

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 David Smith. 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 Cooper and seconded by Councilmember Raley to approve the minutes of the September 3, 2013 regular meeting as submitted by the Clerk. All in favor, motion carried.

**Citizen Comments**

There were none.

**Library Historic Fund Project Update**

City Manager Justin Clifton stated that the library's historic fund project is ready to move forward with the next phase. Council approved the project in 2012. A representative from the library is here to provide an update on the project.

Annette Choszcyk reported on the progress they have made with the project. The contract has been revised some due to the stabilizing of the foundation as well as some lead paint abatement that will need to be completed.

Councilmember Penick questioned if anyone from the City has reviewed the revised contract.

Ms. Choszcyk stated they have had their attorney review it.

Manager Clifton also stated that most of these contracts are boiler plate; however, should Council be inclined to approve the contract tonight, they could include approval contingent upon review by City officials.

It was moved by Councilmember Penick and seconded by Councilmember Jurca to approve the signing of the Historic Fund contract for the library once it has been reviewed by staff for appropriateness for the City. All in favor, motion carried.

**Library Ballot Question Update**

Ms. Choszcyk updated Council on the library's ballot question being presented at the November election to increase the mill levy to generate revenue.

There was discussion regarding the attendance at the Delta library.

**Regular Meeting, Delta City Council, September 17, 2013 (cont.)**

**Library Ballot Question Update (cont.)**

Ms. Choszczyk requested Council to consider endorsing the ballot question.

**Transfer of Ownership: Tavern Liquor License; Throttle and Spurs Saloon**

The Clerk explained that K&L Enterprises, LLC has purchased Sports Center Lounge. The business name is now Throttle and Spurs Saloon. The application is complete and all fees have been paid. Staff recommends approval at this time.

It was moved by Councilmember Cooper and seconded by Councilmember Raley to approve the tavern liquor license transfer of ownership for Throttle and Spurs Saloon. All in favor, motion carried.

**Hotel/Restaurant Liquor License Renewal; Gabriela's Restaurant**

The Clerk reported that Gabriela's Restaurant has submitted their renewal application for their Hotel and Restaurant Liquor License. The application is complete and all fees have been paid. The Delta Police Department is recommending renewal.

It was moved by Councilmember Jurca and seconded by Councilmember Penick to approve the hotel/restaurant liquor license renewal for Gabriela's Restaurant. All in favor, motion carried.

**Discussion Regarding Horse Country Arena**

Cheryl Adams, 1001 Palmer, stated that she has received a letter from Paul Suppes regarding her animals at the stalls at Horse Country Arena. She explained how she cares for her horses as well as maintains the stalls. She presented Council with various pictures of the animals. She stated they are in good care. She also stated she has paid \$7000 for the rental of the stalls. She needs a place for her horses.

Councilmember Penick questioned over what period of time was the payment she mentioned.

Ms. Adams stated four years.

Mayor Sisson questioned how she exercises her horses.

Ms. Adams stated she exercises the horses three to four times a week.

There was discussion regarding health certificates and bedding for the horses.

Manager Clifton stated that the perspective of staff is not a matter of any particular case. It's not about current renters or even past renters. He admits that accepting a complaint provides an opportunity to focus on an issue. This issue has been discussed with Parks Director Paul Suppes for several months. It's his position that the City is ill-equipped to maintain a long term boarding facility. He also believes it is not a suitable facility for long term boarding. He stated that the other issue is whether these services are provided elsewhere. This is a case that there are other facilities in Delta County that offer this type of service. He is recommending that Council consider eliminating the long term boarding and allow for temporary boarding to accommodate some events that are held as well as possibly animals that are in transit.

**Regular Meeting, Delta City Council, September 17, 2013 (cont.)**

**Discussion Regarding Horse Country Arena (cont.)**

Councilmember Cooper stated that this is not the first time this has come up; there have been many discussions before. She is not sure the city should even undertake a temporary facility. She also stated they could have the facility available for a natural disaster, otherwise shut it down. She believes the city does not need to be in this type of business. The city can give ample time for this operation to wind down.

Councilmember Jurca also stated he believes the city should not be in this type of business.

Councilmember Penick questioned who oversees the rentals.

Director Suppes stated that they are reserved at the recreation center just as with rental of parks, then the parks department checks on them.

There was discussion regarding the health certificates and the training staff would need.

Councilmember Penick stated he is leaning toward eliminating the long term rentals. He would need more information before he would agree with also eliminating the short term rentals.

Councilmember Cooper commented that the city would still have to maintain them.

Manager Clifton stated there have been discussions to look at the facility operations more broadly. There's no need to make a concrete discussion tonight. Staff can bring back more information to consider the operations more generally.

Councilmember Raley stated that the facility is already operating on a budget for this year so he would like to see it finish for this year and then make a decision for next year.

Mayor Sisson questioned Ms. Adams as to why she uses this facility.

Ms. Adams stated that using the facility is financially reasonable.

Councilmember Penick stated that the city is competing with private enterprise.

There was a consensus to have staff submit more information at a future meeting.

**Council Bill #6, 2013; First Reading  
Solicitation Regulations**

Council Bill #6, 2013

AN ORDINANCE OF THE CITY OF DELTA, COLORADO,  
AMENDING TITLE 5 CHAPTER 5.24 OF THE DELTA  
MUNICIPAL CODE

was read by the Clerk.

Manager Clifton stated that staff has composed an ordinance for Council's consideration regarding peddlers and solicitors as discussed at the last meeting. He presented a summary of the ordinance.

**Regular Meeting, Delta City Council, September 17, 2013 (cont.)**

Councilmember Jurca questioned the permitted hours being 6:00pm or later.

**Council Bill #6, 2013 (cont.)**

Manager Clifton stated it should read earlier.

It was moved by Councilmember Cooper and seconded by Councilmember Jurca to adopt Council Bill #6, 2013 on first reading with the changes as stated. Roll call vote: Councilmembers Cooper, aye; Jurca, aye; Raley, aye, Penick, aye and Sisson, aye. Motion carried.

**City Attorney Comments**

There were none.

**City Manager Comments**

Manager Clifton stated that typically the City has provided employees with a Christmas dinner as well as a breakfast during the summer. An employee committee was formed from a cross section of departments to get feedback from the employees. Based on their feedback the City has scheduled a picnic with activities in the afternoon. This Friday all City offices will be closed starting at 1:00pm to allow everyone to attend the picnic and activities.

He reported that he will be attending the Rocky Mountain Leadership Program on October 21<sup>st</sup>.

He also reported on the following meetings:

- Community meeting regarding animal control.
- Fiber meeting.
- Forest Service relocation.

**Councilmember Comments**

Councilmember Cooper also attended the fiber discussion.

Councilmember Penick stated that he agrees with the need to appreciate staff, it helps the city.

The meeting was adjourned at 7:45 p.m.

---

Jolene E. Nelson, City Clerk