

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**

It was moved by Councilmember Cooper and seconded by Councilmember Raley to approve the minutes of August 7, 2012 as submitted by the Clerk. All in favor, motion carried.

**Citizen Comments**

There were none.

**City Manager Announcement**

Mayor Sisson stated that they are not prepared to make an announcement tonight. They are conducting background checks and references.

It was moved by Councilmember Cooper and seconded by Councilmember Jurca to table the City Manager Announcement until further notice. All in favor, motion carried.

**Street Closure Permit: Delta County School District Backpack Program**

The Clerk explained that the Delta County School District Backpack Program has submitted a street closure permit application for a 5K Run they plan to hold on October 27, 2012. The application states they would like 9<sup>th</sup> Street Hill closed for the event. Representatives from the Backpack Program did meet with staff to discuss the event. A map showing the routes was submitted with the application. The Clerk also explained that the insurance requirement has been met and the fees have been paid. Staff recommends approving the application to close 9<sup>th</sup> Street Hill on October 27, 2012 for the event.

It was moved by Councilmember Penick and seconded by Councilmember Raley to approve the street closure permit for the Delta County School District Backpack Program event scheduled on October 27, 2012. All in favor, motion carried.

**Purchase of Fitness Equipment**

Culture and Recreation Director Wilma Erven stated that staff is requesting approval to purchase four new Total Body Arc Trainers with embedded wireless audio receivers. She

## **Regular Meeting, Delta City Council, August 21, 2012 (cont.)**

### **Purchase of Fitness Equipment (cont.)**

explained the advantage of having the embedded wireless audio receivers. These machines will be replacing four machines currently at the recreation center. Three of them will be sold and one is already parted out.

Ms. Erven explained that there were four bids received. Staff is not recommending the low bid due to the fact that the professional fitness machine repairman that does their repair work informed them that the SCIFIT machines do not hold up under heavy use. Also, the SCIFIT machines do not have the embedded wireless audio receivers. During the 2012 budget process \$20,000 was budgeted for these machines. The additional \$1492.90 will come from the selling of the used units and also from the fitness budget that will not be used. Staff recommends purchasing four Total Body Arc Trainers from Commercial Fitness Solutions, Inc.

Councilmember Penick questioned if staff believes they can sell the machines.

Ms. Erven stated that they do. She explained the last time they sold equipment and the success they had with that.

It was moved by Councilmember Jurca and seconded by Councilmember Penick to purchase four Total Body Arc Trainers with embedded wireless audio receivers from Commercial Fitness Solutions, Inc. in the amount of \$21,492.90. All in favor, motion carried.

### **Delta County Cannery Demolition Project**

Public Works Director Jim Hatheway reported that the demolition of the Delta County Cannery and adjacent building is another step in the clearing phase of City properties for the construction of Confluence Drive. Staff is trying to get the building removed before the contractor mobilizes onsite. The numbers that staff received from SEMA, and similarly from Hamon, for estimated demolition and disposal were \$200,000 to \$250,000. Staff was looking for local options that might be able to complete that project in a timely fashion as well as trying to reduce the cost.

Mr. Hatheway explained staff advertised the project and they received eleven bids. He presented a summary of the bids. When staff advertised the bid, they advertised for the primary building and the secondary building in the event the condemnation is approved. Staff is recommending approving the contract with M&A Concrete Construction. The cost for the primary building will be \$48,450 and the secondary building is \$14,500.

Mayor Sisson questioned why there was such a big difference in the bids and if M&A is capable of completing the project.

Mr. Hatheway is not sure why the bids varied so much but stated that M&A is one of the stronger companies to handle this type of project.

Councilmember Penick questioned if this includes the hauling the material off site.

Mr. Hatheway stated that it does. He explained that the way the project was bid was for them to look at three different options for the disposal of the material. He also explained the different bid options. M&A did state they are comfortable with all three options. A request has been

**Regular Meeting, Delta City Council, August 21, 2012 (cont.)**

**Delta County Cannery Demolition Project (cont.)**

made to the Delta County Commissioners to waive or reduce landfill fees. Staff is also looking at possibly recycling some of the material to use on the truck route.

Councilmember Penick also questioned if there would be a change in the bid if that were to occur.

Mr. Hatheway stated it would. Staff is waiting for a number from the contractor to see what the difference would be.

Councilmember Penick questioned if all permits have been acquired.

Mr. Hatheway stated staff has not acquired all permits at this time.

Councilmember Penick questioned if they should be approving this process tonight or should they wait to hear back from them as to price of processing material. He wanted to know what the disadvantage to waiting would be.

Mr. Hatheway stated that he was hoping for Council to approve it tonight subject to the issuance of the permits to keep the process moving.

Councilmember Penick questioned if staff expects to receive permission to proceed before Council's first meeting in September.

Mr. Hatheway stated there is a 50/50 chance right now.

Councilmember Cooper stated she would prefer to get it done now and not wait.

City Attorney Michael Schottelkotte stated that they are expecting the Order of Possession anytime.

It was moved by Councilmember Cooper and seconded by Councilmember Raley to award the contract of the Cannery demolition to M&A Concrete not to exceed \$62,950 contingent upon ACOE and court approval for demolition. Motion carried with Councilmember Penick voting no and all others voting aye.

**Purchase Contract with Delta 03, LLC**

Director Hatheway stated the next two contracts are the last two private property acquisitions for the Confluence Drive project. The Delta 03 property is the property where the Ace Hardware and Dollar Tree are located. Staff has negotiated with property owner and the appraised price of \$14,500 was agreed upon.

It was moved by Councilmember Jurca and seconded by Councilmember Cooper to approve the property acquisition contract with Delta 03, LLC for \$14,500 and authorize the City Manager to sign the contract. All in favor, motion carried.

## **Regular Meeting, Delta City Council, August 21, 2012 (cont.)**

### **Purchase Contract with Gillette Management, LLC**

Director Hatheway stated that this property has Kentucky Fried Chicken located on it. Staff offered \$8,500 and the property owner has agreed to the offered price. Again, this is for the Confluence Drive project.

It was moved by Councilmember Cooper and seconded by Councilmember Penick to approve the property acquisition contract with Gillette Management, LLC for \$8,500 and authorize the City Manager to sign the contract. All in favor, motion carried.

### **City Attorney Comments**

Attorney Schottelkotte stated he will be away for the next meeting. He reported on a few items regarding the truck route.

### **City Manager Comments**

City Manager Glen Black reminded Council of CML's district outreach meeting being held in Ouray on September 10, 2012. He stated that a work session discussing the budget will be on September 4, 2012. He also stated that staff hired a human resource person last week.

### **Councilmember Comments**

Councilmember Cooper stated she is glad to hear about the great news on the truck route.

Councilmember Penick thanked staff for their help with the City Manager candidates.

Mayor Sisson also thanked staff for their help.

### **Executive Session**

It was moved by Councilmember Penick and seconded by Councilmember Cooper to convene an Executive Session 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; or more specifically discussion regarding City Manager contract negotiations. All in favor, motion carried.

At 7:29 p.m., Mayor Sisson recessed the Regular Meeting and convened the Executive Session.

At 7:59 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 Attorney Michael 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

