

Mayor Pro Tem Ron Austin called the meeting to order at 7:00 p.m. Also present were Councilmembers Bill Raley, Christopher Ryan and Gerald Roberts, along with City Manager David Torgler and City Attorney David McConaughy. 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

Councilmember Roberts stated there is a correction in the special meeting minutes in the second to last paragraph. The word prepare should be perform.

It was moved by Councilmember Roberts and seconded by Councilmember Raley to approve the minutes of the April 18, 2017 special meeting as amended. All in favor motion carried.

It was moved by Councilmember Roberts and seconded by Councilmember Raley to approve the April 18, 2017 regular meeting, as submitted by the Clerk. All in favor, motion carried.

Citizen Comments

There were none.

Consideration to Grant a City of Delta Special Permit for Temporary Closure; 1st Street/Palmer Street Parking Lot; Abraham Connection Event

The Clerk reported that the Abraham Connection is hosting a fund raising event on June 10, 2017. They are requesting the parking lot at 1st Street and Palmer Street be closed from 3:00pm to 8:00pm. The application is complete and all fees have been paid.

It was moved by Councilmember Ryan and seconded by Councilmember Roberts to approve the special permit for temporary closure of the parking lot at 1st Street and Palmer Street for the Abraham Connection for June 20, 2017. All in favor, motion carried.

Resolution #3, 2017; Establishing Guidelines for Liquor License Show Cause Hearings**Resolution #3, 2017****A RESOLUTION ADOPTING PROCEDURES FOR LIQUOR
LICENSE "SHOW CAUSE" HEARINGS**

was read by the Clerk.

Keith Johse, owner of D&B Liquor, stated that he has not had any violations for several years. He has had one violation in fourteen (14) years. He believes that three violations and revoking a license is a little much. He suggested taking into consideration a time limit that the violations have occurred.

City Attorney David McConaughy stated that what is being presented before Council tonight does not change the laws or any rules of how to address violations. This resolution defines procedures to conduct a hearing should a violation occur.

Councilmember Austin stated that it is encouraging that Council is not familiar with the procedures due to the fact there have not been many violations in the past.

There was discussion regarding stipulations and fines versus closures.

It was moved by Councilmember Roberts and seconded by Councilmember Raley to adopt Resolution #3, 2017. Roll call vote: Councilmember Roberts, aye; Ryan, aye; Raley, aye and Austin, aye. Motion carried.

Regular Meeting, Delta City Council, May 2, 2017 (Cont.)

Resolution #4, 2017; Amending the City of Delta Cemetery Regulations

Resolution #4, 2017

A RESOLUTION OF THE CITY OF DELTA, COLORADO,
AMENDING THE CITY OF DELTA CEMETERY REGULATIONS
SECTION 9.1.7

was read by the Clerk.

The Clerk reported that there is a change in wording from “but” to “other than” within the regulations.

City Manager David Torgler stated that this will help patrons to better understand the cemetery regulations.

It was moved by Councilmember Roberts and seconded by Councilmember Ryan to adopt Resolution #4, 2017. Roll call vote: Councilmember Roberts, aye; Ryan, aye; Raley, aye and Austin, aye. Motion carried.

Consideration to Award Bid for the Wastewater Treatment Plant Grit Removal System Upgrade

Public Works and Utilities Director Steve Glammeyer stated that during the 2017 budget session, staff included money to upgrade the grit removal system at the wastewater treatment plant. This is our ongoing process of rehabilitating and upgrading the plant to meet the needs for sewage treatment into the future. