

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 August 2, 2011 as submitted by the Clerk. All in favor, motion carried.

**Citizen Comments**

Orval Proctor, 665 Main Street, commented on the process to receive an accident report from the Delta Police Department. He asked that the process be revisited to become more useable to the citizens.

**Appointment to the Delta Housing Authority Board**

The Clerk explained that there is an opening on the Delta Housing Authority Board. She stated that staff advertised the opening for two consecutive weeks and only one application was received. Cindy Warren submitted the application and has been on the board in the past. The Clerk also stated that the Executive Director of Delta Housing Authority has commented that Ms. Warren has done an excellent job for the board.

Councilmember Jurca agreed what Ms. Warren has done an excellent job on the board.

It was moved by Councilmember Jurca and seconded by Councilmember Pfalzgraff to appoint Cindy Warren to the Delta Housing Authority Board. All in favor, motion carried.

**Region 10 Annual Update**

Paul Gray, Executive Director of Region 10 summarized their fiscal year. He reported on the following accomplishments in FY2011:

- Area Agency on Aging
- Business Loan Fund
- Enterprise Zone
- Enterprise Center
- Transportation and Transit Planning and Development
- Economic Development
- Region 10 Member Assessments
- Cost-Benefit Analysis

City Manager Joe Kerby questioned Mr. Gray about Extra Aircraft and also Greyhound.

Mr. Gray stated that he believes Extra going to Arizona and that they are talking with Greyhound to get further information.

Manager Kerby also questioned if Volunteers of America's term on their current contract.

Mr. Gray stated that the contract is for one year. However, he believes they will continue forward for some time.

Mr. Gray thanked Council for their contributions to Region 10 and looks forward to working with the City in the future.

## **Regular Meeting, Delta City Council, August 16, 2011 (Cont.)**

### **2011 Concrete Replacement Project Bids**

Public Works Director Jim Hatheway reported that there were four bids received for the 2011 concrete replacement project. Willow Creek Construction submitted the most favorable bid. He explained that this company completed the 2010 project. This project is budgeted primarily under the citywide capital improvements fund. He also stated that there were nine cost share requests this year.

Manager Kerby questioned if the improvements on Main Street are included in this bid and if not can the City do a change order to include them.

Mr. Hatheway stated that it does not include the Main Street improvements. He also stated that he can work with the contractor and CDOT to possibly make that happen.

Mr. Kerby addressed concerns of the curb erosion along Main Street and also the medians.

Mr. Hatheway reported that every one of the medians is different in some way and so trying to spec the construction is difficult. He did state that the curb by Ocean Pearl will be fixed.

It was moved by Councilmember Pfalzgraff and seconded by Councilmember Sisson to award the contract for the 2011 concrete replacement project to Willow Creek Construction. All in favor, motion carried.

### **Stone Mountain, Filing 3, Review of Final Plat**

Community Development Director Glen Black reported that earlier tonight in the work session this item was addressed. Staff is now requesting Council to give a consensus that the applicant would be able to apply for a final plat as it was approved on December 4, 2007 with all staff recommendations.

Councilmember Pfalzgraff added that during the work session it was explained that this was a consensus without committed to approve or not approve anything at a later date.

There was a consensus amongst Council.

### **Resolution #5, 2011; GOCO Grant Application for LaFarge Property**

#### RESOLUTION # 5, 2011

A RESOLUTION OF THE CITY OF DELTA, COLORADO,  
SUPPORTING THE GRANT APPLICATION FOR A LOCAL  
PARKS AND OUTDOOR RECREATION LAND ACQUISITION  
GRANT FROM THE STATE BOARD OF THE GREAT  
OUTDOORS COLORADO TRUST FUND AND THE  
COMPLETION OF THE LAFARGE PROPERTY PURCHASE

was read by the Clerk.

Parks Director Paul Suppes explained that the City is applying for a grant for reimbursement on the purchase of the LaFarge property. Mr. Suppes requested Council to approve this resolution to support staff in going forward with the grant.

Councilmember Pfalzgraff stated that the purchase of this property has been discussed for some time now and this is a great opportunity to help with the funding.

It was moved by Councilmember Pfalzgraff and seconded by Councilmember Jurca to adopt Resolution #5, 2011. Roll call vote: Councilmembers Sisson aye, Raley aye, Jurca aye, Pfalzgraff aye and Cooper aye. Motion carried.

### **Authorization for City Manager to sign Closing Documents for Open Space Purchase**

Manager Kerby reported that the closing for the LaFarge property is scheduled for August 22 at 3:00pm. At this time he is asking for Council's approval to sign the closing documents.

City Attorney Mike Schottelkotte stated that the contract itself was approved some time ago. He believes that all the matters that were initial concerns to the City have come together very well.

## **Regular Meeting, Delta City Council, August 16, 2011 (Cont.)**

### **Open Space Purchase (cont.)**

It was moved by Councilmember Raley and seconded by Councilmember Sisson to authorize the City Manager to sign closing documents for the Open Space purchase. All in favor, motion carried.

### **City Attorney Comments**

There were none.

### **City Manager Comments**

Manager Kerby updated Council on the following items:

- Employee appreciation breakfast is scheduled for August 19<sup>th</sup>.
- The design on the Visitor's Center is still continuing.
- Pow Wow is still moving forward. He explained the press release that was sent out that had incorrect information.
- The WWTP digester project is currently in the evaluation stage.
- Confluence Park is being watered during the day due to a pump issue.
- Sales tax through July is down from last year by \$53,000. However, it is within the projected amount for 2011.
- Chief Robert Thomas is having a table top emergency management excise on September 27<sup>th</sup>.
- The Police Department hosted training for shooting in schools.
- CML's District 10 meeting is being hosted by the City of Delta on October 19<sup>th</sup>.
- Natural Green Solutions will be in compliance by September 1<sup>st</sup>. They have requested a letter of reference from the City for their future business operations.
- Devil's Thumb Golf Course has scheduled several tournaments for the month of August.
- The Library received a historical construction grant to address structure and moisture concerns for the building.
- Greyhound is changing some routes and it will affect routes that come through Delta.
- Utilities Director Steve Glammeyer will be attending the MEAN quarterly meeting later this week.
- On September 9<sup>th</sup> there will be a tree planting ceremony at Lincoln Elementary in remembrance of 9/11.
- The Western Slope Patriot's will also be holding a remembrance at Lion's Pavilion on September 11<sup>th</sup>.
- During September he will be attending a conference for International City and County Manager's Association meeting in Milwaukee.

Councilmember Sisson questioned the Greyhound cancellations.

Mr. Kerby stated he would follow up with them regarding the routes that will be cancelled.

### **Councilmember Comments**

Councilmember Sisson reported that he has received several comments on the City's flowers.

### **Executive Session**

It was moved by Councilmember Jurca and seconded by Councilmember Pfalzgraff to convene an Executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under CRS Section 24-6-402(4)(e); or more specifically for discussions regarding Confluence Drive. All in favor, motion carried.

At 7:47 p.m., Mayor Cooper recessed the Regular Meeting and convened the Executive Session.

At 8:19 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 Ed Sisson, Bill Raley, Guy Pfalzgraff and Robert Jurca; along with City Manager Joe Kerby, Public Works Director Jim Hatheway and Brad Rodenberg. 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

**Regular Meeting, Delta City Council, August 16, 2011 (Cont.)**

**Executive Session (cont.)**

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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Jolene Nelson, City Clerk