

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 Penick and seconded by Councilmember Jurca to approve the minutes of the March 12, 2015 special meeting and the March 17, 2015 regular meeting minutes as submitted by the Clerk. All in favor, motion carried.

**Citizen Comments**

There were none.

**Public Hearing: Hotel/Restaurant Liquor License Application; Opa's**

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

The Clerk explained Angela M. Lindberg has submitted a hotel and restaurant liquor license application. Staff has reviewed the application and has determined the following items:

- There has not been a denial of an application by the Liquor Licensing Authority, the City Council of the City of Delta, for a Hotel and Restaurant Liquor License at the location.
- The applicant has possession of the premises.
- Selling spirituous liquors in the manner proposed in the application is not in violation of the zoning, fire, and other applicable laws of the City of Delta, or any laws, rules or regulations of the City/County Health Department or the laws of the State of Colorado.
- The property proposed to exercise the privilege of selling liquors does not appear to be within 500 feet from any public or parochial school or the principal campus of any college, university or seminary. The location is 440 Main Street, Delta, Colorado.
- A background investigation was completed on Angela Lindberg and no records were found.
- All fees have been paid to the State as well as the City of Delta.
- A sign notifying the public was posted and a public notice was submitted to the local newspaper as required by law and no comments have been received.

Ms. Lindberg presented Council with a signed petition by various residents of the City of Delta in favor of approving the liquor license.

### **Regular Meeting, Delta City Council, April 7, 2015 (cont.)**

#### **Public Hearing: Hotel/Restaurant Liquor License Application; Opa's (cont.)**

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 Raley and seconded by Councilmember Cooper to approve the hotel and restaurant liquor license for Angela Lindberg dba Opa's. All in favor, motion carried.

#### **Retail Liquor Store Renewal; D&B Liquors**

The Clerk stated that D&B 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 Jurca and seconded by Councilmember Penick to approve the retail liquor store license renewal for D&B Liquors. All in favor, motion carried.

#### **Hotel/Restaurant Liquor License Renewal; Stockyards**

The clerk reported that Stockyards has submitted their hotel and restaurant liquor 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 Raley to approve the hotel and restaurant liquor license for Stockyards. All in favor, motion carried.

#### **Colorado Parks and Wildlife Special Event Request**

The Clerk stated that the Colorado Parks and Wildlife is requesting approval for a special event permit to use their portable trailer within City of Delta to conduct hunter safety classes. The Delta Municipal Code 9.04.100 Discharge of guns prohibited states the following "C. This section shall not apply when a permit has been granted by the City Council for a special event. No permit shall be granted unless the Council determines that no nuisance, unreasonable noise or safety hazard will be created."

It was moved by Councilmember Cooper and seconded by Councilmember Jurca to approve the special event permit for the Colorado Parks and Wildlife for use of their portable trailer to conduct hunter safety classes and/or demonstrations. All in favor, motion carried.

#### **Upper White Ranch Grazing Lease**

City Manager Justin Clifton stated that this is the annual lease agreement for grazing rights on the Upper White Ranch. There are no changes to the lease since last year.

It was moved by Councilmember Penick and seconded by Councilmember Raley to approve the Upper White Ranch Grazing Lease. All in favor, motion carried.

## **Regular Meeting, Delta City Council, April 7, 2015 (cont.)**

### **Hawkins Indemnity Agreement**

Manager Clifton stated that staff is recommending that Council consider approving the indemnity agreement executed by the Carolyn and Jack Hawkins and prepared by City Attorney, David McConaughy indemnifying the City of Delta against any claims or demands by the West Winds Home Owner's Association or any other third party disputing the rights of the Hawkins or the public to traverse and utilize Falcon Road, or any portion thereof, to provide access from U.S. Highway 50 to Hawkins Subdivision One, Lot 1.

It was moved by Councilmember Cooper and seconded by Councilmember Raley to approve the Hawkins Indemnity Agreement. All in favor, motion carried.

### **City Attorney Comments**

There were none.

### **City Manager Comments**

Manager Clifton stated that it was a pleasure to serve the Council and the City of Delta. He also stated that it was an honor to work with the outstanding staff.

### **Councilmember Comments**

Each of the Councilmembers expressed appreciation to Justin Clifton for all his hard work with getting the City of Delta back on the right track. They all wished him the best of luck.

### **Executive Session**

It was moved by Councilmember Cooper and seconded by Councilmember Jurca to convene an Executive Session or discussion of a personnel matter under CRS Section 24-6-402(4)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees.

All in favor, motion carried.

At 7:14 p.m., Mayor Sisson recessed the Regular Meeting and convened the Executive Session.

At 7:27 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 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.

**Regular Meeting, Delta City Council, April 7, 2015 (cont.)**

**Resolution #1, 2015; Appointment of Interim City Manager**

Resolution #1, 2015

APPOINTING GLEN L. BLACK AS INTERIM CITY MANAGER

It was moved by Councilmember Penick and seconded by Councilmember Raley to adopt Resolution #1, 2015. Roll call vote: Councilmember Cooper, aye; Jurca, aye; Raley, aye; Penick, aye and Sisson aye. Motion carried.

The meeting was adjourned at 7:27 p.m.

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