

Mayor Ed Sisson called the meeting to order at 7:00 p.m. Also present were Councilmembers Ron Austin, Christopher Ryan and Gerald Roberts, 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**

The Clerk reported that the public hearing regarding a sales tax license can be removed.

**Minutes**

It was moved by Councilmember Roberts and seconded by Councilmember Ryan to approve the minutes of the May 17, 2016 regular meeting as submitted by the Clerk. All in favor, motion carried.

**Citizen Comments**

There were none.

**Presentation from Hannah Owens Regarding Youth Council**

Hannah Owens, 705 1550 Road, presented Council with information regarding a Youth Council program. She stated that this would be a great program to let youth get involved in our community.

**Delta County Volunteer Fire Department's Request for the Annual 4<sup>th</sup> of July Fireworks**

The Clerk reported that the Delta County Volunteer Fire Department has submitted their annual request for a permit for the 4<sup>th</sup> of July Fireworks Show.

It was moved by Councilmember Roberts and seconded by Councilmember Austin to approve the request for a permit for the Annual 4<sup>th</sup> of July Fireworks Show. All in favor, motion carried.

**Public Hearing: Tavern Liquor License; The Chicken Roost, LLC**

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

The Clerk stated that the Chicken Roost, LLC dba the Chicken Roost has applied for a Tavern Liquor License. She stated that the following are the findings after review of the application:

- The owner of the Chicken Roost, LLC is Tammy Murray.
- Ms. Murray was subject to a criminal records check through the Colorado Bureau of Investigation and the results showed:
  - 4 arrests
- The location of the business is 420 Main Street in Delta, CO.

**Regular Meeting, Delta City Council, June 7, 2016 (cont.)**

**Public Hearing: Tavern Liquor License; The Chicken Roost, LLC (cont.)**

- There has not been a denial of an application for a Tavern Liquor License at the location for which the application is made.
- The applicant has provided proof of possession of the premises that is proposed to be licensed.
- Selling Spirituous liquors in the manner proposed in the application is not in violation of the zoning, fire, and other applicable laws of the City of Delta, or any laws, rules or regulations of the City/County Health Department or the laws of the State of Colorado. The applicant has been in contact with the City's Community Development Department.
- The property does not appear to be within 500 feet from any public or parochial school or the principal campus of any college, university or seminary.
- A sign was posted at the site as required by law.
- A public notice was in the Delta County Independent as required by law.
- Within the corporate limits of the City of Delta, there are the following existing liquor outlets:
  - Beer and Wine 1
  - Club 1
  - Hotel & Restaurant 9
  - Retail Liquor Store 6
  - Tavern 3
  - 3.2% Beer Off Premises 4
  - 3.2% Beer On Premises 1

The Clerk also reported that the applicant has submitted a petition with approximately 63 signatures in favor of the proposed liquor store.

City Attorney David McConaughy cautioned Council to listen to Aaron Clay who is representing the applicant; however, not to express any opinions until after the public hearing.

Aaron Clay, representing The Chicken Roost, LLC, stated that Tammy Murray, the owner of The Chicken Roost, LLC does have background regarding DUIs. He stated that the last one was in 2010 and has had nothing since. He stated that she has learned her lesson and has not had any other issues.

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

Attorney McConaughy stated that Council does need to take into consideration good moral character. Staff does not have any recommendation regarding the approval. There is no technical reason this liquor license cannot be approved.

Mayor Sisson stated that she has been clean for 7 years.

Mr. Clay asked that the public hearing be reopened. He stated that Ms. Murray would have been present tonight; however, she had a graduation to attend out of state that was previously scheduled.

**Regular Meeting, Delta City Council, June 7, 2016 (cont.)**

**Public Hearing: Tavern Liquor License; The Chicken Roost, LLC (cont.)**

Councilmember Ryan commented on the occurrences of the arrests; however, there hasn't been anything for 7 years.

It was moved by Councilmember Austin and seconded by Councilmember Ryan to approve the Tavern Liquor License for The Chicken Roost, LLC located at 420 Main Street, Delta. All in favor, motion carried.

**Street Closure Permit; Delta Area Chamber of Commerce**

The Clerk reported that the Delta Area Chamber of Commerce has submitted an application for street closure. The application is to add 9<sup>th</sup> Street between Main and Grand Ave as well as Grand Ave between 8<sup>th</sup> and 10<sup>th</sup> Streets. This is to accommodate the float line up for the Deltarado Days' parade.

There was discussion on the time of the closure. Council recommended to closing the street from 7am to 11am to allow the floats to return to their starting location.

It was moved by Councilmember Austin and seconded by Councilmember Roberts to approve the Street Closure Permit for the Delta Area Chamber of Commerce. All in favor, motion carried.

**Ordinance #5, 2016; Second and Final Reading  
Rezone of 618 & 620 Bridge Street**

Ordinance No. 5, 2016

AN ORDINANCE OF THE CITY OF DELTA, COLORADO,  
AMENDING THE ZONING DESIGNATION 618 and 620 BRIDGE  
STREET FROM MHR TO I

was read by the Clerk.

It was moved by Councilmember Roberts and seconded by Councilmember Ryan to adopt Ordinance #5, 2016 on second and final reading. Roll call vote: Councilmembers Roberts, aye; Austin, aye; Ryan, aye; and Sisson, aye. Motion carried.

**City Attorney Comments**

There were none.

**City Manager Comments**

City Manager David Torgler stated that he will be out of the office June 17<sup>th</sup> thru June 20<sup>th</sup>. During his absence Tod DeZeeuw will be the Acting City Manager. He also stated that during his absence for the CML Conference Wilma Erven will be the Acting City Manager.

**Regular Meeting, Delta City Council, June 7, 2016 (cont.)**

**City Manager Comments (cont.)**

Mr. Torgler also reported on a meeting he attended with the regional city managers and CML.

Parks and Recreation Director Wilma Erven reported on the success of Heritage Days.

Community Development Director Glen Black updated Council on the upcoming River Restoration meeting.

**Councilmember Comments**

Councilmember Ryan commented on the Heritage Days.

Councilmember Austin is enjoying the tours around the city facilities. He has learned a lot about the various different aspects of the city.

Councilmember Roberts also commented on the tours.

Mayor Sisson complimented the staff at the recreation center on the success of Heritage Days.

**Executive Session**

It was moved by Councilmember Austin and seconded by Councilmember Roberts to convene an Executive Session for a conference with the City Attorney for the purpose of receiving legal advice on specific legal questions (pending litigation update) under CRS Section 24-6-402(4)(b) and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under CRS Section 24-6-402(4)(e). All in favor, motion carried.

At 7:45 p.m., Mayor Sisson recessed the Regular Meeting and convened the Executive Session.

At 8:17 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 Ron Austin, Christopher Ryan and Gerald Roberts as well as City Manager David Torgler, City Attorney David McConaughy, Utilities Director Steve Glammeyer 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.