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360 Main St. • Delta, Colorado 81416 • Phone (970) 874-7566 • Fax (970) 874-8776

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Council may take formal action on any item appearing on this Agenda. However, formal action WILL NOT be taken at this meeting on any item of business first identified during the course of the meeting as a change to the Agenda, other business, or Citizen, Councilmember and Staff Comments.

## **A G E N D A** **(Amended)**

**Delta City Council  
Regular Meeting**

**December 18, 2012  
7:00 p.m.**

- A. Pledge of Allegiance**
- B. Changes to the Agenda**
- C. Minutes**
- D. Citizen Comments**
- E. Posting Site for 2013**
- F. Council Bill #18, 2012; First Reading  
Storage of Explosives**
- G. Council Bill #20; 2012; First Reading  
2012 Supplemental Appropriations**
- H. Council Bill #19, 2012; Second and Final Reading  
Moratorium on Marijuana Businesses**
- I. Vehicle Purchases**
- J. Garnet Mesa HDPE Project**
- K. Retreat Discussion**
- L. Proclamation; Garnet Mesa Elementary**
- M. City Attorney Comments**
- N. City Manager Comments**
- O. Councilmember Comments**

### **Executive Session**

**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); or more specifically for discussions regarding Confluence Drive.**

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 and City Attorney Mike Schottelkotte. 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 Penick and seconded by Councilmember Jurca to approve the minutes of the November 20, 2012 regular meeting as submitted by the Clerk. All in favor, motion carried.

**Citizen Comments**

There were none.

**Rescheduling the January 1, 2013 Regular Meeting**

City Manager Justin Clifton reminded Council that the first Tuesday in January is the 1<sup>st</sup> which is a holiday for the City. He suggested moving the meeting to a different day for the first meeting in January.

It was moved by Councilmember Raley and seconded by Councilmember Penick to move the meetings in January to the 8<sup>th</sup> and the 22<sup>nd</sup>. All in favor, motion carried.

**Good Neighbor Policy for Customer Side Water Leaks**

Manager Clifton stated that at one of the first meetings he attended there was a customer that had experienced a water leak. He started to think about the customer experience. He asked Utilities Director Steve Glammeyer to look at other communities and see how they might address water leaks just for the Council's consideration.

Director Glammeyer reported that he has summarized responses from other municipalities that have some type of program regarding water leaks. He explained those responses. If Council should want to move forward with some type of policy he would propose a hybrid of several of the responses that were received.

Mayor Sisson stated this is something he feels the City should move forward with developing.

Councilmember Jurca stated he would like the policy to include only undetectable areas.

**Regular Meeting, Delta City Council, December 4, 2012 (Cont.)**

**Good Neighbor Policy for Customer Side Water Leaks (cont.)**

Councilmember Cooper also stated the policy should only include the first month.

Councilmember Penick questioned how they would figure the cost.

Director Glammeyer stated it would have to be an average and Council could decide how to get that average.

There was discussion regarding how they would get an average either from the last years billing or the last few months.

There was a consensus amongst Council to direct staff to draft a policy and bring back at a future meeting.

**Contract for Wellness Pool**

Manager Clifton stated that staff is excited to get started on this project. Staff is requesting approval of the contract to continue services.

Recreation and Culture Director Wilma Erven stated that staff recommends awarding a contract for the Construction Documents and Administration for the wellness pool and multipurpose fitness room at the recreation center to Bruce Flynn Architecture. Bruce Flynn is the architect from Barker, Rinker, Seacat Architecture that has done all of the documents from the recreation center since the master plan was created in 2009. Mr. Flynn has since left the firm and is working on his own. He had a discussion with the firm that if the City continued with the construction of the wellness pool and chose to continue with the firm, he would be the architect that would be doing the work. The firm released the project to Mr. Flynn. The mechanical and electrical consultants that worked on the original document would continue with Mr. Flynn on this project.

Mr. Erven explained that during the bidding for the architect for the master plan there were eight bids ranging in cost for 8% to 16% of the total cost of the project. The proposed \$180,000 not to exceed price is 7.75% of the estimated construction cost. Staff believes there is a cost savings staying with the original architect.

