconded by Trustee Valentine, to publish the RFP for a Recruitment Firm to help find Town Administrator candidates.

Discussion ensued regarding former administrators who live locally who have offered to participate in lieu of a recruitment firm and hybrid use of local vs. outside recruitment firm, modifications suggested to salary range to 85-105, removal of optional coverage's and 100% insurance coverage, flyer design, using internal committee to search first, when information is public, hybrid approach, screening process, where to post.

Public Comment:

C. Patterson: comments on cost.

S. Watson: comments on the committee approach

Voting Aye: Trustee Valentine, Trustee Knutson, Trustee Stelter

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

The motion ties and Mayor Bachran votes Aye.

The motion carries.

Tier II Grants and State Revolving Fund Loans

Mayor Bachran provided information regarding the costs associated with an SRF Loan and DOLA grant.

Trustee Weber spoke in favor of the second tank inclusion in any plans.

Discussion ensued regarding different options of tank linings, how federal and state funds can be used as matching funds.

Public Comment:

C. Kendall: Comment on getting bids.

Trustee Knutson makes a motion, seconded by Trustee Weber to extend the meeting to 10 pm & tabling town events communication discussion.

The motion carries unanimously.

Meeting resumed at 9:26 pm.

Communication Process for Upcoming Town Events

Tabled to next regular meeting.

Staff Reports

The Board asks questions about the Staff Reports.

Town Administrator's Report

Public Works Report

Police Report

Finance/Treasurer Report

Mayor Pro-Tem Markle asks about scheduled jobs on Public Works Report.

Disbursements

Trustee Weber makes a motion, seconded by Mayor Pro-Tem Markle, to approve disbursements.

The Board asks questions about disbursements.

Trustee Smith makes a motion to amend the main motion to say "to pay the disbursements as found on pages 177 - 191 of the packet, seconded by Mayor Pro-Tem Markle

The motion carries unanimously.

The main motion carries unanimously.

Consent Agenda

Note: Minutes were not included in the packet.

Trustee Weber made comments on the former Town Attorney.

Regular Minutes:

July 14, 2022

July 28, 2022

Liquor License Renewal:

Friends of the Paradise Theatre - Lodging & Entertainment License

Retail Marijuana Stores License Renewal(s)

Paonia Purple Dispensary

Valley High, LLC

DMT Paonia, LLC dba EMJ's

Trustee Weber makes a motion, seconded by Trustee Smith, to deny the parts of the Mountain Harvest Festival in conflict with 11-1-80 of the town code.

Board and community discussion ensued.

Trustee Webber makes a motion, seconded by Trustee Smith, to approved consent agenda.

Mayor's Reports

Mayor's Report

Committee Reports

Finance: Weber & Smith

Parks: Knutson & Stelter

Streets: Valentine & Markle

Water/Sewer/Trash: Weber & Markle

Personnel: Smith & Valentine

Public Safety: Knutson & Stelter

Paonia Tree Board: Trustee Valentine

Advisory Water Committee: Trustee Smith

Ad Hoc Committees:

Adjournment

Adjournment


Samira M Vetter, Town Clerk



Mary Bachran, Mayor