

Mayor Ed Sisson called the meeting to order at 7:00 p.m. Also present were Councilmembers-Elect Ron Austin, Gerald Roberts, Chris Ryan and Councilmember Bill Raley, 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.

Oath of Office

The City Clerk administered the Oath of Office to Councilmembers-Elect Ron Austin, Gerald Roberts, and Chris Ryan who were elected on April 5, 2016.

The Clerk also administered the Oath of Office to David Torgler as City Manager and David McConaughy as City Attorney.

Election of Mayor and Mayor Pro Tem

It was moved by Councilmember Raley and seconded by Councilmember Austin to appoint Ed Sisson as Mayor. Roll call vote: Councilmembers Austin, aye; Raley, aye; Roberts, aye; Ryan, aye and Sisson aye. Motion carried.

It was moved by Councilmember Sisson and seconded by Councilmember Raley to appoint Ron Austin as Mayor Pro Tem. Roll call vote: Councilmembers Austin, aye; Raley, aye; Roberts, aye; Ryan, aye and Sisson aye. Motion carried

City Council Board & Committee Appointments

The following appointments for various boards were discussed:

Board of County Commissioners, David Torgler and Ed Sisson
Club 20, Gerald Roberts
Delta Area Chamber of Commerce, Ed Sisson
Delta Area Planning Committee, Glen Black
Delta County Economic Development Glen Black and Ron Austin
Delta County Housing Task Force, Bill Raley
Delta Housing Authority Board, Ed Sisson
Juvenile Diversion, Bill Raley
Municipal Quarterly, Ed Sisson and Ron Austin
Project 7, Steve Glammeyer and Gerald Roberts
Region 10, Bill Raley and David Torgler
Colorado Municipal League Police Committee, Ed Sisson and Gerald Roberts

It was moved by Councilmember Roberts and seconded by Councilmember Ryan to approve the appointments as presented. All in favor, motion carried.

Regular Meeting, Delta City Council, April 19, 2016 (cont.)

Minutes

It was moved by Councilmember Roberts and seconded by Councilmember Raley to approve the minutes of the April 5, 2016 regular meeting as submitted by the Clerk. All in favor, motion carried.

Citizen Comments

Dennis Phillips, 1906 1600 Road, commented on the golf course and thanked Wilma Erven for all her hard work.

Public Hearing: Special Event Permit; Delta County Young Life

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

The Clerk reported that Delta County Young Life has submitted an application for a Special Events for their fundraising event to be held on April 23, 2016 at Bill Heddles Recreation Center. The application is complete and all fees have been paid. A sign was posted at the site as required by law and one comment has been received. In summary the comment states that they object to the license being issued because of the nature of the organization. The Clerk requested the City Attorney to advise Council on the criteria in which Council can deny a permit.

The City Attorney stated that state statute does not have grounds for approval; however does state statute does have grounds for denial. You may deny the permit if the issuance would be injurious to the public welfare because of 1) the nature of the event; 2) the location of the event or 3) the failure of the applicant in any past special events to conduct the event with applicable laws. Staff is unaware of any past violations. At this time staff sees no concerns in recommending approval of the permit.

City Manager David Torgler questioned if the objection was signed in a pseudo-name format, does the pseudo signature make the complaint in valid?

Attorney McConaughy stated that the written complaint speaks for itself. Staff does not believe that it presents the three grounds for denying the permit. If the individual is present and wants to speak to the written complaint they may do so. The reason for the public hearing is the language in the ordinance authorizing the Clerk to approve these types of permits.

Mayor Sisson questioned if the individual present.

The Clerk stated the person is not present. She also stated that this is the first event for Delta County Young Life. The applicant is present if Council has any questions.

Ty Gallenbeck, 1736 Pioneer Circle, area director for Young Life stated that it is Young Life's 75th anniversary and they are celebrating with holding a wine tasting event. It is modeled after the Boy's and Girl's Club events.

Councilmember Roberts congratulated Young Life on the 75th anniversary. Although he agrees with the comments in the letter he sees no legal means to deny the application.

Regular Meeting, Delta City Council, April 19, 2016 (cont.)

Public Hearing: Special Event Permit; Delta County Young Life

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

It was moved by Councilmember Roberts and seconded by Councilmember Raley to approve the application for a special events permit submitted by Delta County Young Life. All in favor, motion carried.

River Restoration Contract

Community Development Director Glen Black reported that the City is working with Region 10 and Delta County Economic Development and has engaged consultants Better City on several economic development studies. One feasibility study is looking at creating a Gateway project for the City including development and improvements of the Gunnison River. The City has applied for and been awarded a REDI Grant for \$100,000 to hire an engineering firm to create preliminary engineering plans along a 2 mile stretch of the Gunnison River that will help activate the river corridor as a recreational asset and attract private investment along the riverfront and adjacent acreage. We have received one proposal from River Restoration, a firm located in Carbondale Colorado. The money has to be spent by the end of June; therefore staff is requesting approval to award the contract so that when the grant paperwork is signed by DOLA the project can begin.