It was moved by Councilmember Cooper and seconded by Councilmember Raley to award the construction documents and administration contract for the Wellness Pool and Multipurpose Fitness Room at the Recreation Center to Bruce Flynn Architecture in the amount to not exceed \$180,000 and following City Attorney approval and authorize the City Manager to sign the contract. All in favor, motion carried.

**Regular Meeting, Delta City Council, December 4, 2012 (Cont.)**

**Council Bill #18, 2012; First Reading**  
**Storage of Explosives**

Council Bill #18, 2012

AN ORDINANCE OF THE CITY OF DELTA, COLORADO  
AMENDING CHAPTER 17.04.160 and 17.04.190 OF THE DELTA  
MUNICIPAL CODE ADDING EXPLOSIVES AND OTHER NON-  
FUEL HAZARDOUS MATERIALS AS A CONDITIONAL USE IN  
THE B-3 AND I ZONES

was read by the Clerk.

Manager Clifton stated that in the work session previous to this meeting there was discussion regarding the storage of explosives in the City of Delta. He wanted to remind Council that this would be a global policy. He explained Council's options at this time.

Community Development Director Glen Black stated that he did look at other municipalities on how they handle storing explosives. Some do not allow it and some do allow with a review process. Staff did prepare the ordinance as directed from Council at the last meeting. There are a few changes and he summarized those.

Councilmember Raley suggested bringing someone that is knowledgeable about explosive to the Planning Commission if they are going to be approving the conditional use.

Director Black stated the City can also rely on the Federal and State standards in approving such applications.

Councilmember Jurca stated he does not think this ordinance is narrow enough.

There was discussion on what language should be used to define what type of explosives. There was a consensus amongst Council to only allow classified regulated materials.

Councilmember Penick stated he believes these permits should be renewed every two or three years.

There was additional discussion regarding the term on the conditional use permit.

Manager Clifton suggested that Council direct staff to add some language that is more narrowing in the use and then bring it back before Council at a future meeting.

It was moved by Councilmember Cooper and seconded by Councilmember Raley to table Council Bill #18, 2012. Roll call vote: Councilmembers Cooper, aye, Jurca, aye, Penick, aye, Raley, aye and Sisson, aye. Motion carried.

**Regular Meeting, Delta City Council, December 4, 2012 (Cont.)**

**Council Bill #19, 2012; First Reading  
Moratorium on Marijuana Businesses**

Manager Clifton stated that at the last meeting Council directed staff to prepare and ordinance for a moratorium on marijuana businesses. The City Attorney at that time stated he would prepare the ordinance as an emergency ordinance and that has since been changed. Since the City will have until October the ordinance will have time to take effect.

Council Bill #19, 2012

AN ORDINANCE OF THE CITY OF DELTA, COLORADO,  
DECLARING A MORATORIUM ON REVIEW OF APPLICATIONS  
RELATING TO COMMERCIAL DISPENSARIES OF MARIJUANA  
WITHIN THE CITY OF DELTA PENDING CONSIDERATION OF  
ALL PERTINENT LOCAL IMPLICATIONS OF COLORADO  
CONSTITUTIONAL AMENDMENT NO. 64 AND ADOPTION OF  
ANY NECESSARY LOCAL LEGISLATION

was read by the Clerk.

Councilmember Jurca stated he is the one that brought up the concern regarding declaring an emergency on this ordinance. He also stated the City has plenty of time to consider all options.

It was moved by Councilmember Penick and seconded by Councilmember Cooper to adopt Council Bill #19, 2012 on first reading. Roll call vote: Councilmembers Cooper, aye, Jurca, aye, Penick, aye, Raley, aye and Sisson, aye. Motion carried.

**Retail Liquor Store Renewal; Uptown Wines**

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

It was moved by Councilmember Jurca and seconded by Councilmember Raley to approve the Retail Liquor Store renewal for Uptown Wines. All in favor, motion carried.

**3.2% Beer Off Premises Renewal; Safeway #1863**

The Clerk reported that Safeway #1863 has submitted their 3.2% Beer Off Premises renewal. The application is complete and all fees have been paid. The police department has recommended renewal.

