



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

**Delta City Council
Regular Meeting**

**February 16, 2016
7:00 p.m.**

- A. Pledge of Allegiance**
- B. Changes to the Agenda**
- C. Minutes**
- D. Citizen Comments**
- E. Abraham Connection Update**
- F. Public Hearing: Special Events Permit; Delta Lions Club**
- G. Equipment Purchases**
- H. Consideration to Reschedule March 1, 2016 Council Meeting**
- I. City Attorney Comments**
- J. City Manager Comments**
- K. Councilmember Comments**

Item A:

Pledge of Allegiance



Item B:

Changes to the Agenda

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

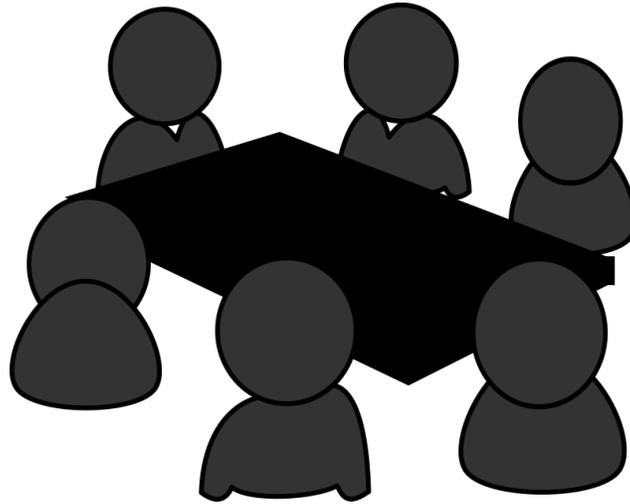
Item D:

Citizen Comments



Item E:

Abraham Connection Update



MEMO

To: Mayor and City Council
From: Jolene E. Nelson, CMC, City Clerk
Date: February 16, 2016
Subject: Special Events Permit Application;
Delta Lions Club



Office of the City Clerk

Recommendation:

Staff recommends approving the application for a Special Events Liquor Permit for the Delta Lions Club.

Background:

The Delta Lions Club has submitted an application for Special Events Liquor Permit for their event to be held at Cleland Park/Riley Pavilion. The application is for their fund raising event being held on June 11, 2016. The application specifies that they plan to sell alcoholic beverages from 9:00 a.m. to 9:00 p.m. The application is complete and the fees, \$35 to the City, and \$25 to the State have been paid.

A sign notifying the public of this hearing has been posted at the site for at least ten days as required by law. As of the writing of this memo, no comments – either for or against the approval of the application - have been received by the City Clerk.

Cost:

There is no cost to the City.

Alignment With Strategic Planning:

Per Delta Municipal Code 5.10.010 “the Delta City Council is hereby designated the local licensing authority for the purposes of exercising the duties and powers provided for in the Colorado Beer Code and the Colorado Liquor Code.”

Actions To Be Taken if Approved:

The Mayor and Clerk will sign the applications, and the Clerk will mail them to the State, who will review them and issue the permits.

APPLICATION FOR A SPECIAL EVENTS PERMIT

Department Use Only

Rec. 2/2/16

IN ORDER TO QUALIFY FOR A SPECIAL EVENTS PERMIT, YOU MUST BE NONPROFIT AND ONE OF THE FOLLOWING (See back for details.)

- | | | |
|------------------------------------|--|--|
| <input type="checkbox"/> SOCIAL | <input type="checkbox"/> ATHLETIC | <input type="checkbox"/> PHILANTHROPIC INSTITUTION |
| <input type="checkbox"/> FRATERNAL | <input checked="" type="checkbox"/> CHARTERED BRANCH, LODGE OR CHAPTER | <input type="checkbox"/> POLITICAL CANDIDATE |
| <input type="checkbox"/> PATRIOTIC | <input type="checkbox"/> OF A NATIONAL ORGANIZATION OR SOCIETY | <input type="checkbox"/> MUNICIPALITY OWNING ARTS FACILITIES |
| <input type="checkbox"/> POLITICAL | <input type="checkbox"/> RELIGIOUS INSTITUTION | |

LIAB	TYPE OF SPECIAL EVENT APPLICANT IS APPLYING FOR:	
2110	<input checked="" type="checkbox"/> MALT, VINOUS AND SPIRITUOUS LIQUOR	\$25.00 PER DAY
2170	<input type="checkbox"/> FERMENTED MALT BEVERAGE (3.2 Beer)	\$10.00 PER DAY

DO NOT WRITE IN THIS SPACE

LIQUOR PERMIT NUMBER

1. NAME OF APPLICANT ORGANIZATION OR POLITICAL CANDIDATE
DELTA LIONS CLUB

State Sales Tax Number (Required)

