

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

Council Bill #2, 2014, Lot 1 Allen #2 Minor Subdivision Disconnection was directly before attorney comments, because the applicant's representative had a scheduling conflict and should be in attendance before the end of the meeting.

**Minutes**

A motion was made by Ray Penick, seconded by Bill Raley to approve the minutes of the City Council meeting held on June 3, 2014 as corrected. All voted yes. Motion passed.

**Citizen Comments**

None.

**Fireworks Permit, Delta Volunteer Fire Department District No. 1**

The City Council considered the request from the Delta Volunteer Fire Department District No.1 for a Fireworks Permit at Confluence Park for July 4, 2014. The Clerk informed the Council that proof of insurance has been submitted as required by the City Code.

A motion was made by Mary Cooper, seconded by Robert Jurca to approve the request from the Delta Volunteer Fire Department District No. 1 for a Fireworks Permit at Confluence Park for July 4, 2014. All voted yes. Motion passed.

**Public Hearing: Special Events Permit – Delta Lions Club**

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

The Clerk reported that the Delta Lions Club has submitted a Special Events Permit application for their fund raising event to be held on August 16, 2014 from 3:00 p.m. to 7:00 p.m. at Cleland Park/Riley Pavilion. The application is complete and all fees have been paid. A sign was posted at the site as required by law and no comments have been received.

The Mayor called for public comment.

A motion was made by Robert Jurca, seconded by Bill Raley to approve the Special Events Permit to serve malt, vinous and spirituous liquor on August 16, 2014 from 3:00 p.m. to 7:00 p.m. at Cleland Park/Riley Pavilion for the Delta Lions Club fundraiser. All voted yes. Motion passed.

**Bond Street Exchange**

Glen Black, Community Development Director, reviewed the request from Jaime Torres, to exchange Bond Street road dedication for the waiver of water and sewer improvement fees. Mr. Black informed the Council that this item was discussed at a prior work session and the item is now before Council for formal action. Additionally, staff stated that the City Attorney has reviewed the proposed plat and exchange and has found everything to be in order.

The Council questioned if this piece of property was the final piece for the Pioneer Road extension. Staff stated that there are still some missing pieces. The Council concurred that there was not a downside to the request and that this piece of road dedication is important for the future extension of Pioneer Road.

**Regular Meeting, Delta City Council, June 16, 2014 (Cont.)**

**Bond Street Exchange (cont)**

A motion was made by Mary Cooper, seconded by Ray Penick to approve the Bond Street dedication in exchange for the waiver of water and sewer improvement fees for a ¾" water tap. All voted yes. Motion passed.

**Tri-State DMEA Transmission Line Credit**

Steve Glammeyer, Public Works Director, informed the Council that an agreement was signed in 2005, between the City of Delta, Tri-State and Delta Montrose Electric Association, to install a new power line loop into Delta. The line has since been constructed and the final costs exceeded the estimated costs. Mr. Glammeyer stated that in the agreement there are two provisions regarding the overpayment of \$1,398,781.00 that the City incurred. One provision would be to accept the overpayment and the second provision would be to ask Tri-State Generation and Transmission Association and Delta Montrose Electric Association (DMEA) to step-up and buy-back the amount the City has overpaid. If the City chooses the buy-back option, the City reduces the amount of ownership in the line. Mr. Glammeyer stated that staff has reviewed the options and would recommend requesting the buy-back option, because with a projection out of 20 years, the City will still be under the projected 22.5 watts. The City's usage is projected to be 20 watts, on this line, in 20 years. Additionally, Mr. Glammeyer stated that the City's contract with MEAN provides the electricity that the City requires; the worst case scenario is that the City would have to pay a little higher transmission costs, if the City's usage exceeds the amount that we own in the new power line loop. The new power line loop is fourteen miles, compared to thousands of miles of transmission lines that provides power to the City of Delta.

The Council and staff agreed that the refund of the overpayment could be used to purchase more of the City's service from DMEA and possibly delay electricity rate increases for the City's electric customers.

A motion was made by Ray Penick, seconded by Bill Raley to approve the letter to Tri-State requesting the step-up with optional buy-back remedy and approve the Mayor to sign the letter. All voted yes. Motion passed.

**2014 Concrete Replacement Project**

Steve Glammeyer, Public Works Director, reviewed the request for proposals for the 2014 Concrete Replacement Project with the City Council. Mr. Glammeyer stated that the City requests proposals for concrete replacement projects every year and that this year the City's projects will be centered near the Performing Arts Center. Additionally, Mr. Glammeyer stated that various ADA ramp upgrades will be completed throughout the City and the program also includes a property owner's cost-share program. Mr. Glammeyer stated that staff has received one property owner application and that if additional applications are received they will be considered for the cost share program.

A motion was made by Mary Cooper, seconded by Robert Jurca to award the contract for the 2014 Concrete Replacement Project to C & N Construction in the amount of \$42,547.66. All voted yes. Motion passed.