It was moved by Councilmember Cooper and seconded by Councilmember Penick to approve the 3.2% Beer Off Premises license for Safeway #1863. All in favor, motion carried.

**City Attorney Comments**

Attorney Schottelkotte reported that Council previously discussed submitting an RFP for the City Attorney position the first of the year since he will be retiring this year. He would like Council to

**Regular Meeting, Delta City Council, December 4, 2012 (Cont.)**

**City Attorney Comments (cont.)**

have the RFP go out in January so that they possibly can get someone hired by March to work with him until he retires. He also updated Council on the condemnation action.

**City Manager Comments**

Manager Clifton stated that the leadership team has been working on prioritizing an agenda to get a more organized and accountable approach to the work that is done. All members of the team are putting together an Action Plan that will outline key priorities, create strategies to achieve certain objectives and measurements to hold people accountable to those strategies and more importantly to test the strategies to be sure that they are effective. This is will also be incorporating this into the performance evaluations.

Manager Clifton also updated Council on the retreat. There should be a date set before the next meeting.

**Councilmember Comments**

Councilmember Cooper welcomed Dani Gruber back. She also commented on the groundbreaking ceremony taking place on Friday at 11:00am for Confluence Drive.

Mayor Sisson also welcomed Ms. Gruber back. He invited everyone to attend the Parade of Lights Friday night.

The meeting was adjourned at 7:37 p.m.

/s/ Jolene E. Nelson  
Jolene E. Nelson, City Clerk



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## MEMO

To: City Council, City Manager  
From: Jolene E. Nelson, City Clerk  
Date: December 4, 2012  
Subject: Designation of Official Posting Site

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### **Recommendation**

Staff recommends designation of the bulletin board in the south window at City Hall as the official site for posting meeting notices in 2013.

### **Background**

State law requires Council to designate an official site for posting meeting notices. For the past several years, the official site has been the south window at City Hall. This seems to work well, since we see many citizens stopping on the sidewalk outside the window to check the notice board. Secondary posting sites have included the bulletin board in the lobby at City Hall, at the Recreation Center and on the City's website. These, however, have not been designated as "official" sites.

### **Cost**

There is no cost to the City to designate an official posting site.

### **Action to be Taken if Approved**

Notices of all City meetings will continue to be posted in the south window at City Hall as the City's official posting site.

### **Suggested Motion**

I moved to designate the south window at City Hall as the official site for posting of City meeting notices in 2013.

# MEMO



## Community Development

www.cityofdelta.net

360 Main St. • Delta, Colorado 81416  
Phone (970) 874-7903 • Fax (970) 874-6931

**Date:** December 18, 2012

**To:** Mayor, City Council and City Manager

**From:** Glen L. Black, Director of Community Development

A handwritten signature in purple ink, appearing to read 'GLB'.

**Re:** Amending Conditional Uses for the B-3 and I zones regarding Explosives

### RECOMMENDATION

Consider adding sections to the Delta Municipal Code to allow storage of explosives and other hazardous materials, possibly in the B-3 and I zones as a Conditional Use if Federal and State regulations are followed.

### BACKGROUND

Staff has received a request from a business owner in the B-3 zone to allow storage of explosives on the property. The Council reviewed this request at the City Council meeting held on November 20, 2012 and directed staff to prepare an Ordinance for consideration. The Council reviewed the proposed Ordinance at the City Council meeting and work session on December 4, 2012 and requested that staff amend the Ordinance. The Ordinance has been amended as directed.

### STAFF REVIEW AND DISCUSSION

The City of Delta Municipal Code allows aboveground fuel storage facilities for hazardous fuels in the B-3 and I Zone Districts, however there is not a zone within the City of Delta that allows storage of explosives or other non fuel hazardous materials. Council has directed staff to prepare an Ordinance that would allow storage of non fuel hazardous materials such as explosives, Staff would suggest making them a Conditional Use in the B-3 and I zones. Conditional Use applications are reviewed and decided by Planning Commission.

