

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 Cooper and seconded by Councilmember Penick to approve the minutes of the September 16, 2014 regular meeting and the September 23, 2014 special meeting as submitted by the Clerk. All in favor, motion carried.

Citizen Comments

There were none.

JROTC Request to Conduct Service Work at Confluence Park

Cadet Yvette Arano with the JROTC at Delta High school requested permission to provide cleanup at Confluence Park.

There was discussion regarding the two different troops that will conduct service at Confluence Park.

The Council approved JROTC to conduct service work.

Public Hearing: Special Events Permit Application, Altrusa

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

The Clerk explained that Altrusa has submitted an application for a Special Events Permit. The application states that they plan to sell liquor at Bill Heddles Recreation Center on November 14, 2014 from 4:00pm to 10:00pm and November 15, 2014 from 9:00am to 5:00pm. The application is complete and all fees have been paid. A sign was posted at the site as required by law and no comments have been received.

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

It was moved by Councilmember Penick and seconded by Councilmember Jurca to approve the Special Events Permit with Altrusa for November 14 and 15, 2014. All in favor, motion carried.

Regular Meeting, Delta City Council, October 7, 2014 (cont.)

Tavern Liquor License Renewal; Throttle and Spur Saloon

The Clerk reported that K&L Enterprises, Inc./dba Throttle and Spur Saloon submitted their annual Tavern Liquor License renewal. The application is complete and all fees have been paid. The police department is recommending renewal.

It was moved by Councilmember Raley and seconded by Councilmember Penick to approve the Tavern Liquor License Renewal for Throttle and Spur Saloon. All in favor, motion carried.

Resolution #3, 2014; Open Records Policy

Resolution #3, 2014

A RESOLUTION OF THE CITY OF DELTA, COLORADO ADOPTING A POLICY REGARDING REQUESTS FOR INSPECTION AND PRODUCTION OF THE PUBLIC RECORDS OF THE CITY OF DELTA PURSUANT TO THE COLORADO OPEN RECORDS ACT

was read by the Clerk.

The Clerk stated that the State of Colorado adopted the Colorado Open Records Act ("Act"). The Act has been amended by the passage of House Bill 14-1193 requiring the City's custodian of public records to either post on the custodian's website or otherwise publish a written policy that specifies the applicable conditions concerning the research and retrieval of public records by the custodian. The updated City Public Records Policy includes the fee amounts allowed by the Act.

Councilmember Penick stated that "town" needs to be changed to "city".

There was discussion regarding the fees to produce records.

It was moved by Councilmember Cooper and seconded by Councilmember Raley to adopt Resolution #3, 2014. Roll call vote: Councilmembers Cooper, aye; Jurca, aye, Raley, aye, Penick, aye and Sisson, aye. Motion carried.

Delta Visitor's Center Phase 1 Project Award

City Manager Justin Clifton stated that this project is for a parking lot that will include the RV dump station at Lion's Pavilion. He also stated that there were three bids that were received and staff is recommending approval of the low bid from Wells Excavation and Farming.

Councilmember Raley questioned if the contractor started work without the approval from Council.

Utilities Director Steve Glammeyer stated that the contractor has been on site starting some work. Staff did explain to them that the contract was not an approved project and Wells Excavation and Farming chose to continue starting the dirt work so that they don't get into winter complications.

Regular Meeting, Delta City Council, October 7, 2014 (cont.)

Delta Visitor's Center Phase 1 Project Award

Councilmember Penick questioned the amount that was budgeted and the amount of the bid.

Mr. Glammeyer stated that the low bid is under budget. Staff is looking at completing some additional improvements to the curb and gutter and some additional sidewalk work. Any additional work would be handled under change orders.

There was discussion regarding whether to approve the contracted amount or the full budgeted amount. Any change orders would need to be brought back to Council for approval.

It was moved by Councilmember Penick and seconded by Councilmember Cooper to award the Lion's Parking Lot project to Wells Excavation and Farming, LLC in the amount of \$458,688.10 with the provision that staff may come back with change orders not to exceed \$525,458. All in favor, motion carried.

Resolution #4, 2014; Support of Ballot Questions

RESOLUTION #4, 2014

A RESOLUTION OF THE CITY OF DELTA, COLORADO SUPPORTING
QUESTIONS 2D AND 2E ON THE NOVEMBER 4, 2014 BALLOT

was read by the Clerk.

Manager Clifton stated that it is allowable under the Fair Campaign Practices Act (FCPA) that Council may approve a Resolution in support of the ballot questions that the City has submitted for the November 4, 2014 election if they so choose. He explained the restrictions of FCPA.

It was moved by Councilmember Penick and seconded by Councilmember Jurca to adopt Resolution #4, 2014. 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 he will be taking vacation from December 19, 2014 to January 2, 2015. Glen Black will be Interim City Manager during his absence.

Councilmember Comments

Councilmember Jurca commented on Jo Rosenquist retiring from the Delta Housing Authority. He also explained the process the board is proceeding with for the hiring of a new director.

Regular Meeting, Delta City Council, October 7, 2014 (cont.)

Councilmember Comments (cont.)

Councilmember Penick and Mayor Sisson both commented on the recent Municipal Quarterly meeting they attended in Crawford.

Mayor Sisson reminded everyone of the museum's 50th Anniversary event scheduled on Saturday, October 11th.

Executive Session

It was moved by Councilmember Jurca and seconded by Councilmember Cooper to convene an 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) and to discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under CRS Section 24-6-402(4)(a). All in favor, motion carried.

At 7:22 p.m., Mayor Sisson recessed the Regular Meeting and convened the Executive Session.

At 7:33 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, Bill Raley, Ray Penick and Robert Jurca, as well as City Manager Justin Clifton 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.

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