2. MAILING ADDRESS OF ORGANIZATION OR POLITICAL CANDIDATE (include street, city/town and ZIP)
P.O. BOX 141
 DELTA, CO 81416

3. ADDRESS OF PLACE TO HAVE SPECIAL EVENT (include street, city/town and ZIP)
RILEY PAVILION
 DELTA, CO 81416

NAME	DATE OF BIRTH	HOME ADDRESS (Street, City, State, ZIP)	PHONE NUMBER
4. PRES./SECY OF ORG. or POLITICAL CANDIDATE CHRISTOPHER SERVE		14886 GRD. DELTA CO 81416	970 234-0083
5. EVENT MANAGER DON CHAPMAN		304 LEON ST. DELTA CO	970 210-0466

6. HAS APPLICANT ORGANIZATION OR POLITICAL CANDIDATE BEEN ISSUED A SPECIAL EVENT PERMIT THIS CALENDAR YEAR?
 NO YES HOW MANY DAYS? _____

7. IS PREMISES NOW LICENSED UNDER STATE LIQUOR OR BEER CODE?
 NO YES TO WHOM? _____

8. DOES THE APPLICANT HAVE POSSESSION OR WRITTEN PERMISSION FOR THE USE OF THE PREMISES TO BE LICENSED? Yes No

LIST BELOW THE EXACT DATE(S) FOR WHICH APPLICATION IS BEING MADE FOR PERMIT

Date	Date	Date	Date	Date
Hours From	Hours From	Hours From	Hours From	Hours From
To	To	To	To	To
06/11/2016				
9:00A .m.				
To 9:00P .m.				

OATH OF APPLICANT

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

SIGNATURE [Signature]	TITLE Secretary	DATE 2/2/16
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REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY OR COUNTY)

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 12, Article 48, C.R.S., as amended.

THEREFORE, THIS APPLICATION IS APPROVED.

LOCAL LICENSING AUTHORITY (CITY OR COUNTY)	<input type="checkbox"/> CITY <input type="checkbox"/> COUNTY	TELEPHONE NUMBER OF CITY/COUNTY CLERK
SIGNATURE	TITLE	DATE

DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY

LIABILITY INFORMATION			
License Account Number	Liability Date	State	TOTAL
		-750 (999)	\$.

MEMO

To: City Council
From: Rod Myers, Fleet/Facilities Manager
Date: 02/16/2016
Subject: Equipment purchases



Fleet / Facility Manager

Recommendation:

Staff is recommending approval from Council to purchase the equipment listed below.

1. Aerator
2. Pole & Reel Trailer

Background:

During the 2016 budget process, staff budgeted to replace several pieces of equipment that are scheduled for replacement. An aerator to replace one at the Golf Course and a combination pole & reel trailer for ML&P.

Staff solicited bids from local and regional companies: See spreadsheet for a complete list of vendors and reasons for non-qualifying bids.

Cost:

\$27,000.00 was budgeted for the aerator. LL Johnson (Toro) was the lowest qualifying bid at \$ 26,184.00.

\$22,000.00 was budgeted for the combination pole & reel trailer. Brooks Brothers Trailers was the lowest bid at \$ 18,864.00.

Alignment with Strategic Planning:

By replacing the fleet with newer models, it will lower maintenance/repair cost along with providing dependable equipment and vehicles for City staff to use.

Actions to be taken if approved Staff will circulate purchase orders to purchase one new aerator and one combination pole & reel trailer.

Aerator

Vendor	Make	Model	Cost	Budget	Meet Specs	Reason
LL Johnson	Toro	Procore 864	\$26,184.00	\$27,000.00	yes	
Potestio Brothers Equipment	Wiedermann	XF6	\$35,000.00		yes	
C&M Golf Equipment	Redexim	Verticore	\$22,095.00		no	Did not meet spec aeration depth

Combination pole & reel trailer

Brooks Brother Trailers	Brooks Brothers	PT-122	\$18,864.00	\$22,000.00	Yes	
ReelStrong Utility Fleet	ReelStrong	CPT16K-12	\$20,133.00		Yes	



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

February 12, 2016

TO: Mayor and City Councilmembers

FROM: David Torgler, City Manager

RE: Consideration to reschedule the March 1, 2016 City Council meeting

The City Council is scheduled to meet on March 1, 2016 which is also the same time local precinct caucuses meet. At their last meeting the Planning Commission approved a recommendation to the City Council to approve amendments to the City's sign code that will update the sign code to comply with the recent U.S. Supreme Court decision regarding the content of municipal sign codes nationwide. This Planning Commission recommendation will be on the March 1st City Council agenda for First Reading. For these reasons the City Council may want to reschedule the March 1st meeting to another time.

Items: I, J and K

Attorney Comments



City Manager Comments



Councilmember Comments