### ACTION TO BE TAKEN IF APPROVED

Consider adopting Council Bill 18, 2012 on first reading.

### SUGGESTED MOTION

I move that Council direct staff to .....? or

I move that Council adopt Council Bill 18, 2012 on first reading amending Chapter 17.04.160 and 17.04.190 of the Delta Municipal Code providing for storage of non-fuel hazardous materials such as explosives in the B-3 and I zones. Disapproval would be indicated by a nay vote.

Thank you for your attention.

**AN ORDINANCE OF THE CITY OF DELTA, COLORADO AMENDING CHAPTER 17.04.160 and 17.04.190 OF THE DELTA MUNICIPAL CODE FOR THE PRIMARY PURPOSE OF ADDING AND REGULATING STORAGE OF EXPLOSIVES AND OTHER NON-FUEL HAZARDOUS MATERIALS AS A CONDITIONAL USE IN THE B-3 AND I ZONES.**

WHEREAS, The City Council of Delta Colorado hereby desires to provide zones within the City of Delta that may allow the storage of non-fuel hazardous materials, including explosives;

WHEREAS, The City Council of Delta Colorado hereby recognizes that certain zones of the City are appropriate for the storage of non-fuel hazardous materials by conditional use reviewed by the Planning Commission;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DELTA, COLORADO AS FOLLOWS:

Section 1. Chapter 17.04.160 is hereby amended to read as follows:

17.04.160 B-3 District.

A. INTENT: The B-3 District is intended for a large variety of uses that require large storage areas to conveniently serve customers.

B. USES BY RIGHT:

1. Uses listed as "uses by right" in the B-1 and B-2 Districts.
2. Electronic and telecommunications antennas, receivers and transmitters.
3. Mobile home sales or service establishments.
4. Machine and welding shops.
5. Large equipment rental businesses.
6. Feed storage and sales establishments.
7. Construction and contractors' office and equipment storage facilities.
8. Aboveground fuel storage facilities for hazardous fuels.
9. Warehouses and storage facilities. (Excluding bulk storage of materials that are flammable or explosive or that create hazardous or commonly recognized offensive conditions)
10. Veterinary clinics or hospitals for large animals.

C. CONDITIONAL USES:

1. Uses listed as conditional uses in the B-1 and B-2 Districts not listed as a specified Use by Right in (B) above.

2. Manufacturing not allowed as a Use by Right in (B) (1) above.

3. Storage of non-fuel hazardous materials including explosives.

D. PERFORMANCE STANDARDS:

1. No use shall be established, maintained, or conducted in any B-3 District that will result in any public or private nuisance.

2. No Factory Built Housing, except for Allowed Modular Housing as defined in Section 17.04.020(A) (9), shall be authorized. Any Allowed Modular Unit(s) must be permanently attached to an engineered foundation and properly connected, completed and inspected on site in accord with the reasonably applicable provisions of Chapter 15.04 of the Delta Municipal Code as outlined in the pertinent building permit.

3. Rental storage operations must meet the criteria set out in Subsection 17.04.150(E) (3). (Ord. 4, §1, 1999; Ord. 4, §11, 2008; Ord. 4, §1, §3, 2011)

4. With regard to storage of explosives, chemicals and other allowed hazardous materials (excepting stored fuels), the following additional performance standards shall apply:

- a. No materials shall be allowed other than those that are identified, classified and regulated by a State or Federal agency.
- b. No materials shall be allowed where a regulatory agency is found to lack significant and regular oversight adequate to ensure compliance with respective regulations.
- c. No materials shall be allowed without adequate separation from existing and/or potential future habitable sites or structures.
- d. In all cases, conditional use approvals shall be limited to the specified owner and the specific location, type and operation of all facilities approved for the conditional use. Any changes in ownership, location of or specified type or operation of facilities will constitute revocation of the conditional use.

