

Councilmember-Elect Mary Cooper called the meeting to order at 7:00 p.m. Also present were Councilmembers-Elect Bill Raley, Robert Jurca, Ray Penick, and Councilmember 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.

Oath of Office

The City Clerk administered the Oath of Office to Councilmembers-Elect: Mary Cooper, Robert Jurca, Ray Penick and Bill Raley who were elected on April 3, 2012.

Election of Mayor and Mayor Pro Tem

Councilmember Raley commented on the representation from Council regarding the truck route.

It was moved by Councilmember Raley to nominate Mary Cooper as Mayor. The motion failed for a lack of a second.

It was moved by Councilmember Jurca and seconded by Councilmember Penick to appoint Ed Sisson as Mayor. Roll call vote: Councilmembers Raley, aye; Penick, aye, Jurca, aye, Sisson, aye; and Cooper, aye. Motion carried.

It was moved by Councilmember Penick and seconded by Councilmember Raley to appoint Mary Cooper as Mayor Pro Tem. Roll call vote: Councilmembers Raley, aye; Penick, aye, Jurca, aye, Sisson, aye; and Cooper, aye. Motion carried.

City Council Board & Committee Appointments

The following appointments were made:

Juvenile Diversion - Bill Raley
Delta County Economic Development - Mary Cooper
Historic Preservation - Ed Sisson
Region 10 - Bill Raley
Delta Area Chamber of Commerce - Ed Sisson
Project 7 - Mary Cooper, Alternate Steve Glammeyer
FORE Alliance/Regional Energy Steering Committee - Ray Penick
Delta Housing Authority Board - Robert Jurca
Board of County Commissioners - Joe Kerby and Ray Penick
Municipal Quarterly - Ray Penick and Ed Sisson
Delta County Housing Task Force - Bill Raley
Employee Benefits Task Force - Ray Penick
Pro Challenge Bicycle Race - Ray Penick
Truck Route Committee - Mary Cooper, Ray Penick
Recycle Task Force - Robert Jurca
Citizen's Financial Task Force - Ray Penick
Golf Course Advisory Board - Robert Jurca
Club 20 – Mary Cooper
CRP – Downtown Revitalization
Organization - Bill Raley
Economic Restructuring - Ed Sisson
Design - Robert Jurca
Promotions - Ed Sisson

Minutes

It was moved by Councilmember Jurca and seconded by Councilmember Raley to approve the minutes of April 3, 2012 as submitted by the Clerk. All in favor, motion carried.

Regular Meeting, Delta City Council, April 17, 2012 (Cont.)

Citizen Comments

Frank Tranchina, 763 1630 Road, commented on running for Council and stated that he will work on stopping the truck route project. He also commented on City Manager Joe Kerby being offered a position within another community.

Council Bill #10, 2012; First Reading
101 Grand Avenue Rezone

Council Bill #10, 2012

AN ORDINANCE OF THE CITY OF DELTA, COLORADO,
AMENDING THE ZONING DESIGNATION OF LOTS 1 AND 2,
BLOCK 1, OF THE ORIGINAL PLAT OF DELTA FROM R-4 TO
B-2

was read by the Clerk.

Planning Technician Sharleen Walker stated that this is a recommendation from Planning Commission. She will be presenting the information tonight since Glen Black is the applicant.

She reported that the application is complete, all fess have been paid and all notices are in compliance. This property is located at 101 Grand Avenue and is currently zoned R-4. The applicant is requesting the property to be rezoned for B-2. The Planning Commission did hold a public hearing on April 2, 2012 and is recommending approval of the rezone. Ms. Walker showed the location of the property on the slide presentation. She also reported on the various rezoning changes in the immediate area.

Councilmember Raley questioned if there was anything that showed where the B-2 areas are located.

Ms. Walker presented a slide showing the locations.

It was moved by Councilmember Raley and seconded by Councilmember Penick to adopt Council Bill #10, 2012 on first reading. Roll call vote: Councilmembers Raley, aye; Penick, aye, Jurca, aye, Cooper, aye and Sisson, aye. Motion carried.

Landscape Requirements

Community Development Director Glen Black reported that the Planning Commission continues to look at the City's codes that apply to developments. On December 6, 2011 at a work session Council requested that the Planning Commission make a recommendation regarding landscape requirements both in residential and business properties.

Mr. Black stated that there are several sections that are covered and there are several sections that Planning Commission did not recommend any changes. He then explained the changes that are being recommended.

Councilmember Jurca stated that most of Council has seen these slides except Councilmember Penick so he suggested running through the slides again.

There was discussion regarding ground cover and inert materials.

There was consensus amongst Council to direct staff to prepare an ordinance.

Councilmember Cooper suggested staff take a look at signage also.

Manager Kerby stated that staff can work on bringing that to Council during an upcoming work session to get their feedback on what changes they would like to see.

Ordinance #8, 2012; Second and Final Reading
Parking and Paving

Ordinance #8, 2012

AN ORDINANCE OF THE CITY OF DELTA, COLORADO,

Regular Meeting, Delta City Council, April 17, 2012 (Cont.)

Ordinance #8, 2012; Second and Final Reading (cont.)

AMENDING SECTIONS 15.04.080.B.1.b, 17.04.230.E.4 AND 17.04.230.G OF THE DELTA MUNICIPAL CODE FOR THE PURPOSE OF REVISING CERTAIN PARKING AND PAVING REGULATIONS APPLICABLE TO PROPERTY DEVELOPMENT WITHIN THE CITY LIMITS

was read by the Clerk.

