



360 Main St. • Delta, Colorado 81416 • Phone (970) 874-7566 • Fax (970) 874-8776

Council may take formal action on any item appearing on this Agenda. However, formal action WILL NOT be taken at this meeting on any item of business first identified during the course of the meeting as a change to the Agenda, other business, or Citizen, Councilmember and Staff Comments.

A G E N D A

**Delta City Council
Regular Meeting**

**December 2, 2014
7:00 p.m.**

- A. Pledge of Allegiance**
- B. Changes to the Agenda**
- C. Minutes**
- D. Citizen Comments**
- E. Council Bill #6, 2014; Second and Final Reading
2015 Appropriations**
- F. Public Hearing: Special Events Permit; Delta County Memorial Hospital
Foundation**
- G. City Attorney Comments**
- H. City Manager Comments**
- I. Councilmember Comments**

Item A:

Pledge of Allegiance



Item B:

Changes to the Agenda

Mayor Ed Sisson called the meeting to order at 7:00 p.m. Also present were Councilmembers Bill Raley and Mary Cooper, along with City Manager Justin Clifton and City Attorney David McConaughy. Absent were Councilmembers Robert Jurca and Ray Penick. 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

City Manager Justin Clifton proposed moving the Amarna Variance Request to the first item after citizen comments.

Minutes

It was moved by Councilmember Cooper and seconded by Councilmember Raley to approve the minutes of the November 4, 2014 regular meeting as submitted by the Deputy Clerk. All in favor, motion carried.

Citizen Comments

There were one.

Amarna Variance Request

Community Development Director Glen Black reported that Amarna has received a building permit for a 12,638 square foot addition to their existing building at 1755 Gunnison Avenue. The plans as submitted and approved with the building permit application met the supplemental site development standards for highway corridors. However, a previous version of the building package was ordered and received which does not meet the contrasting materials requirement under Delta Municipal code Section 15.04.090(a)(1). The front and side of the proposed building meet the contrasting materials requirements; however, the back side of the building does not meet the requirements. The back of the building as proposed would have approximately 15% contrasting colors and the code requirement is 20%, which is visible from the Highway 92. Mr. Black explained the variance process for this section of the code.

It was moved by Councilmember Cooper and seconded by Councilmember Raley to grant the variance request from Amarna. All in favor, motion carried.

Consolidated Budget Presentation and Discussion

City Manager Justin Clifton stated that staff has provided verbal information to Council on how the consolidated budget would differ from the separate fund budget previously submitted. At this point, expenses have not been adjusted, other than minor tweaks from the Finance Director Tod DeZeeuw based on corrections. As staff previously presented, we do anticipate savings associated with the expense side of the consolidation. However, it has proven difficult to incorporate those changes not knowing where they will occur. As an example, the recreation

Regular Meeting, Delta City Council, November 18, 2014 (cont.)

Consolidated Budget Presentation and Discussion (cont.)

center has found efficiency in shared positions between program areas like fitness and aquatics and customer service and janitorial. Staff anticipates doing more shared positions between the programs being consolidated. At this point, staff does not have the specific plan on where some of those combined positions may take place. For that reason, staff has held the line items the same with the expectations that as they find savings they can track them and present them to Council. The summary information does address the use of some of the unused recreation center budget that helps the General Fund and reduces overall transfers. It also changes the support of golf from utilities to sales tax. The cemetery and conservation trust funds have been left as individual line items.

Mayor Sisson commended the staff for their outstanding job in developing the budget.

Councilmember Raley stated that having the golf course funded under sales tax is better than out of the utilities fund.

Councilmember Cooper believes this budget is worth moving forward with. She stated that if there were department heads that were not happy with this budget it would be known.

Mr. Clifton stated that there have been several discusses with department heads about what is best. Staff has worked with the auditors as well as bond counsel to make sure everything being presented is legal. He also wanted to recognize the significance of the approved tax. The approval is not only now in perpetuity, it also allowed more flexibility. He stated that the voter approved amendment has helped the parks and recreations programs, the general fund programs and the reliance on transfers from other funds all at once.

Public Hearing: 2015 Budget

The Mayor recessed the regular meeting and convened a public hearing. He then called for public comment and when there was none he closed the public hearing and reconvened the regular meeting.

Resolution #5, 2014; Setting the Mill Levy

Resolution #5, 2014

A RESOLUTION LEVYING GENERAL PROPERTY TAXES FOR
THE YEAR OF 2014 TO HELP DEFRAY THE COSTS OF
GOVERNMENT OF THE CITY OF DELTA, COLORADO, FOR
THE 2015 BUDGET YEAR

was read by the Clerk.

It was moved by Councilmember Cooper and seconded by Councilmember Raley to adopt Resolution #5, 2014. Roll call vote: Councilmembers Cooper, aye; Raley, aye and Sisson, aye. Motion carried.

Regular Meeting, Delta City Council, November 18, 2014 (cont.)

Resolution #6, 2014; Adopting the 2015 Budget

Resolution #6, 2014

A RESOLUTION ADOPTING A BUDGET FOR THE CITY OF DELTA, COLORADO, FOR THE CALENDAR YEAR BEGINNING THE FIRST DAY OF JANUARY, 2015, AND ENDING ON THE THIRTY-FIRST DAY OF DECEMBER, 2015

was read by the Clerk.

It was moved by Councilmember Raley and seconded by Councilmember Cooper to adopt Resolution #6, 2014. Roll call vote: Councilmembers Cooper, aye; Raley, aye and Sisson, aye. Motion carried.

**Council Bill #6, 2014; First Reading
2015 Appropriations**

Council Bill #6, 2014

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 2015 BUDGET YEAR

was ready by the Clerk.

It was moved by Councilmember Cooper and seconded by Councilmember Raley to adopt Council Bill #6, 2014. Roll call vote: Councilmembers Cooper, aye; Raley, aye and Sisson, aye. Motion carried.

**Ordinance #5, 2014; Second and Final Reading
Revising Electric Rates**

Ordinance #5, 2014

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

was introduced as Council Bill #5, 2014 and read by the Clerk.

It was moved by Councilmember Raley and seconded by Councilmember Cooper to adopt Council Bill #5, 2014. Roll call vote: Councilmembers Cooper, aye; Raley, aye and Sisson,

Regular Meeting, Delta City Council, November 18, 2014 (cont.)

Ordinance #5, 2014; Second and Final Reading (cont.)

aye. Motion carried. Council Bill #5, 2014 was adopted on second and final reading as Ordinance #5, 2014.

Resolution #7, 2014; Updating Personnel Regulations

Resolution #7, 2014

A RESOLUTION OF THE CITY OF DELTA, COLORADO,
REPEALING AND REPLACING THE CITY OF DELTA
PERSONNEL REGULATIONS

was ready by the Clerk.

Manager Clifton stated that Council has seen the material contained in the personnel regulations that is being presented tonight for their approval. This resolution does adopt these regulations and also gives some reasonable flexibility in making small amendments.

It was moved by Councilmember Cooper and seconded by Councilmember Raley to adopt Resolution #6, 2014. Roll call vote: Councilmembers Cooper, aye; Raley, aye and Sisson, aye. Motion carried.

Club License Renewal; BPOE Lodge No 1235

The Clerk reported that BPOE Lodge No 1235 has submitted their annual club license 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 Raley to approve the Club License Renewal for BPOE Lodge No 1235. All in favor, motion carried.

Retail Liquor Store License Renewal; Petersons Liquor

The Clerk stated that Petersons Liquor has submitted their retail liquor store 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 Cooper to approve the retail liquor store renewal for Petersons Liquor. All in favor, motion carried.

3.2% Beer Off Premises License Renewal; Safeway Store #1863

The Clerk also stated that Safeway Store #1863 has submitted their 3.2% beer off premises license renewal. The application is also complete and all fees have been paid. The police department is recommending renewal.

Regular Meeting, Delta City Council, November 18, 2014 (cont.)

3.2% Beer Off Premises License Renewal; Safeway Store #1863 (cont.)

It was moved by Councilmember Cooper and seconded by Councilmember Raley to approve the 3.2% beer off premises license renewal for Safeway Store #1863. All in favor, motion carried.

City Attorney Comments

City Attorney David McConaughy stated that although the Council adopted the personnel regulations he wanted to clarify that the Municipal Judge is not an at-will employee rather that position is defined under state statutes as the individual can only be removed with cause.

City Manager Comments

Manager Justin updated Council on the upcoming parade of lights, inviting them to participate in the City's float. He also stated that the City's Christmas dinner will be on December 13th at the recreation center.

Additionally, Mr. Clifton stated that the truck route is nearing completion and would like to schedule a ribbon cutting after the Thanksgiving break. He requested Council to let him know of any times that they would not be available.

Councilmember Comments

Councilmember Cooper updated Council on the recent CML Executive Board meeting she attended. The board hopes that the actual bills that will be presented during the legislature next year, will be more balanced, with the recent changes due to the election.

Mayor Sisson commented on the meeting he attended at DMEA regarding broadband. He stated Delta County was well represented.

Executive Session

It was moved by Councilmember Cooper and seconded by Councilmember Raley to convene an Executive Session for a conference with the City Attorney for the purpose of receiving legal advice on specific legal questions under CRS Section 24-6-402(4)(b) and 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). All in favor, motion carried.

At 7:35 p.m., Mayor Sisson recessed the Regular Meeting and convened the Executive Session.

At 8:25 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 and Bill Raley, as well as City Manager Justin Clifton, City Attorney David McConaughy, Utilities/Public Works Director Steve Glammeyer leaving at 7:44 p.m. and Community Development Director Glen Black attending at 7:45 p.m. For the record, the Mayor asked any person participating in the Executive Session

Regular Meeting, Delta City Council, November 18, 2014 (cont.)

Executive Session (cont.)

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.

Jolene E. Nelson, CMC, City Clerk

Item D:

Citizen Comments



Council Bill #6, 2014

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 2015 BUDGET YEAR

WHEREAS, the City Council has adopted the annual budget on November 18, 2014; and

WHEREAS, the City Council has made provision therein for revenues in an amount equal to or greater than the total proposed expenditures as set forth in said budget; and

WHEREAS, it is not only required by law, but also necessary to appropriate the revenues provided in the budget to and for the purposes described below, so as not to impair the operations of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DELTA, COLORADO:

Section 1. That the following sums are hereby appropriated from the revenue of each fund, to each fund, as follows:

General Fund	\$ 4,885,531
Conservation Trust Fund	142,170
Parks & Recreation Center Fund	3,076,322
City-Wide Capital Improvements Fund	4,587,021
Municipal Light and Power Fund	6,879,152
Sewer Fund	1,696,603
Water Fund	2,579,482
Refuse Fund	731,216
Golf Course Fund	919,914
Internal Service Fund	1,302,933
Employees' Dental Insurance Fund	59,800
Debt Service Fund	1,778,105
Perpetual Care Fund	1,000

ADOPTED on first reading and ordered published this ____
day of _____, 2014.

Mayor

ATTEST:

City Clerk

ADOPTED on second and final reading and ordered published
this ____ day of _____, 2014.

Mayor

ATTEST:

City Clerk

MEMO

To: Mayor and City Council
From: Jolene Nelson, CMC, City Clerk
Date: December 2, 2014
Subject: Special Events Permit Application –
Delta County Memorial Hospital Foundation



Office of the City Clerk

Recommendation:

Staff recommends approving the application for a Special Events Liquor Permit for the Delta County Memorial Hospital Foundation for February 7, 2015.

Background:

The Delta County Memorial Hospital Foundation has submitted an application for a Special Events Liquor Permit for their fund raiser to be held at 1501 E. 3rd Street on February 7, 2015. The application specifies that they plan to sell alcoholic beverages from 5:00pm to 11:00pm.

The application is complete and the fees, \$35 to the City and \$25 to the State have been paid.

A sign notifying the public of this hearing has been posted as required by law. As of the writing of this memo, no comments either for or against the approval of the application have been received by the City Clerk.

Cost:

There is no cost to the City.

Alignment With Strategic Planning:

Per Delta Municipal Code 5.10.010 “the Delta City Council is hereby designated the local licensing authority for the purposes of exercising the duties and powers provided for in the Colorado Beer Code and the Colorado Liquor Code.”

Actions To Be Taken if Approved:

The Mayor and Clerk will sign the application, and the Clerk will mail it to the State, who will review it and issue the permit.

