

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 David Torgler and City Attorney David McConaughy. 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

Councilmember Penick presented a correction regarding the grant not being budgeted.

It was moved by Councilmember Penick and seconded by Councilmember Raley to approve the minutes of the January 19, 2016 regular meeting with the correction as stated. All in favor, motion carried.

Citizen Comments

There were none.

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

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

The Clerk reported that the Delta Area Chamber of Commerce has submitted an application for a special events permit. The application states that they plan to sell malt, vinous and spirituous liquor at the event on March 12, 2016 from 12:00pm to 9:30pm at Bill Heddles Recreation Center. All fees have been paid and sign was posted at the site as required by law. No comments have been received.

The Mayor closed the public hearing and reconvened the regular meeting.

It was moved by Councilmember Jurca and seconded by Councilmember Penick to approve the Delta Area Chamber of Commerce's special event permit application for their event on March 12, 2016. All in favor, motion carried.

Public Hearing: Special Events Permit; Ducks Unlimited

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

The Clerk stated that Ducks Unlimited has submitted an application for a special events permit. The application states that they plan to sell malt, vinous and spirituous liquor at their event on March 5, 2016 from 5:00pm to 11:00pm at Bill Heddles Recreation Center. All fees have been

Regular Meeting, Delta City Council, February 2, 2016 (cont.)

Public Hearing: Special Events Permit; Ducks Unlimited (cont.)

paid and a sign was posted at the site as required by law. No comments have been received.

The Mayor closed the public hearing and reconvened the regular meeting.

It was moved by Councilmember Raley and seconded by Councilmember Jurca to approve Ducks Unlimited's special event permit application for their event on March 5, 2016. All in favor, motion carried.

Transfer of Ownership; Retail Liquor Store: Highpeak Systems, LLC

The Clerk stated that Highpeak System, LLC has submitted an application to transfer the liquor license that is currently held by Grand Valley Liquors at 750 Main Street in Delta, CO. The application is complete and all fees have been paid. Venkata Alete is the sole owner of Highpeak Systems, LLC. Mr. Alete was subject to a background check and no record was found. A temporary license has been issued during the approval of the transfer. Staff recommends approval of the transfer.

It was moved by Coucilmember Cooper and seconded by Councilmember Penick to approve the transfer of ownership for the retail liquor store license submitted by Highpeak Systems, LLC. All in favor, motion carried.

Retail Liquor Store License Renewal: Uptown Wines, LLC

The Clerk reported that Uptown Wines, LLC has submitted their retail liquor store license renewal. The application is complete and all fees have been paid. The police department is recommending renewal.

It was moved by Councilmember Penick and seconded by Councilmember Jurca to approve the retail liquor store renewal for Uptown Wines, LLC. All in favor, motion carried.

Resolution #1, 2016; Water Rights

Resolution #1, 2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
DELTA AUTHORIZING CITY STAFF TO TAKE CERTAIN
ACTIONS REGARDING CITY WATER RIGHTS

was read by the Clerk.

City Attorney David McConaughy stated that this resolution specifically requests authorization on one water court matter and general authorization for staff to act moving forward. The one particular matter is regarding Alkali Creek. He explained that the City has a structure that diverts water out of that creek. The deadline to file opposition was yesterday so they went ahead and filed the opposition with the information obtained from staff. Section 3 of the resolution ratifies that filing. The remainder of the resolution would authorize the attorney to file a statement of opposition in the future should there be a need to do so. Section 4 would further

Regular Meeting, Delta City Council, February 2, 2016 (cont.)

Resolution #1, 2016; Water Rights (cont.)

give authorize staff and the attorney to work with a water consultant if necessary to file timely applications for findings of reasonable diligence or to make water rights absolute.

Mr. McConaughy worked with the City Manager David Torgler and it was suggested to add a sentence stating this is subject to budgeting and appropriation by City Council.

It was moved by Councilmember Cooper and seconded by Councilmember Raley to adopt Resolution #1, 2016 adding section 5 as stated. Roll call vote: Councilmembers Cooper, aye; Raley, aye; Penick, aye; Jurca, aye and Sisson, aye. Motion carried.

**Ordinance #2, 2016; Second and Final Reading
Liquor License Approvals**

Ordinance #2, 2016

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DELTA, COLORADO AMENDING THE CITY'S LIQUOR LICENSING REGULATIONS SO AS TO ALLOW THE CITY CLERK TO ISSUE LICENSE RENEWALS AND TRANSFERS, SPECIAL EVENT PERMITS, AND TEMPORARY PERMITS

was read by the Clerk.

It was moved by Councilmember Penick and seconded by Councilmember Cooper to adopt Ordinance #2, 2016 on second and final reading. Roll call vote: Councilmembers Cooper, aye; Raley, aye; Penick, aye; Jurca, aye and Sisson, aye. Motion carried.

City Attorney Comments

Attorney McConaughy stated that he has been here since yesterday working on various items and also had a meeting with City Manager David Torgler to get him updated on various items.

City Manager Comments

City Manager David Torgler stated he has been getting up to speed. He has attended meetings with Region 10 and Project 7.

Councilmember Comments

The City Councilmembers all welcomed David Torgler.

Councilmember Cooper commented on the recent Project 7 meeting she attended.

Mayor Sisson welcomed the candidates for City Council.

Regular Meeting, Delta City Council, February 2, 2016 (cont.)

Executive Session

It was moved by Councilmember Jurca and seconded by Councilmember Cooper to convene an Executive Session for a conference with the City Attorney for the purpose of receiving legal advice on specific legal questions under CRS Section 24-6-402(4)(b). All in favor, motion carried.

At 7:15 p.m., Mayor Sisson recessed the Regular Meeting and convened the Executive Session.

At 7:29 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 Mary Cooper, Robert Jurca, Ray Penick and Bill Raley, as well as City Manager David Torgler, City Attorney David McConaughy and Community Development Director Glen Black. 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, CMC, City Clerk