

Mayor Pro Tem Guy Pfalzgraff called the meeting to order at 7:00 p.m. Also present were Councilmembers Bill Raley, Robert Jurca, and Ed Sisson, along with City Manager Joe Kerby and City Attorney Mike Schottelkotte. Mayor Mary Cooper was absent. 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 Pro Tem led everyone present in the Pledge of Allegiance.

Changes to the Agenda

There were none.

Minutes

It was moved by Councilmember Raley and seconded by Councilmember Jurca to approve the minutes of June 20, 2011, as submitted by the Clerk. All in favor, motion carried.

Citizen Comments

There were none.

Abraham Connection Presentation

Kami Collins, representing the Abraham Connection Homeless Shelter, presented information about the Abraham Connection, which offers temporary, emergency overnight shelter on a night-by-night, case-by-case basis from November 1 through April 30. During its first season, the shelter (located at the Delta United Methodist Church) was open from January through April, 2011, and provided 71 "bed-nights" and 14 additional meals. Ms. Collins provided contact information for the shelter and answered questions from Council and staff.

Governor's Energy Office Memorandum of Understanding

During a work session earlier in the evening, Dan Richardson of the Governor's Energy Office (GEO) gave a presentation of the Performance Contracting program through the GEO. City Manager Kerby explained that Staff is recommending approval of the Memorandum of Understanding with the GEO, which would be the first step in attempting to improve the energy efficiency of City facilities. If Council approves the MOU, the next step would be to select an energy service company. Council would then be asked to approve a contract for a technical energy audit.

Mr. Kerby went on to explain that this program can help the City to increase energy efficiency of its facilities, while providing a financing mechanism which would allow capture of energy savings which could then be applied toward capital improvements for City facilities.

City Attorney Schottelkotte stated that he had reviewed the Memorandum of Understanding and found no problems with it.

It was moved by Councilmember Jurca and seconded by Councilmember Sisson to enter into the Memorandum of Understanding with the Governor's Energy Office. All in favor, motion carried.

Cemetery Regulations

Parks Director Paul Suppes explained that this matter had also been discussed in the work session preceding the regular meeting. Mr. Suppes explained that the proposed changes to the Cemetery regulations are being suggested in response to complaints received from the public. The changes would somewhat ease the current restrictions on placement of flowers on gravesites, and would completely prohibit the presence of dogs in the Cemetery, except for service dogs.

It was moved by Councilmember Sisson and seconded by Councilmember Raley to accept the changes in Cemetery regulations recommended by staff. All in favor, motion carried.

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Renewable Energy Policy Allowing for Net Metering

Utilities Director Steve Glammeyer explained that the City is beginning to see an increase in the number of small individual renewable energy installations on both residential and commercial facilities in the last few years. In order to properly account for these installations regulate safety to the City's system and personnel, staff has developed a policy Council's consideration. The policy provides for "crediting" excess energy generated back onto the City's distribution system. Credits would be made to the customer's bill for the amount of energy generated beyond the customer's monthly usage. Credits would be carried over month to month and applied to the subsequent month's bill. Any excess credit remaining on the account at the time of disconnection from utility service would be forfeited to the City.

Mr. Glammeyer distributed a brief amendment to the policy which clarified how the amount of the credit would be determined.

Staff answered questions from Council concerning the implementation of the policy.

It was moved by Councilmember Sisson and seconded by Councilmember Jurca to adopt the City of Delta Renewal Energy Policy Allowing for Net Metering, including the amendment. All in favor, motion carried.

Liquor License Renewals: El Tapatio Hotel/Restaurant License; City Market 3.2% Beer License

The Clerk reported that the applications for both renewals are complete and that the required fees have been paid. The Police Department reports for both licensees revealed no liquor violations during the last year. Staff recommended approval of both renewals.

It was moved by Councilmember Jurca and seconded by Councilmember Sisson to approve the Hotel/Restaurant License renewal application for El Tapatio and the 3.2% Beer License renewal application for City Market. All in favor, motion carried.

City Attorney Comments

City Attorney Schottelkotte reported that he would be out of town for the July 19th meeting.

City Manager Comments

City Manager Kerby gave the following report:

- The Special Election concerning medical marijuana facilities will be held on July 12.
- July 22 is the last day for the City to inform the County Clerk's office if we intend to participate in the November coordinated election. Thus, action will need to be taken at the July 19th meeting if there will be a City issue on the ballot.
- The City received a \$4,000 grant from Colorado Creative Industries for the Powwow.
- The Golf Course Micro Hydro Project has been submitted. It has gone through a feasibility study and has made it through Phase I review of the Colorado Renewable Energy Development Team. The project has been selected to move on to Phase II.
- The Manager plans on taking a week's vacation in August.
- The open space acquisition is moving ahead with a tentative closing date of August 8.
- Deltarado Days is scheduled for July 15 and 16.
- Today at 5:00 pm was the deadline for submission of names of citizens to serve on the Citizens Financial Task Force. Manager Kerby would like to have Council appoint the members of the Task Force within the next 30 days.

Councilmember Comments

Councilmember Sisson commented on this year's 4th of July fireworks display and the Colorado Municipal League conference he attended in June. The Mayor Pro Tem also commented on the conference.

Executive Session

It was moved by Councilmember Jurca and seconded by Councilmember Sisson to convene an Executive Session to discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under CRS Section 24-6-402(4)(a) and for the purpose of instructing

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Executive Session (Cont.)

negotiators under CRS Section 24-6-402(4)(c), more specifically pertaining to the possible sale of property at 201 Kellogg, and pertaining to the purchase of right-of-way for the truck bypass (Confluence Drive) project; and to discuss a personnel matter under CRS Section 24-6-402(4)(f) 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 7:37 p.m., Mayor Pro Tem Pfalzgraff recessed the Regular Meeting and convened the Executive Session.

At 9:04 p.m., the Mayor Pro Tem reconvened the Regular Meeting and announced that the Executive Session had been concluded. He stated that in addition to himself, the participants in the Executive Session were Councilmembers Ed Sisson, Bill Raley, and Robert Jurca; City Manager Joe Kerby; City Attorney Mike Schottelkotte. Public Works Director Jim Hatheway was present only for the property sale and right-of-way discussions. Brad Rodenberg was present only for the right-of-way discussion.

For the record, the Mayor Pro Tem 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.

Mary Lynn Williams, Acting City Clerk