DR 8439 (06/28/06)
COLORADO DEPARTMENT OF REVENUE
 LIQUOR ENFORCEMENT DIVISION
 1375 SHERMAN STREET
 DENVER CO 80261
 (303) 205-2300

APPLICATION FOR A SPECIAL EVENTS PERMIT

Department Use Only

Received 11/17/14

IN ORDER TO QUALIFY FOR A SPECIAL EVENTS PERMIT, YOU MUST BE NONPROFIT AND ONE OF THE FOLLOWING (See back for details.)

- | | | |
|------------------------------------|--|---|
| <input type="checkbox"/> SOCIAL | <input type="checkbox"/> ATHLETIC | <input checked="" type="checkbox"/> PHILANTHROPIC INSTITUTION |
| <input type="checkbox"/> FRATERNAL | <input type="checkbox"/> CHARTERED BRANCH, LODGE OR CHAPTER | <input type="checkbox"/> POLITICAL CANDIDATE |
| <input type="checkbox"/> PATRIOTIC | <input type="checkbox"/> OF A NATIONAL ORGANIZATION OR SOCIETY | <input type="checkbox"/> MUNICIPALITY OWNING ARTS FACILITIES |
| <input type="checkbox"/> POLITICAL | <input type="checkbox"/> RELIGIOUS INSTITUTION | |

LIAB	TYPE OF SPECIAL EVENT APPLICANT IS APPLYING FOR:
2110 <input checked="" type="checkbox"/>	MALT, VINOUS AND SPIRITUOUS LIQUOR \$25.00 PER DAY
2170 <input type="checkbox"/>	FERMENTED MALT BEVERAGE (3.2 Beer) \$10.00 PER DAY

DO NOT WRITE IN THIS SPACE
LIQUOR PERMIT NUMBER

1. NAME OF APPLICANT ORGANIZATION OR POLITICAL CANDIDATE	State Sales Tax Number (Required)
DELTA COUNTY MEMORIAL HOSPITAL FOUNDATION BOB	98-00507

2. MAILING ADDRESS OF ORGANIZATION OR POLITICAL CANDIDATE (include street, city/town and ZIP)
1501 E. 3RD ST DELTA, CO

3. ADDRESS OF PLACE TO HAVE SPECIAL EVENT (include street, city/town and ZIP)
1501 E 3RD ST / ONCOLOGY BLDG DELTA, CO 81416

NAME	DATE OF BIRTH	HOME ADDRESS (Street, City, State, ZIP)	PHONE NUMBER
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4. PRES./SECY OF ORG. or POLITICAL CANDIDATE
THELMA STARNER

13583 F. RD DELTA, CO 81416	970 874-3242
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5. EVENT MANAGER
THELMA STARNER

13583 F. RD DELTA, CO 81416	970 874-3242
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6. HAS APPLICANT ORGANIZATION OR POLITICAL CANDIDATE BEEN ISSUED A SPECIAL EVENT PERMIT THIS CALENDAR YEAR?
<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES HOW MANY DAYS? (1) 9-20-2014

7. IS PREMISES NOW LICENSED UNDER STATE LIQUOR OR BEER CODE?
<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES TO WHOM? _____

8. DOES THE APPLICANT HAVE POSSESSION OR WRITTEN PERMISSION FOR THE USE OF THE PREMISES TO BE LICENSED? <input type="checkbox"/> Yes <input type="checkbox"/> No

LIST BELOW THE EXACT DATE(S) FOR WHICH APPLICATION IS BEING MADE FOR PERMIT				
Date	Date	Date	Date	Date
2-7-2015				
Hours From 5 P .m.	Hours From .m.	Hours From .m.	Hours From .m.	Hours From .m.
To 11 P .m.	To .m.	To .m.	To .m.	To .m.

OATH OF APPLICANT

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

SIGNATURE Patricia A. Kalabala	TITLE DELTA FOUNDATION LIAISON	DATE 11/18/14
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REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY OR COUNTY)

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 12, Article 48, C.R.S., as amended.

THEREFORE, THIS APPLICATION IS APPROVED.

LOCAL LICENSING AUTHORITY (CITY OR COUNTY)	<input type="checkbox"/> CITY <input type="checkbox"/> COUNTY	TELEPHONE NUMBER OF CITY/COUNTY CLERK
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SIGNATURE	TITLE	DATE
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DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY

LIABILITY INFORMATION

License Account Number	Liability Date	State	TOTAL
		-750 (999)	\$

Attorney Comments



City Manager Comments



Councilmember Comments