**Council Bill #2, 2014 – First Reading – Lot 1 Allen #2 Minor Subdivision Disconnection**

Council Bill #2, 2014

AN ORDINANCE OF THE CITY OF DELTA, COLORADO  
DISCONNECTING FROM THE CITY'S TERRITORIAL LIMITS A  
PORTION OF PROPERTY PREVIOUSLY ANNEXED UNDER  
THE NAME OF THE WEST END ADDITION – SPECIFICALLY  
LOT 1, ALLEN #2 MINOR SUBDIVISION.

was read by the Clerk.

**Regular Meeting, Delta City Council, June 16, 2014 (Cont.)**

**Council Bill #2, 2014 – First Reading – Lot 1 Allen #2 Minor Subdivision Disconnection (cont)**

Glen Black, Community Development Director, reviewed the request for the disconnection of Lot 1 Allen #2 Minor Subdivision from the City of Delta. Mr. Black stated that the City does not have any regulations in the Municipal Code that addresses annexation or disconnection, therefore the City follows State Statute. The State Statutes require that the City Council consider an Ordinance when a request for disconnection is received.

Additionally, Mr. Black stated that staff recommends that an annexation agreement be signed, because the code states that when City services are provided, an annexation agreement is required. Staff stated that the property is bounded by the County on two sides and that the property is accessed off of H Lane, which is a private lane and not maintained by the City.

Justin Clifton, City Manager, informed the Council that this disconnection is fairly straightforward; however the Council may want to consider adopting some disconnection guidelines for guidance regarding future disconnection requests. Those items might include strategic interests of the City; what type of development is envisioned for the property in the future; what is the expectation of the residents in the area regarding the potential of the property; or is the property in the highway corridor. Mr. Clifton stated that some adopted guidelines would provide some continuity and consistency.

Mr. Black stated that during the annexation process there are public notice requirements, but there are no noticing requirements for disconnection. Additionally, Mr. Black clarified that if the property is disconnected City water will be billed to the property at outside billing rates. Additionally, Mr. Black stated that this property is not a part of West Mountain Ranch Subdivision.

Aaron Clay, representative of the applicant, informed the Council that the applicant understands that an annexation agreement will be required and that they will be billed for outside water rates.

Councilmember Penick stated that he was not in favor of disconnecting the property from the City if the property receives City services, such as water. Other members of the Council stated that the disconnection would not create an enclave; the property is bounded on two-sides by the County, and that sewer will not be provided to the area in the near future.

A motion was made by Robert Jurca, seconded by Mary Cooper to adopt Council Bill #2, 2014 on first reading disconnecting Lot 1 Allen #2 Minor Subdivision. Roll Call Vote: Raley, Jurca, Cooper and Sisson voted aye. Penick voted no. Motion passed.

**Council Bill #1, 2014 – Second Reading and Final Reading – Rezoning Hawkins Subdivision One, Lot 1**

Council Bill #1, 2014

AN ORDINANCE OF THE CITY OF DELTA, COLORADO  
AMENDING THE ZONING DESIGNATION OF HAWKINS  
SUBDIVISION ONE, LOT 1 FROM A-1, AGRICULTURE  
DISTRICT TO I-R, INDUSTRIAL RESIDENTIAL DISTRICT.

was introduced by the Mayor.

Glen Black, Community Development Director, reviewed the request for the rezoning of Hawkins Subdivision One, Lot 1 with the City Council. The Council members stated that there is very little agriculture potential at this property; therefore the I-R Industrial Residential zone would make the property more useable.

A motion was made by Ray Penick, seconded by Bill Raley to adopt Council Bill #1, 2014 on second and final reading rezoning Hawkins Subdivision One, Lot 1 from A-1, Agriculture District to I-R, Industrial Residential District. Roll Call Vote: Penick, Raley, Cooper, Jurca and Sisson voted yes. Motion passed.

**Regular Meeting, Delta City Council, June 16, 2014 (Cont.)**

**City Attorney Comments**

Not present.

**City Manager Comments**

Colorado Municipal League Conference: Justin Clifton, City Manager, informed the Council that the Colorado Municipal League Conference (CML) is this week and that staff is looking forward to the learning/training opportunities.

Feral Cat Meeting: Mr. Clifton stated that some staff members and two members of the Council attended a Feral Cat meeting this month and that staff will be bringing forward some policy changes to Council for review at a future work session.

**Councilmember Comments**

Mary Cooper stated that she had received information stating that there will be about 600 municipal officials and a total of about 1000 persons, including vendors, attending CML this week.

Bill Raley advised the Council to educate themselves regarding the Feral Cat issue, so that an informed discussion can be held.

**Adjournment**

The regular City Council meeting was adjourned at 7:32 p.m. with no further action taken.

---

Sharleen R. Walker, MMC, Deputy City Clerk