

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 City Manager Justin Clifton. Absent was City Attorney David Smith. 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 the August 6, 2013 regular meeting as submitted by the Clerk. All in favor, motion carried.

Citizen Comments

There were none.

Public Hearing: Special Events Permit Application; Delta Area Chamber of Commerce

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

The Clerk explained that the Delta Area Chamber of Commerce has submitted a special events permit application for their fund raising event schedule on September 26, 2013 at Bill Heddles Recreation Center. This event is in conjunction with the coal conference. The application states that they plan to sell malt, vinous and spirituous liquor from 5:00pm to 10:00pm. The application is complete and all fees have been paid. A sign was posted at the site as required by law at the site 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 the special events permit application for the Delta Area Chamber of Commerce for September 26, 2013. All in favor motion carried.

3.2% Beer Off Premises License Renewal; City Market

The Clerk reported that City Market #4 has submitted their 3.2% Beer Off Premises License renewal. The application is complete and all fees have been paid. The police department is recommending renewal.

Regular Meeting, Delta City Council, August 20, 2013 (cont.)

3.2% Beer Off Premises License Renewal; City Market (cont.)

It was moved by Councilmember Cooper and seconded by Councilmember Penick to approve the 3.2% Beer Off Premises License for City Market #4. All in favor, motion carried.

Report of Changes; Delta El Tapatio, Inc.

The Clerk stated that Delta El Tapatio has changed managers and therefore required to submit a Report of Changes. The new manager will be Blanca Ruth Delcid Romero. Her fingerprints have been submitted to CBI as required by State Liquor Enforcement. Staff recommends approving the changes contingent upon receiving favorable fingerprint results from CBI.

It was moved by Councilmember Penick and seconded by Councilmember Jurca to approve the Report of Changes submitted by Delta El Tapatio, Inc. contingent upon receiving favorable fingerprint results from CBI for Blanca Ruth Delcid Romero. All in favor, motion carried.

Council Bill #4, 2013; First Reading

Council Bill #4, 2013

AN ORDINANCE OF THE DELTA CITY COUNCIL PROHIBITING
RETAIL MARIJUANA ESTABLISHMENTS WITHIN CITY LIMITS

was read by the Clerk.

City Manager Justin Clifton stated that this is a follow up to the moratorium that was previously issued. He provided Council an update on regulations that the State has enacted as far as emergency rules. He believes that there will be more regulations to come once the applications start being submitted. Staff anticipated that Council may be inclined to proceed with prohibiting retail marijuana due to the last election results. Mr. Clifton shared those results with Council.

Councilmember Cooper commented on the recent news regarding taxing of the establishments. She also stated that she believes this area has already decided they do not want retail marijuana.

Councilmember Penick stated that he is in favor of doing way with allowing them in the City. He also stated that it is still against federal regulations.

It was moved by Councilmember Cooper and seconded by Councilmember Penick to adopt Council Bill #4, 2013 on first reading. Roll call vote: Councilmembers Cooper, aye; Penick, aye; Jurca, aye; Raley, aye and Sisson, aye. Motion carried.

Council Bill #5, 2013; First Reading

Council Bill #5, 2013

AN ORDINANCE OF THE CITY OF DELTA, COLORADO,
AMENDING THE ZONING DESIGNATION OF 1570 G 86 LANE,
DELTA, COLORADO FROM R-1A to B-2

Regular Meeting, Delta City Council, August 20, 2013 (cont.)

Council Bill #5, 2013; First Reading (cont.)

was read by the Clerk.

Community Development Director Glen Black stated that this is a recommendation from the Planning Commission. They held a meeting on August 5, 2013 and reviewed the application. The applicant is requesting approval to rezone 1570 G 86 Lane from R-1A to B-2. He showed some slides of the location.

Councilmember Penick questioned if it has contingent boundaries.

Director Black stated that it does across the street. This rezone would be in conformity of the master plan. He reported that it is currently being used as a car lot which is currently not zoned for that use. The B-2 zone would like the continuation of the operation.

Councilmember Cooper stated that it logical to use it as a business parcel.

Director Black reported that when this was initially zoned it did have a modular which has been removed and has been vacant since. The parcel is being leased by Panther Motors which has the parcel next to the north. The parcel that Panther Motors is on has a grandfather commercial use since annexation.

Mayor Sisson questioned if there are two separate businesses.

Director Black stated that the north lot is owned by Panther Motors who is leasing the parcel to the south. He explained how the Panther Motors parcel is being used.

There was discussion regarding Panther Motors leasing the parcel that is being discussed.

It was moved by Councilmember Penick and seconded by Councilmember Raley to adopt Council Bill #4, 2013 on first reading. Roll call vote: Councilmembers Cooper, aye; Penick, aye; Jurca, aye; Raley, aye and Sisson, aye. Motion carried.

City Attorney Comments

There were none.

City Manager Comments

Manager Clifton reported that there will be work sessions at both meetings in September.

Councilmember Comments

Councilmember Penick stated that he found it interesting that some of the complaints were enforcement issues. He reported that he received a citizen complaint regarding vehicles parked facing the wrong direction and also regarding drivers ignoring stop signs. He appreciates the time in the work sessions and greatly agrees with the budget progress.

