

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

The Public Hearing regarding Butch's Café needs to be removed from the Agenda.

Minutes

Councilmember Raley requested that the minutes be corrected. Councilmember Raley stated that he had voted nay on the rate change ordinance.

It was moved by Councilmember Cooper and seconded by Councilmember Penick to approve the minutes of the December 3, 2013 regular meeting with the changes as stated. All in favor, motion carried.

Citizen Comments

There were none.

Selection of Auditor

City Manager Justin Clifton stated that staff is recommending approval of the selection of Holscher, Mayberry & Company, LLC for the City's auditors with a three year contract. He explained the process in which bids were solicited and that Holscher, Mayberry & Company, LLC was the only firm that submitted a proposal.

It was moved by Councilmember Raley and seconded by Councilmember Jurca to offer a three year contract to Holscher, Mayberry & Company, LLC for auditor services. All in favor, motion carried.

Council Bill #11, 2013; First Reading
2013 Supplemental Appropriations

Council Bill #11, 2013

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 2013 BUDGET YEAR

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

Council Bill #11, 2013; First Reading (cont.)
2013 Supplemental Appropriations

was read by the Clerk.

Manager Clifton stated that Council Bill #11, 2013 addresses funds that went over the amount that was budgeted for 2013. The City is self insured for dental and this reflects the amount that was needed to pay all of the dental claims. Mr. Clifton stated that in the future staff might look at more traditional dental insurance.

Manager Clifton clarified the changes to the recreation fund. Mr. Clifton stated that Council had approved the additional \$190,000 to complete the full scope of the expansion project. He reported that a couple of years ago tile work was not completed satisfactory; therefore, funds were being held. Staff did reach a settlement with the contractor so the funds can be released.

It was moved by Councilmember Penick and seconded by Councilmember Jurca to adopt Council Bill #11, 2013 on first reading. Roll call vote: Councilmembers Cooper, aye; Penick, aye; Jurca, aye; Raley, aye and Sisson, aye. Motion carried.

Resolution #7, 2013; April 1, 2014 Mail Ballot Election

Resolution #7, 2013

A RESOLUTION OF THE CITY OF DELTA, COLORADO,
AUTHORIZING THE April 1, 2014 REGULAR MUNICIPAL
ELECTION TO BE CONDUCTED BY MAIL BALLOT

was read by the Clerk.

The Clerk explained that this Resolution is to approve the City to conduct the April 2014 election by mail ballot.

It was moved by Councilmember Jurca and seconded by Councilmember Penick to adopt Resolution #7, 2013 on first reading. Roll call vote: Councilmembers Cooper, aye; Penick, aye; Jurca, aye; Raley, aye and Sisson aye. Motion carried.

Intergovernmental Agreement with Delta County Clerk and Recorder

The Clerk stated that this is the Intergovernmental Agreement with the Delta County Clerk and Recorder who will assist in the mail ballot election that Council just approved. The estimated cost of the election has increased due to the new laws the State has implemented with House Bill 1303.

Mayor Sisson questioned if an election can be cancelled.

The Clerk explained that there are two seats that will be open for the election and if they are uncontested seats and there is no other question on the ballot the election can be cancelled. There will be some costs associated with the preparing for the election.

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

Intergovernmental Agreement with Delta County Clerk and Recorder (cont.)

Councilmember Penick questioned if there will be a TABOR question.

City Attorney David Smith stated that it is a safer choice to wait until November due to the way the Charter is written.

It was moved by Councilmember Penick and seconded by Councilmember Raley to approve the Intergovernmental Agreement with the Delta County Clerk and Recorder. All in favor, motion carried.

Villas at the Bluff Lot 2B, Lot Split

Community Development Director Glen Black stated the Planning Commission is recommending approval of the Villas at the Bluff Lot 2B Lot Split with the deviation from the minimum design standards that all lots shall have direct access to a dedicated street. Mr. Black stated that the Planning Commission reviewed the proposed Lot Split at their December 2, 2013 regular meeting. He explained that lots splits are traditionally handled administratively; however, this lot split request requires a deviation from the normal minimum design standards as set forth in the Delta Municipal Code Section 16.04.070. Mr. Black summarized the code. The split is needed to separate Phase II of the Villas at the Bluff from Phase I for financing requirements. This plat cannot be recorded until February 3, 2014, because the Villas at the Bluff Resubdivision of Lot 2B was recorded on February 3, 2011 to meet the three year requirement between abbreviated subdivision processes.

Councilmember Penick stated that it's his understanding that the ownership and maintenance will be the responsibility of the Villas at the Bluff.

Mr. Black agreed stating that since this will be two separate lots, Oak Way will be clearly listed out with plat notes that in perpetuity both lots will be responsible of maintenance of Oak Way and will allow for public access.

It was moved by Councilmember Cooper and seconded by Councilmember Jurca to approve the Villas at the Bluff Lot 2B Lot Split with the deviation as presented. All in favor, motion carried.

Maverik-Delta Subdivision Preliminary Plat

Director Black stated that the Planning Commission is recommending approval of the Maverik-Delta Subdivision Preliminary Plat with all staff and Planning Commission recommendations. The Planning Commission reviewed the Maverik-Delta Preliminary Plat at their December 2, 2013 regular meeting. Mr. Black stated that the applicant and owner is Maverik Inc. and the property is located at the intersection of Hwy 92 and Hwy 50. The applicant is requesting to divide 6.371 acres into 3 parcels. The following are conditions of approval:

- Corrections need to be made to the construction drawings and preliminary plat prior to a preconstruction meeting. The City requires 3 wet-stamped sets of approved engineered plans.
- The development must comply with all City of Delta requirements and other regulatory/permitting agency requirements

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

Maverik-Delta Subdivision Preliminary Plat (cont.)

- Preliminary Plat approval expires 2 years from the date of such approval.

The following will need to be completed prior to final plat submittal:

- All improvements must be constructed, including electrical, water, sewer, storm sewer and Hwy 92.
- Cross access/maintenance agreements must be signed.
- Traffic light SIA completed.

There was discussion regarding the stop light. Mr. Black stated that a corridor study will need to be completed to determine the location of the stop light.

It was moved by Councilmember Cooper and seconded by Councilmember Raley to approve the Maverik-Delta Subdivision Preliminary Plat with the recommendations as stated. All in favor, motion carried.

Ordinance #9, 2013; Second and Final Reading
Flood Damage Prevention

Ordinance #9, 2013

AN ORDINANCE OF THE CITY OF DELTA, COLORADO,
AMENDING TITLE 15 CHAPTER 15.56 OF THE DELTA
MUNICIPAL CODE

was introduced as Council Bill #9, 2013 and read by the Clerk.

Manager Clifton reported that there are only some formatting changes to this ordinance since last reading.

It was moved by Councilmember Jurca and seconded by Councilmember Penick to adopt Council Bill #9, 2013 on second and final reading. Roll call vote: Councilmembers Cooper, aye; Raley, aye; Jurca, aye; Penick, aye and Sisson, aye. Motion carried. Council Bill #9, 2013 was adopted on second and final reading as Ordinance #9, 2013.

Ordinance #10, 2013; Second and Final Reading
Revised Rate Tables

Ordinance #10, 2013

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

was introduced as Council Bill #10, 2013 and read by the Clerk.