Section 2. Chapter 17.04.190 is hereby amended to read as follows:

17.04.190 I District.

A. INTENT: The purpose of the ~~I-1~~ I District is to accommodate manufacturing, commercial, and most industrial uses which need adequate space, light, and air, and whose operations are quiet and clean provided that they do not create a nuisance to other property by reasons of dust, odor, noise, light, smoke, vibrations or other adverse effects which cannot be effectively confined on the premises. This promotes the creations and maintenance of an environment which will serve the mutual interests of the community as a whole, of any adjacent residential areas and of the occupants of the industrial area.

B. USES BY RIGHT:

1. Uses which meet the intent of Subsection (A) and the performance standards of Subsection (C) of this Section, not including residential uses, are uses by right. Typical examples of such manufacturing and nonmanufacturing uses include warehouses, wholesalers, and manufacturing contained within buildings and accessory retail sales.

2. Industrial uses, including those with accessory retail sales operations such as:

- a. Manufacturing of any product.
  - b. Wholesaling of any product.
  - c. Warehousing and storage. (Excluding bulk storage of materials that are flammable or explosive or that create hazardous or commonly recognized offensive conditions)
  - d. Bulk storage.
  - e. Processing of any manufactured product.
  - f. General service and repair of automobiles, trucks, farm implements and construction equipment.
  - g. Parking lots.
  - h. Fabrication of any product.
  - i. Agricultural products processing.
  - j. Offices.
  - k. Freight hauling facilities.
  - l. Sawmills or planing mills.
  - m. Aboveground fuel storage facilities for hazardous fuels.
3. Parks and open spaces.
  4. Government buildings and facilities.
  5. Public utility service facilities.
  6. Electronic and telecommunications antennas, receivers and transmitters.
  7. Accessory uses.
  8. Sexually oriented business complying with the provisions of Chapter 8.32.

C. CONDITIONAL USES:

1. Any commercial or industrial uses other than the uses by right, which ~~complies~~ **comply** with the performance standards of Subsection ~~E~~ **D below** and ~~is~~ **are** consistent with the intent of Subsection A above.

2. Automobile wrecking and salvage yards.

3. Junk yards.

4. Animal sales yards.

5. Mineral extraction and processing.

6. Trash disposal and recycling facilities.

7. Quarries and gravel operations. (Ord. 4, §1, 1999; Ord. 8, §4, 2004; Ord. 4, §4, 2011)

**8. Storage of non-fuel hazardous materials including explosives.**

D. PERFORMANCE STANDARDS:

1. No use shall be established, maintained or conducted in any I District that will result in any public or private nuisance.

2. No industrial structure shall be constructed within one hundred feet (100') of any existing Residential District, unless effectively buffered by landscaping, berms, fencing, or screening.

3. No use shall be established in the I District which results in an unreasonable hazard to the community or creates a public or private nuisance.

4. No noise, dirt, smoke, or odor shall be observable off of the premises.

5. Automobile wrecking and salvage yards and junk yards shall have screening.

6. Additionally, all outdoor storage may require screening to prevent industrial blight.

**7. With regard to storage of explosives, chemicals and other allowed hazardous materials (excepting stored fuels), the following additional performance standards shall apply:**

a. No materials shall be allowed other than those that are identified, classified and regulated by a State or Federal agency.

b. No materials shall be allowed where a regulatory agency is found to lack significant and regular oversight adequate to ensure compliance with respective regulations.

c. No materials shall be allowed without adequate separation from existing and/or potential future habitable sites or structures.

- d. In all cases, conditional use approvals shall be limited to the specified owner and the specific location, type and operation of all facilities approved for the conditional use. Any changes in ownership, location of or specified type or operation of facilities will constitute revocation of the conditional use.

Section 4. Except as amended or newly provided above, all other provisions of Chapter 17.04 of the Delta Municipal Code are hereby ratified and confirmed as presently written.

