

Mayor Mary Cooper called the meeting to order at 7:00 p.m. Also present were Councilmembers Bill Raley, Robert Jurca, Guy Pfalzgraff, and Ed Sisson, along with City Manager Joe Kerby and City Attorney Mike Schottelkotte. A meeting notice was posted in the south window at City Hall at least twenty-four hours prior to the meeting.

**Pledge of Allegiance**

The Mayor led everyone present in the Pledge of Allegiance.

**Changes to the Agenda**

There were none.

**Minutes**

It was moved by Councilmember Jurca and seconded by Councilmember Sisson to approve the minutes of April 19, 2011 as submitted by the Clerk. All in favor, motion carried.

**Citizen Comments**

There were none.

**3.2% Beer License Transfer of Ownership: High Plains Pizza, Inc. DBA Pizza Hut #252**

The Clerk reported that High Plains Pizza, Inc. of Liberal, Kansas is purchasing the local Pizza Hut from its current owner, McGovern Enterprises, Inc. and has applied for a transfer of ownership for the 3.2% beer license. The Police Department has run criminal records checks on the officers of the corporation, and has found no record for any of them. Fingerprints for all four officers have been submitted, but no fingerprint reports have been received as yet.

Staff recommended approval of the transfer, pending receipt of favorable fingerprint reports on the new owners.

It was moved by Councilmember Pfalzgraff and seconded by Councilmember Raley to approve the transfer of the Pizza Hut 3.2% beer license from McGovern Enterprises, Inc. to High Plains Pizza, Inc., contingent on receiving favorable fingerprint reports on the new owners. All in favor, motion carried.

**Retail Liquor Store License Renewal: D & B Liquors**

The Clerk reported that the renewal application for D & B Liquors' retail liquor store license has been received. All the required fees have been paid, and the Police Department reports no liquor violations during the past twelve months and recommends approval of the renewal.

It was moved by Councilmember Raley and seconded by Councilmember Jurca to approve the retail liquor store license renewal for D & B Liquors. All in favor, motion carried.

**Intergovernmental Agreement with Delta County Clerk & Recorder for July 12, 2011 Election**

The Clerk presented an Intergovernmental Agreement with the Delta County Clerk and Recorder for the July 12, 2011 mail ballot election. She explained that the agreement is essentially the same as the agreement used for the regular election in April of 2010. Because this is a "stand alone" election – meaning no other municipalities are participating – and because it is an "issue" election rather than one with candidates, some minor changes were needed.

Staff recommended that Council authorize the City Clerk to sign the agreement.

It was moved by Councilmember Sisson and seconded by Councilmember Raley to authorize the City Clerk to execute the Intergovernmental Agreement with the Delta County Clerk and Recorder for the July 12, 2011 mail ballot election.

## **Regular Meeting, Delta City Council, May 3, 2011 (Cont.)**

### **Mail Ballot Plan for July 12, 2011 Election**

The Clerk reported that under the State statute governing mail ballot elections, the City is required to submit a Mail Ballot Plan to the Secretary of State. The Secretary of State's rules require us to first submit the plan to the local legislative authority for review. Therefore, the plan is being presented to Council for review only. No action is needed.

### **Purchase of Triantos Property for Confluence Drive Project**

Mayor Cooper recused herself from participation in the purchase of the Triantos property. Mayor Pro Tem Pfalzgraff presided over this portion of the meeting.

Public Works Director Jim Hatheway asked Council to approve the purchase of this eleven acre parcel located at the southwest corner of Highway 348 and Confluence Drive. The purchase price for the property is \$271,500.

It was moved by Councilmember Raley and seconded by Councilmember Jurca to approve the purchase of the Triantos property for \$271,500. All in favor, motion carried.

Mayor Cooper resumed her place at the Council table.

### **Proclamation – Older Americans Month**

The Mayor read a proclamation naming May as Older Americans Month.

### **City Attorney Comments**

The City Attorney had no comments.

### **City Manager Comments**

At Manager Kerby's request, Director of Recreation and Culture Wilma Erven explained the "charrette" the City is holding on Tuesday, May 10. The brainstorming session on the footprint for the proposed visitors' center will be held from 9:00 a.m. to 4:00 p.m. That evening, from 7:00 to 9:00 p.m., the public will be invited to contribute their input on the plan. The meetings will be held at the recreation center.

