

Mayor Ed Sisson called the meeting to order at 7:00 p.m. Also present were Councilmembers Bill Raley, Robert Jurca, Mary Cooper, and Ray Penick along with Interim City Manager Glen Black 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

City Attorney Michael Schottelkotte presented a change on page 2 of the May 15, 2012 regular meeting minutes under the title Presentation from Senteney Family Trust Regarding Confluence Drive, paragraph 5, changing "body" to "member" and "present for" to "other person".

Councilmember Penick also presented the following changes:

- May 22, 2012 meeting should read as a Special Meeting
- Page 4, paragraph 8 change "the" to "as the".
- Page 5, paragraph 7 change "&" to "%".
- Page 5, paragraph 10 add "subject to the above address change" after #5458.

It was moved by Councilmember Penick and seconded by Councilmember Jurca to approve the minutes of May 15, 2012 regular meeting and May 22, 2012 special meeting with the above changes. All in favor, motion carried.

Citizen Comments

There were none.

**Public Hearing: Special Events Permit Application
Delta Elks Lodge #1235**

The Mayor closed the regular meeting and convened a public hearing.

Deputy Clerk Renee Neubauer reported that Delta Elks Lodge #1235 has submitted a special events permit application for a cancer awareness dance that will be open to the public on July 14, 2012. They plan to sell malt, vinous and spirituous drinks from 12:00pm to 2:00am. The application is complete and all fees have been paid. A sign notifying the public of this hearing has been posted as required by law and no comments have been received.

The Mayor called for public comment and when there was none he closed the public hearing and reconvened the regular meeting.

Regular Meeting, Delta City Council, June 5, 2012 (Cont.)

**Public Hearing: Special Events Permit Application
Delta Elks Lodge #1235 (cont.)**

It was moved by Councilmember Cooper and seconded by Councilmember Raley to approve the Delta Elks Lodge #1235 special events liquor permit for July 14, 2012. All in favor, motion carried.

**Public Hearing: Special Events Permit Application
Delta Area Chamber of Commerce (Cleland Park)**

The Mayor closed the regular meeting and convened a public hearing.

The Deputy Clerk stated that the Delta Area Chamber of Commerce has submitted a special events permit application for July 21, 2012. This event will be held at Cleland Park for Deltarado Days. They plan to sell malt, vinous and spirituous drinks from 11:00am to 5:00pm. The application is complete and all fees have been paid. A sign notifying the public of this hearing was posted as required by law and no comments have been received.

The Mayor called for public comment and when there was none he closed the public hearing and reconvened the regular meeting.

It was moved by Councilmember Raley and seconded by Councilmember Jurca to approve Delta Area Chamber of Commerce's special events liquor permit for July 21, 2012 at Cleland Park. All in favor, motion carried.

**Public Hearing: Special Events Permit Application
Delta Area Chamber of Commerce (Horse Country Arena)**

The Mayor closed the regular meeting and convened a public hearing.

The Deputy Clerk stated that Delta Area Chamber of Commerce has submitted a special events permit application for July 21, 2012 at Horse Country Arena. This event is also in conjunction with Deltarado Days. They plan to sell malt, vinous and spirituous drinks from 5:00pm to 10:00pm. The application is complete and all fees have been paid. A sign notifying the public of this hearing was posted as required by law and no comments have been received.

The Mayor called for public comment and when there was none he closed the public hearing and reconvened the regular meeting.

It was moved by Councilmember Jurca and seconded by Councilmember Raley to approve Delta Area Chamber of Commerce's special events liquor permit for July 21, 2012 at Horse Country Arena. All in favor, motion carried.

**Public Hearing: Special Events Permit Application
Delta Area Chamber of Commerce (5th Street)**

The Mayor closed the regular meeting and convened a public hearing.

Regular Meeting, Delta City Council, June 5, 2012 (Cont.)

**Public Hearing: Special Events Permit Application
Delta Area Chamber of Commerce (5th Street) (cont.)**

The Deputy Clerk reported that Delta Area Chamber of Commerce has submitted a special events permit for July 20, 2012 and July 21, 2012. The location for this permit would be on 5th Street between Main Street and Palmer Street. They plan to sell malt, vinous and spirituous drinks from 6:00pm to 11:00pm on both dates. The application is complete and all fees have been paid. A sign notifying the public of this hearing was posted as required by law and no comments have been received.

The Mayor called for public comment and when there was none he closed the public hearing and reconvened the regular meeting.

Councilmember Penick stated that Council has not approved the closure of 5th Street; therefore, Council should not approve the application until after the approval of the 5th Street Closure.

It was moved by Councilmember Raley and seconded by Councilmember Jurca to table this item until after the next agenda item. All in favor, motion carried.

Special Permit for Temporary Closure; Delta Area Chamber of Commerce

The Deputy Clerk explained that Delta Area Chamber of Commerce has submitted a special permit for temporary closure for a couple of events. The first is for the 1st Saturday Market events scheduled on July 7th, August 4th, September 1st and October 6th, 2012 to be held on 3rd Street between Main Street and Palmer Street. They plan to close the street from 7:00am to 1:00pm. The second is for the 5K run that is being held during Deltarado Days on July 21, 2012. They are requesting 9th Street Hill to be closed for the event from 9:00am to 10:00am. The reason for both events to be on one application is that Jolene Nelson, City Clerk spoke with the Public Works Director as well as the Interim City Manager to see if the City would request another fee and deposit for the 9th Street Hill closure. The Chamber has already received two separate permits for closure for Deltarado Days and staffs believes that it would be more redundant to multiple applications.

Councilmember Cooper stated that this if for 3rd Street and 9th Street, 5th Street is not included.

Linda Sanchez with the Delta Area Chamber of Commerce stated that the 5th Street closure was approved at the last meeting.

