

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. 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 Raley and seconded by Councilmember Penick to approve the minutes of the November 5, 2013 regular meeting as submitted by the Clerk. All in favor, motion carried.

Citizen Comments

There were none.

Veterans Day Poem Presentation from Delta Middle School Students

Mayor Sisson stated that he attended the Veterans Day ceremony at the Delta Middle School and has invited some of the students that wrote poems to read them tonight.

Claire Corbasson, Missa Webb and Ana Jurca presented their poems.

Mayor Sisson thanked the students for their willingness to read their poems tonight.

Presentation from the Colorado Association of Chiefs of Police to Chief Robert Thomas

Chief John Camper, President of the Colorado Association of Chiefs of Police (CACP) presented Chief Robert Thomas an Executive Certification Designation.

Chief Robert Thomas thanked CACP for the designation.

Public Hearing: 2014 Budget

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

The Mayor called for public comment and when there was none he closed the regular meeting and reconvened the public hearing.

Regular Meeting, Delta City Council, November 19, 2013 (cont.)

Resolution #5, 2013; Setting the Mill Levy

Resolution #5, 2013

A RESOLUTION LEVYING GENERAL PROPERTY TAXES FOR THE YEAR OF 2013 TO HELP DEFRAY THE COSTS OF GOVERNMENT OF THE CITY OF DELTA, COLORADO, FOR THE 2014 BUDGET YEAR

was read by the Clerk.

Councilmember Penick stated that there are zero (0) mills levied for the City of Delta.

It was moved by Councilmember Penick and seconded by Councilmember Jurca to adopt Resolution #5, 2013. Roll call vote: Councilmembers Cooper, aye; Jurca, aye; Raley, aye; Penick, aye and Sisson, aye. Motion carried.

Resolution #6, 2013; Adopting the 2014 Budget

Resolution #6, 2013

A RESOLUTION ADOPTING A BUDGET FOR THE CITY OF DELTA, COLORADO, FOR THE CALENDAR YEAR BEGINNING THE FIRST DAY OF JANUARY, 2014, AND ENDING ON THE THIRTY-FIRST DAY OF DECEMBER, 2014

was read by the Clerk.

Councilmember Cooper commented that this has been a long hard fought budget. She believes that the new procedures that have been put into place will bring good results.

It was moved by Councilmember Cooper and seconded by Councilmember Penick to adopt Resolution #6, 2013.

Councilmember Raley stated that he is disappointed that there was not more cut out of the golf course budget and therefore he will be opposing the approval of this budget.

Roll call vote: Councilmembers Cooper, aye; Jurca, aye; Raley, no; Penick, aye and Sisson, aye. Motion carried.

Council Bill #8, 2013; First Reading
2014 Appropriations

Council Bill #8, 2013

AN ORDINANCE APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES IN THE

Regular Meeting, Delta City Council, November 19, 2013 (cont.)

Council Bill #8, 2013; First Reading (cont.)

AMOUNTS AND FOR THE PURPOSES SET FORTH BELOW
FOR THE CITY OF DELTA, COLORADO, FOR THE 2014
BUDGET YEAR

was read by the Clerk.

It was moved by Councilmember Jurca and seconded by Councilmember Cooper to adopt Council Bill #8, 2013 on first reading. Roll call vote: Councilmembers Cooper, aye; Jurca, aye; Raley, aye; Penick, aye and Sisson, aye. Motion carried.

Animal Shelter Lease Agreement

City Manager Justin Clifton reported that staff had anticipated that the contract with CAWS would expire at the end of the year pending their moving to another facility. After discussion and making some changes within the internal operations staff believes it would be a good opportunity to renew those agreements.

Community Development Director Glen Black stated that CAWS is here tonight to give an update on their operations.

JoAnn Kalenak thanked the City for the opportunity to continue forward with the animal shelter. She presented a summary on the performance over the last two years.

Councilmember Jurca questioned if they are still searching for a larger facility.

Ms. Kalenak stated they are starting a two year capital campaign which will help in acquiring a larger facility. There is a need in the municipalities as well as the county for more space to house animals.

Councilmember Jurca questioned what fees are that the City is paying to CAWS.

Director Black explained that the first contract is for the lease of the building. That agreement is a no rent agreement. The operation agreement does include some fees if the City is using the facility to hold animals.

Ms. Kalenak summarized the fees that would be inquired if the City were to house an animal. There is an additional cost should the City choose to relinquish the animal to CAWS. These fees are compensation to maintain the business.

Councilmember Penick suggested discussing the lease agreement and the operation agreement separately since they are listed as two different items on the agenda.

It was moved by Councilmember Penick and seconded by Councilmember Jurca to approve the animal shelter lease to CAWS. All in favor, motion carried.

Regular Meeting, Delta City Council, November 19, 2013 (cont.)

Agreement for Operation of Animal Shelter

Mayor Sisson questioned if they euthanize animals.

Ms. Kalenak stated that would be the City's decision. If animal is impounded and not reclaimed the City would have the option to relinquish the animal to CAWS with a \$50 fee or to have it euthanized.

Mayor Sisson questioned what the cost was to relinquish an animal to CAWS this year.

Ms. Kalenak stated they did not charge.

There was discussion regarding the fees.

Councilmember Cooper questioned how many animals CAWS handled for the City last year.

Ms. Kalenak stated that as of October 31st, 2013 CAWS has handled 93 dogs and 17 cats. She estimated about 80% of the dogs that were dealt with at the animal shelter were involved with the City.