It was moved by Councilmember Penick and seconded by Councilmember Jurca to adopt Council Bill #8, 2012 on second and final reading. Roll call vote: Councilmembers Raley, aye; Penick, aye, Jurca, aye, Cooper, aye and Sisson, aye. Motion carried. Council Bill #8, 2012 was adopted on second and final reading as Ordinance #8, 2012.

**Council Bill #9, 2012; Second and Final Reading
Storage Sheds and Travel Homes**

Ordinance #9, 2012

AN ORDINANCE OF THE CITY OF DELTA, COLORADO, AMENDING PARTS OF SECTION 17.04.220.B.1. OF THE DELTA MUNICIPAL CODE FOR THE PURPOSE OF REVISING TABULATED REGULATIONS LIMITING PLACEMENT AND MAINTENANCE OF TRAVEL HOMES AND STORAGE STRUCTURES ON PROPERTY WITHIN THE CITY LIMITS

was read by the Clerk.

Director Black reported that after further review of this ordinance staff has concerns as to the ability to administer the changes. Staff would recommend changing the last paragraph of the ordinance where it talks about the location of property where there are two or more streets to read as follows:, but not within any corner setback.

There was discussion regarding the corner setbacks.

It was moved by Councilmember Raley and seconded by Councilmember Penick to adopt Council Bill #9, 2012 on second and final reading as amended. Roll call vote: Councilmembers Raley, aye; Penick, aye, Jurca, aye, Cooper, aye and Sisson, aye. Motion carried. Council Bill #9, 2012 was adopted on second and final reading as Ordinance #9, 2012.

**Hotel/Restaurant Liquor License Renewals
Stockyards Restaurant and Devil's Thumb Bar and Grill**

The Clerk explained that Stockyards Restaurant and Devil's Thumb Bar and Grill both have submitted their Hotel/Restaurant Liquor License renewals. She stated that Stockyards license did expire on April 9, 2012, however, since they submitted their renewal before the expiration date they can continue to sell liquor. The applications are complete and all fees have been paid. She reported that the police department has recommended renewal for both licenses.

It was moved by Councilmember Penick and seconded Councilmember Raley to approve the Hotel/Restaurant Liquor License Renewals for Stockyards Restaurant and Devil's Thumb Bar and Grill. All in favor, motion carried.

Arbor Day Proclamation

Parks Director Paul Suppes recommended Council approve the proclamation for Arbor Day. He reported that the City has been a Tree City for 27 years. This year the Parks Department has purchased 190 trees for the 4th graders in Delta to plant at their homes; therefore, spreading the tree plantings all over the City and County area.

Mayor Sisson read the proclamation.

Regular Meeting, Delta City Council, April 17, 2012 (Cont.)

City Attorney Comments

City Attorney Michael Schottelkotte commented on the Simmons case as well as updated Council on the Family Household trust condemnation.

City Manager Comments

Manager Kerby reported on the following items:

- Staff is continuing to review the draft that was submitted by the consultant who conducted the review of operations at Devil's Thumb Golf Club. At the work session on May 15th the consultant will be presenting to Council the review.
- The Montrose Forum is scheduled for April 25th. They have asked the Mayor to make a presentation for the City of Delta.
- At the next Council meeting staff will be presenting an ordinance to refinance the sewer bonds to save the City some additional monies.
- Paul Suppes has been working with CDOT to approve new signage for the golf course. CDOT has approved a sign to be erected at Hwy 50 and H38 Road.
- The pool upgrades are underway.
- Judy Weiszbrod is retiring from the recreation center. There is a retirement party being held on April 28th at the recreation center.
- Ennovate will be providing Council with an update on their energy efficiency analysis, at the work session on May 1st.
- The Police Department is sponsoring a prescription drug take back on April 28th.
- The sales tax program with ADG is being updated. This will allow businesses to submit their returns online.
- The parks department is constructing two picnic shelters.
- The new radio tower has been installed. This will allow better communication between staff.
- An income survey has been sent out to individuals living in the area that will have direct benefit from the improvements on the storm water infrastructure. This was a requirement for the grant submitted to DOLA. The City is likely to receive approximately \$250,000.
- The website for the truck route has recently been updated.
- An MOU has been drafted and submitted to the individuals proposing to conduct a Renaissance Festival in Delta. They are having a festival in Grand Junction this weekend on 29 Road.
- Suggested a work retreat with Council and staff.

Councilmember Comments

Councilmember Penick stated that he has been trying to get up to speed since the election. He has visited some departments and will continue to get with departments heads to get familiar with the various projects and concerns throughout the City.

Councilmember Jurca commented on issuing and RFP for the City Attorney. He stated that it has been standard over the last several elections.

Councilmember Sisson commented on a meeting with DCED. They were reminded to not forget about what the area currently has.

Executive Session

It was moved by Councilmember Jurca and seconded by Councilmember Cooper 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 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.

At 8:03 p.m., Mayor Sisson recessed the Regular Meeting and convened the Executive Session.

Regular Meeting, Delta City Council, April 17, 2012 (Cont.)

Executive Session (cont.)

At 9:41 p.m., the Mayor 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 Robert Jurca, Bill Raley, Ray Penick and Mary Cooper; along with City Manager Joe Kerby, City Attorney Michael Schottelkotte, and Brad Rodenberg via telephone. 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.

Jolene E. Nelson, City Clerk