It was moved by Councilmember Cooper to approve the special permit for temporary closure of 3rd Street for the Delta Area Chamber of Commerce's events scheduled on July 7th, August 4th, September 1st and October 6th, 2012 and also 9th Street Hill for the 5K Run on July 21st.

Councilmember Penick questioned if they need proof of insurance for the First Saturday Market events.

Attorney Schottelkotte stated that they can approve the application with the condition of submitting the proof of insurance.

Regular Meeting, Delta City Council, June 5, 2012 (Cont.)

Special Permit for Temporary Closure; Delta Area Chamber of Commerce (cont.)

Ms. Sanchez stated that she has submitted the proof.

The packet information only showed the insurance for Deltarado Days.

Interim City Manager Glen Black stated he would work with Jolene Nelson to make sure we have the correct insurance.

The motion was amended to include contingent upon submitting proof of insurance for the First Saturday Markets by the Chamber of Commerce. All in favor, motion carried.

**Public Hearing: Special Events Permit Application
Delta Area Chamber of Commerce (5th Street) (cont.)**

It was moved by Councilmember Penick and seconded by Councilmember Jurca to take item H off the table to be discussed. All in favor, motion carried.

The Mayor closed the regular meeting and convened a public hearing.

The Deputy Clerk reported that Delta Area Chamber of Commerce has submitted a special events permit for July 20, 2012 and July 21, 2012. The location for this permit would be on 5th Street between Main Street and Palmer Street. They plan to sell malt, vinous and spirituous drinks from 6:00pm to 11:00pm on both dates. The application is complete and all fees have been paid. A sign notifying the public of this hearing was posted as required by law and no comments have been received.

The Mayor called for public comment and when there was none he closed the public hearing and reconvened the regular meeting.

It was moved by Councilmember Raley and seconded by Councilmember Jurca to approve the Delta Area Chamber of Commerce's application for a special event liquor permit on 5th Street between Main Street and Palmer Street for July 20, 2012 and July 21, 2012. All in favor, motion carried.

Beer & Wine Liquor License Renewal; House of Chin, Inc.

The Deputy Clerk reported that House of Chin, Inc. has submitted their beer and wine liquor license renewal. The application is complete and all fees have been paid. The Police Department has recommended approval.

It was moved by Councilmember Cooper and seconded by Councilmember Penick to approve the Beer and Wine Liquor License renewal for House of Chin, Inc. All in favor, motion carried.

Purchase of Used Dump Truck

Fleet Manager Rod Myers stated that in 2013 the City is scheduled to start replacing some of the dump trucks. The current fleet is from 1991 to 1995 and they are getting old. He was contacted by Hanson International; they have a used 2001 dump truck that would work for the

Regular Meeting, Delta City Council, June 5, 2012 (Cont.)

Purchase of Used Dump Truck (cont.)

City. After looking at the budget for 2012 it was determined that there is enough money remaining to make this purchase without a supplemental appropriation. This purchase will allow the City to begin updating an aging truck fleet. It will also save the City some monies.

Councilmember Penick questioned that since this is an unbudgeted item, is there any other equipment being setback.

Mr. Myers stated that there was a project to replace the beds on these old dump trucks that has been determined would not benefit the City due to the age of the trucks. The equipment and vehicles that have been purchased this year have come in lower than budgeted.

Mayor Sisson questioned what the life expectancy on this truck would be.

Mr. Myers explained the past purchase of a 10-year old truck that is going on 11 years of use. If that is any indication, we can expect at least that length of time.

It was moved by Councilmember Penick and seconded by Councilmember Jurca to approve the purchase of 2001 International dump truck from Hanson International for the sum of \$46,650.00

Council Bill #13, 2012; First Reading Supplemental Development Standards

COUNCIL BILL #13, 2012

AN ORDINANCE OF THE CITY OF DELTA, COLORADO,
AMENDING SUBSECTION 15.04.090.A.1. OF THE DELTA
MUNICIPAL CODE TO REVISE SUPPLEMENTAL
DEVELOPMENT STANDARDS FOR PROPERTIES LOCATED
WITHIN HIGHWAY CORRIDORS IN THE CITY LIMITS.

It was moved by Councilmember Penick and seconded by Councilmember Cooper to adopt Council Bill #13, 2012 on first reading. Roll call vote: Councilmembers Cooper, aye; Raley, aye, Jurca, aye; Penick, aye and Sisson, aye. Motion carried.

City Attorney Comments

Attorney Schottelkotte commented that the condemnation of the Family Household Trust property is scheduled for evaluation trial on August 24, 2012. He explained the trial proceedings. He also updated Council on the other properties that staff has been working on.

City Manager Comments

Manager Black reported on the following items:

- The City has received a letter of thanks from the high school for the Grad Night donation.

Regular Meeting, Delta City Council, June 5, 2012 (Cont.)

City Manager Comments (cont.)

- He also stated that he has been talking with Jason Cooley with the Fire Department; they plan to continue with fireworks display on the 4th of July. This will be considered at the next Council meeting. He explained the Fire Ban from the County.
- Staff will be meeting with Eagle Net regarding bringing broadband to Delta.

Councilmember Comments

Councilmember Penick stated he met with the employee's benefits group as well as attend the FORE Alliance meeting.

Councilmember Sisson commented on Heritage Days. He commended staff for their work on getting the cat down off of the light pole.

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. All in favor, motion carried.

At 7:35 p.m., Mayor Sisson recessed the Regular Meeting and convened the Executive Session.

At 9:05 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 Interim City Manager Glen Black, City Attorney Michael Schottelkotte, Public Works Director Jim Hatheway, Rob Pratt and Brad Rodenberg via phone. 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.

Renee Neubauer, Deputy City Clerk