ADOPTED ON FIRST READING AND ORDERED PUBLISHED THIS  
\_\_\_\_\_ DAY OF \_\_\_\_\_, 2012.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

ADOPTED ON SECOND AND FINAL READING AND ORDERED PUBLISHED  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Council Bill #20, 2012

AN ORDINANCE APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES IN THE AMOUNTS AND FOR THE PURPOSES SET FORTH BELOW FOR THE CITY OF DELTA, COLORADO, FOR THE 2012 BUDGET YEAR

WHEREAS, the City Council has adopted the annual budget on November 15, 2011; and

WHEREAS, the City has received additional and unanticipated revenues in the form of grants and other revenue sources and there exists unappropriated surplus in the various funds; and

WHEREAS, it is not only required by law, but also necessary to appropriate the additional revenues and surplus to and for the purposes described below, so as not to impair the operations of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DELTA, COLORADO:

**Section 1.** That the following supplemental appropriations, in addition to those appropriated by Ordinance #6, Series of 2011, are hereby appropriated from the revenue and surplus of each fund, to each fund, as follows:

Employee Dental Fund	\$ 7,000
General Fund	95,000
Golf Course Fund	22,000
Unemployment Fund	17,000

ADOPTED on first reading and ordered published this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

ADOPTED on second and final reading and ordered published  
this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

COUNCIL BILL #19, 2012

**AN ORDINANCE OF THE CITY OF DELTA, COLORADO, DECLARING A MORATORIUM ON REVIEW OF APPLICATIONS RELATING TO COMMERCIAL DISPENSARIES OF MARIJUANA WITHIN THE CITY OF DELTA PENDING CONSIDERATION OF ALL PERTINENT LOCAL IMPLICATIONS OF COLORADO CONSTITUTIONAL AMENDMENT NO. 64 AND ADOPTION OF ANY NECESSARY LOCAL LEGISLATION.**

WHEREAS, a majority of the Colorado electorate voting in the most recent general election last month passed an amendment to the State constitution (hereinafter referred to simply as "Amendment No. 64") which enables recreational use of marijuana, and also contemplates commercial sales of marijuana within Colorado subject to certain parameters for State and local government regulation and alternative options for local government prohibition; and

WHEREAS, the Delta City Council desires to conduct reasonable studies of all regulatory and prohibitory options available to the City under Amendment No. 64, and to protect and preserve the health, safety and welfare of its citizens against any possibility of the proliferation of retail or wholesale marijuana shops and dispensaries in the meantime; and

WHEREAS, the City Council finds that the possession and sale of marijuana currently violates federal law, and that the proliferation of unregulated marijuana shops or dispensaries may have a correlation with increased criminal activity; and

WHEREAS, the City Council finds that the great majority of its voting citizenry has already favored prohibition of so-called "medical" marijuana dispensaries and related growing facilities in the City limits of Delta under a previous ballot initiative; and

WHEREAS, the City Council hereby determines that, under the evident circumstances, it is necessary and proper to impose a temporary moratorium on the authorization of City services and privileges such as water and sewer taps, site development and sign permits, business and sales tax licenses etc., for marijuana shops and dispensaries in order to protect and preserve the health, safety, welfare, and economic well-being of the City of Delta and its citizenry until a reasonable evaluation of the implications of Amendment No. 64 can be completed by City staff.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DELTA, COLORADO AS FOLLOWS:

Section 1. A moratorium period of approximately nine (9) months is hereby declared to be in effect from the date of this ordinance until September 4, 2013, or until the occurrence of further action of the City Council ending or modifying this moratorium, whichever date or event occurs first. Any such further action on the effective existence of the moratorium may be taken by resolution of the City Council, and need not be taken by ordinance.

Section 2. During the moratorium period specified in the preceding Section 1 of this ordinance, no applications pertaining to the initiation and operation of retail or wholesale marijuana shops, dispensaries and growing facilities contemplated by the aforementioned Amendment No. 64 shall be accepted for review or action by the City of Delta, said applications being deemed to include, but not be limited to, those submitted for water or sewer taps, sales and use tax licenses, amendments to the official zoning map, site development plans, business operation licenses, sign permits or building and development permits.

Section 3. The provisions of this ordinance are declared to severable, and if any provision, or the application thereof, to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application.

ADOPTED ON FIRST READING AND ORDERED PUBLISHED this \_\_\_\_\_ day of December, 2012.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

ADOPTED ON SECOND AND FINAL READING AND ORDERED PUBLISHED this \_\_\_\_\_ day of December, 2012.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



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## MEMO

To: Mayor, Council and City Manager  
From: Rod Myers – Fleet / Facilities Manager  
Date: December 18 2012  
Subject: Vehicle Purchase

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### Recommendation

The City purchase the new vehicles listed.