Director Black also stated that the animals that are running at large, impounded and then returned to their owners, the fees that are being incurred are passed down to the owner when they animal is reclaimed.

Councilmember Raley questioned who makes the decision what to do with the animal.

Director Black explained that staff is will be working with CAWS to better utilize the facility to give CAWS more time and opportunity to adopt the animals.

Manager Clifton stated that to clarify, if any pet that was delivered to CAWS by the City of Delta after five days it then becomes the decision of CAWS on what to do with the animal.

Councilmember Penick stated that in paragraph 11 the last sentence needs reworded.

It was moved by Councilmember Cooper and seconded by Councilmember Raley to approve the agreement for operation of the animal shelter with the correction in paragraph 11. All in favor, motion carried.

Public Hearing: Hotel/Restaurant Liquor License; The Garden Center

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

The Clerk reported the Williams Cellars, LLC has submitted an application for a Hotel and Restaurant Liquor License. The location of the business is at The Garden Center on south Main. The application is complete and all fees have been paid. Background checks have been completed on the owners of Williams Cellars, LLC. The state is requiring the manager to be fingerprinted; however, those results are not available since they were just submitted a few days ago. The State did not allow Ty Williams to be the manager of record since he is the manager

Regular Meeting, Delta City Council, November 19, 2013 (cont.)

Public Hearing: Hotel/Restaurant Liquor License; The Garden Center (cont.)

of another location. The Clerk stated that the results of that investigation will not affect the license approval from the State.

The Clerk also reported that all fees have been paid for the license. The applicant has submitted signatures for the needs and desires for the license. A notice was published in the local paper and also a sign was posted at the site as required by law notifying the public of this hearing. No comments have been received.

The Mayor called for public comment and when there was none he closed the regular meeting and reconvened the public hearing.

It was moved by Councilmember Jurca and seconded by Councilmember Raley, to approve the hotel/restaurant liquor license for The Garden Center. All in favor, motion carried.

Public Hearing: Special Events Permit Application; DCMH

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

The Clerk reported that the Delta County Memorial Hospital Foundation has submitted a special events permit application for the fund raising event scheduled on January 24, 2014. The application states that they plan to sell malt, vinous and spirituous liquor from 6:00pm until midnight. A sign was posted on site as required by law notifying the public of this hearing and no comments have been received.

The Mayor called for public comment and when there was none he closed the regular meeting and reconvened the public hearing.

It was moved by Councilmember Penick and seconded by Councilmember Raley to approve the special events permit for the Delta County Memorial Hospital. All in favor, motion carried.

Retail Liquor Store Renewal; Grand Valley Liquors

The Clerk stated that Grand Valley Liquor has submitted their Retail Liquor Store Renewal. The application is complete and all fees have been paid. The police department is recommending renewal.

It was moved by Councilmember Cooper and seconded by Councilmember Jurca to approve the Retail Liquor Store Renewal for Grand Valley Liquors. All in favor, motion carried.

Club Liquor License Renewal; BPOE Lodge No 1235

The Clerk explained that the BPOE Lodge No 1235 has submitted their Club Liquor License renewal. The application is complete and all fees have been paid. The police department is recommending renewal.

It was moved by Councilmember Jurca and seconded by Councilmember Penick to approve the Club Liquor License Renewal for BPOE Lodge No 1235. All in favor, motion carried.

Regular Meeting, Delta City Council, November 19, 2013 (cont.)

**Ordinance #7, 2013; Second and Final Reading
Rate Changes**

Ordinance #7, 2013

AN ORDINANCE OF THE CITY OF DELTA, COLORADO,
PROVIDING REVISED WATER, SEWER, ELECTRIC AND
TRASH RATES, REVISED WATER AND SEWER SYSTEM
IMPROVEMENT AND TAPPING FEES, AND AMENDING THE
MUNICIPAL CODE CONCERNING THE SAME

was introduced as Council Bill #7, 2013 and read by the Clerk.

It was moved by Councilmember Cooper and seconded by Councilmember Penick to adopt Council Bill #7, 2013 on second and final reading.

Councilmember Raley stated that he voted in favor of this ordinance at the last meeting; however, after looking into the finances of all the accounts mentioned in the ordinance he believes the increase is to support the \$355,000 transfer to the golf course. He also stated that it is grossly unfair to the citizens of the City of Delta to pay for the golf course that very few of them use.

Councilmember Cooper stated that in defense of that statement, the City has absorbed a lot of rate increases especially on the power side of things. This is just a necessary evil of doing business.

Roll call vote: Councilmembers Cooper, aye; Jurca, aye; Raley, no; Penick, aye and Sisson, aye. Motion carried. Council Bill #7, 2013 was introduced and adopted as Ordinance #7, 2013.

City Attorney Comments

There were one.

City Manager Comments

Manger Clifton stated that there will be a work session on December 3, 2013. He also stated that the City's Christmas celebration will be on December 13, 2013 at 6:30pm at the rec center.

He invited Recreation and Culture Director Wilma Erven to present an update on the rec center.

Director Erven reported that the opening of the pool area is right on schedule. On November 27, 2013 at 11:00am they will be a ribbon cutting and re-opening celebration. She thanked Council for their continued support in this project.

Councilmember Comments

Councilmember Cooper congratulated Director Erven and her staff on the completion of the expansion. She stated that she sat in during Municipal Court and believes Council made a wise decision in the selection of Judge John Baier. She wished every a Happy Thanksgiving.