There was discussion regarding the time frame and the work that is being performed at this state. This is for 60% of the design work at this time.

Mayor Sisson stated that River Restoration comes highly recommended.

Councilmember Roberts questioned how wide of an area they are looking at.

Mr. Black presented a few maps showing the two mile stretch of the river they are looking at.

There was additional discussion regarding what the design work will entail.

Attorney McConaughy stated that if Council votes to approve the City would require a signed professional services agreement. He also stated on a personal note he feels it would be a great amenity that Council should consider.

It was moved by Councilmember Ryan and seconded by Councilmember Raley to award River Restoration the contract to create a preliminary engineering and design plan for a two mile stretch of the Gunnison River corridor contingent upon receiving the REDI grant and approval of the agreement by the City Attorney. All in favor, motion carried.

Ordinance #4, 2016; First Reading **Westwinds Rezone**

Community Development Director Glen Black stated that on April 4, 2016, Planning Commission held a Public Hearing to review a Zoning Amendment/Rezone Request for Westwinds PUD, Hawkins Commercial Lot 1 and 2, from B-2 to B-3. The Planning Commission has made a recommendation to the City Council to approve the zoning amendment. Per City

Regular Meeting, Delta City Council, April 19, 2016 (cont.)

**Ordinance #4, 2016; First Reading
Westwinds Rezone (cont.)**

Code 17.04.290.H.1, "The Council may without further review implement such recommended change by adoption of a rezoning ordinance or take no action if no change is recommended, unless an appeal is filed as set out below, or it may decide in its discretion to hear the matter de novo as set out in Subsection (3) below."

Ordinance No. 4, 2016

AN ORDINANCE OF THE CITY OF DELTA, COLORADO,
AMENDING THE ZONING DESIGNATION OF WEST WINDS
PLANNED UNIT DEVELOPMENT, HAWKINS COMMERCIAL
LOTS 1 & 2 FROM B-2 TO B-3

was read by the Clerk.

It was moved by Councilmember Roberts and seconded by Councilmember Austin to adopt Ordinance #4, 2016 on first reading. Roll call vote: Councilmembers Austin, aye; Raley, aye; Roberts, aye; Ryan, aye and Sisson aye. Motion carried.

Weed Abatement Agreement

Parks and Recreation Director Wilma Erven stated that weed abatement was done in 2015 by the Parks Department. Staffing and completing the project in the manner that needs to be done, especially during a heavier rain type summer, was very difficult for the Parks Department. During the budgeting process the decision was made to put the bid out to the community spraying companies for a two year contract, with a budget of \$30,000 per year.

The bid requests ask for two separate bids, one including all of the highways and the second excluding all highways. Due to the bids with highways included being over the budget, staff is recommending that we proceed with the bid for excluding highways. The highways will continue to be mowed by the Parks Department.

Staff received two qualified bids for this project. A third bid was received that did not fill the qualifications of the bid. Staff is recommending Council to consider awarding the weed abatement to Fedler Spraying.

Councilmember Roberts stated that he has a contract with one of the company's that submitted a bid. He wanted to be sure there was no conflict.

Attorney McConaughy stated that there is no conflict.

Councilmember Austin stated that he is glad that the City is using local contractors.

There was discussion as to when the contractor will begin work. Ms. Erven stated as soon as the contract is signed.

Regular Meeting, Delta City Council, April 19, 2016 (cont.)

Weed Abatement Agreement (cont.)

It was moved by Councilmember Roberts and seconded by Councilmember Raley to award Fedler Spraying the weed abatement contract for two years in the amount of \$26,500 each year. All in favor, motion carried.

Arbor Day Proclamation

The Mayor read the proclamation.

City Attorney Comments

Attorney McConaughy reported that Council approved his office to file an opposition in a water rights case and that case has been resolved.

City Manager Comments

City Manager David Torgler reported on the following items:

- Home Show this weekend.
- Morning Buzz will be reporting on economic development studies.
- May 3rd, 2016 will be the Council Orientation at 5:30pm.
- April 21st, 2016 is the DCED annual meeting at 6pm.
- April 21st, 2016 is the Chamber After Hours.

Councilmember Comments

Councilmember Austin thanked his family and friends for their support during this time of office. He also thanked the citizens for the support. He summarized his vision while he is on Council.

Councilmember Raley commented on the Delta County Housing Task Force.

Councilmember Roberts thanked the citizens for the opportunity to serve the City of Delta.

Councilmember Ryan also thanked the community for their support and encouragement.

Mayor Sisson stated that Altrusa is holding the annual e-waste event on April 23rd, 2016. He thanked the Council for their support.

The meeting was adjourned at 7:52 p.m.

Jolene E. Nelson, CMC, City Clerk