Then, on May 17, from 5:15 to 5:45 p.m., the Colorado Canyons Assn. will meet with Council. The Colorado Canyons Assn is a group associated with McGinnis Canyon, Escalante/Dominguez Canyons, and the Gunnison Gorge. They will offer information concerning their organization and how it works.

The City Manager reported the following:

- The topic of the May 17<sup>th</sup> work session will be the proposed purchased power agreement.
- DOLA Director Reeves Brown will be in Delta on May 11. He will meet with City representatives to discuss funding for the truck route project and will be the guest speaker at the Municipal Quarterly meeting that day.
- Chief Thomas is working with the Dolphin House, a Montrose organization that helps children who have been sexually assaulted, to organize a community meeting in Delta to familiarize our community with the Dolphin House's work.
- Becky Havens, Charles Kettle, and R. D. Young of the Delta Police Department were recently recognized by the VFW for their service to the community.
- The golf course pond project is 99% complete.
- The Lions Carnival is tentatively scheduled for the first week in June.
- Within the next 30 to 45 days, staff will bring some updated cemetery regulations to Council.
- The annual Memorial Day branch and brush drop-off is scheduled again this year.
- Parks Director Paul Suppes and Police Chief Robert Thomas recently attended a fund raising class held by the Montrose Community Foundation.
- The diffuser installation project at the wastewater treatment facility is complete. The diffuser will be put into operation prior to May 15.
- In an update on the search for funding for additional police officers, Mr. Kerby reported that he believes it will be possible to bring aboard one additional officer as early as June.

## **Regular Meeting, Delta City Council, May 3, 2011 (Cont.)**

### **City Manager Comments (Cont.)**

He explained that 80% of the funding needed for the position will come from re-allocating funds in the Police Department's budget. Some grant funds have also been identified. He added that it may even be possible to add a second additional officer before the end of the year.

- With regard to the Chamber of Commerce's funding request, Manager Kerby stated that the City is expected to receive up to \$100,000 in Mineral Leasing Apportionment Funds this year. The exact amount won't be known until July. The City Manager stated that \$5,000 to \$10,000 of that money could be used to meet the Chamber's funding request. He will bring this matter to Council for formal action at their next meeting.
- There will be a work night at the golf course on May 11.

### **Councilmember Comments**

Councilmember Pfalzgraff reported on recent Region 10 and FORE Alliance meetings.

Councilmember Jurca reported attending a recent Delta Housing Authority training session.

Councilmember Raley reported on a recent Juvenile Diversion meeting.

Mayor Cooper reported attending the Delta County Economic Development annual meeting. She added that the next Project 7 meeting will be a retirement party for Dick Margetts.

### **Executive Session**

It was moved by Councilmember Jurca and seconded by Councilmember Sisson to convene an Executive Session for discussion of the purchase, acquisition, lease, transfer or sale of real, personal or other property interest under CRS Section 24-6-402(4)(a), or more specifically, to discuss the purchase of right-of-way for the truck bypass (Confluence Drive) project; and for discussion of a personnel matter under CRS Section 24-6-402(4)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees. All in favor, motion carried.

At 7:42 p.m., Mayor Cooper recessed the Regular Meeting and convened the Executive Session.

At 9:41 p.m., the Mayor reconvened the Regular Meeting and announced that the Executive Session had been concluded. She stated that in addition to herself, the participants in the Executive Session were Councilmembers Guy Pfalzgraff, Robert Jurca, Bill Raley and Ed Sisson, along with City Manager Joe Kerby, Public Works Director Jim Hatheway, Brad Rodenberg and City Attorney Mike Schottelkotte. For the record, the Mayor asked any person participating in the Executive Session who believed that any substantial discussion of any matters not included in the motion to go into Executive Session occurred during the Executive Session in violation of the Open Meetings Law, to state his or her concerns for the record. No concerns were stated.

The meeting was immediately adjourned.

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Mary Lynn Williams, Acting City Clerk