### Background

These two vehicles are budgeted items for 2013. All were put out to bid. Local dealers were hand delivered the bid packets. The bid packets were listed on the City's website. Two new car dealerships responded. One police patrol sedan and one vehicle for the Utilities Director. A bid cost comparison sheet has been attached for your review.

### Cost- Low Bid

Hellman Motor Company- One 2013 Taurus Police Patrol Sedan \$ 27,775.00  
Hellman Chevrolet Buick- One 2013 Equinox Crossover Sedan \$ 25,292.00

### Action to be taken if approved

Purchase the above mentioned vehicles for the City of Delta

### Suggested Motion

I move the City of Delta purchase one 2013 Taurus Police Patrol Sedan for \$ 27,775.00 From Hellman Motor Company and one 2013 Equinox Crossover Sedan for \$ 25,292.00 from Hellman Chevrolet Buick.

2013 Vehicle Purchase

	A	B	C	D	E	F	G	H	I	J
1	<b>Dealer</b>	<b>Make</b>	<b>Model</b>	<b>Type</b>	<b>Cost</b>	<b>Department</b>	<b>Unit being replaced</b>	<b>Unit #</b>	<b>Budgeted Amount</b>	<b>Mileage</b>
2	Hellman Chevrolet	Chevrolet	Equinox	Crossover	\$25,292.00	Utility director	2006 Dodge Dakota	5511	\$28,000.00	79,212
3										
4	Hellman Motor Company	Ford	Taurus	Patrol car	\$27,775.00	Police	2005 Impala	2019	\$32,000.00	103,694
5										
6										
7										
8	<b>Dealer</b>	<b>Make</b>	<b>Model</b>	<b>Type</b>		<b>Did it meet specs</b>				
9					<b>Cost</b>					
10	Hellman Chevrolet	Chevrolet	Equinox	Crossover	\$25,292.00	Yes				
11										
12	Hellman Motor Company	Ford	Edge	Crossover	\$26,450.00	Yes				
13										
14										
15	Hellman Chevrolet	Chevrolet	Impala	Patrol Sedan	\$29,177.41	Yes				
16										
17	<b>Hellman Motor Company</b>	Ford	Taurus	Patrol Sedan	\$26,775.00	Yes				



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## MEMO

To: Mayor, Council and City Manager  
From: Rod Myers – Fleet / Facilities Manager  
Date: December 18, 2012  
Subject: Refuse Truck, Golf Course Mowers

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### Recommendation

The City purchases the new listed equipment.

### Background

The Refuse truck and golf course mowers are budgeted replacement items for 2013. All were put out to bid. Three Golf & Turf equipment companies were sent RFP packets. Two truck chassis companies and three refuse body companies were sent RFP packets. All were also posted on the City of Delta website. A cost comparison sheet has been attached for your review.

### Cost

C&M Golf & Grounds Equipment- Two Jacobsen Greens Mowers \$ 52,740.00  
Grand Junction Peterbilt- One Peterbilt truck chassis \$ 126,747.00  
American Transportation Equipment Company- Bridgeport refuse body \$ 91,030.00

### Action to be taken if approved

Purchase the above-mentioned equipment for the City of Delta

### Suggested Motion

I move the City of Delta approve the purchase of two 2013 model year Jacobsen Greens Mowers from C&M Golf & Grounds Equipment for \$52,740.00.

I move the City of Delta approve the purchase of one 2013 model year Peterbilt truck chassis from Grand Junction Peterbilt for \$126,747.00.

I move the City of Delta approve the purchase of one 2013 model Bridgeport Refuse body from American Transportation & Equipment Company for \$ 91,030.00

**Low Bid 2013 Equipment**

	A	B	C	D	E	F	G	H	I	J	K
1	Dealer	Make	Model	Qty	Type	Cost	Department	Unit being Re	Unit#	Budgeted	Mileage/Hrs
2	C&M Equipment	Jacosen	Greens King IV Plus	2	Mower	\$52,740.00	Golf Course	2500 Jd`	G1 ,G2	\$64,600.00	2,695&2,758
3											
4	Grand Junction Peterbilt	Peterbilt	320	1	Truck	\$126,747	Refuse	2006 Peterbilt	3104		
5										\$264,000.00	9,300
6	American Transportation	Bridgeport	Ranger	1	Body	91,030.00	Refuse	Heil 7000	3104		
7											
8						<b>2013 Bid Comparison</b>					
9			Greens Mowers			Cost Each	Total Cost				
10	LL Johnson	Toro	GR31540	2	Mower	\$31,804.00	\$63,608.00				
11	Colorado Golf & Turf	John Deere	2500	2	Mower	\$26,952.00	\$53,915.78				
12	C&MEquipmentW	Jacobsen	Greens King IV Plus	2	Mower	\$20,191.00	<b>\$52,740.00</b>				
13											
14			Refuse Body's								
15	Kois Brother Equipment	Heil	7000	1	Body	\$126,148.00	\$126,148.00				
16	Faris Machinery	DADEE mfg	Scorpion	1	Body	\$105,419.00	\$105,419.00				
17	American Transportation	Bridgeport	Ranger	1	Body	\$91,030.00	<b>\$91,030.00</b>				
18			Truck Chassis								
19	Western Colorado	Mack	LEU613	1	Chassis	\$130,986.00	\$130,986.00				
20	Grand Junction Peterbilt	Peterbilt	320	1	Chassis	\$126,747.00	<b>\$126,747.00</b>				
21											
22			Total Equipment Cost				<b>\$270,517.00</b>				

Low Bid 2013 Equipment

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## MEMO

To: *Mayor and Council*

From: *Jim Hatheway, Public Works Director*

Date: *10 December, 2012*

Subject: *Garnet Mesa HDPE Pipe Replacement Project Bids*

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### **RECOMMENDATION**

The Public Works Department is recommending that the City award the Contract for the Garnet Mesa HDPE Pipe Replace Project to Wells Excavation & Farming.

### **BACKGROUND**

This project consist of replacement of a 30+ year old CMP pipe that starts on the eastside of 1<sup>st</sup>. and Grand Av up the hill 250 ft to a new structure that will join into the open Garnet Mesa Ditch. HDPE Pipe is a welded fused joint pipe, impervious to the invasion of roots and other foliage.

### **COST**

Public Works has received seven bids for this project.

1. Wells Excavation \$30,717.60
2. Bob Brewer Cont. \$39,911.00
3. Skip Huston Cont. \$42,129.00
4. Rundle Cont. Co. \$42,200.00
5. Sickles Cont Co. \$45,877.50
6. Peterson Excavation \$64,988.00
7. Telluride Gravel \$79,186.00

This project has been budgeted in 19-68-31-600

### **ACTIONS TO BE TAKEN IF APPROVED**

Staff requests that City Council approve the award to Wells Excavation & Farming.

### **SUGGESTED MOTION**

I move the City award the Contract for the Garnet Mesa HDPE Pipe Replacement Project to Wells Excavation & Farming.

# ***PROCLAMATION***

**WHEREAS,** The National Blue Ribbon Schools Program honors public and private elementary, middle and high schools with students achieving at very high levels or making significant progress to close gaps in achievement. The program is part of a larger Department of Education effort to identify and disseminate knowledge about best school leadership and teaching practices.

**WHEREAS,** Michael Bennet, U.S. Senator for Colorado, applauded five Colorado schools that have been designated 2012 National Blue Ribbon Schools by the U.S. Department of Education.

**WHEREAS,** Garnet Mesa Elementary School has received the 2012 National Blue Ribbon School award.

**NOW, THEREFORE,** I, Edward C. Sisson, Mayor of the City of Delta, do hereby proclaim Thursday, December 20, 2012 as “**Garnet Mesa Elementary Day**“ in the City of Delta.

**Adopted this 18<sup>th</sup> day of December, 2012.**

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**Mayor**

**ATTEST:**

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**City Clerk**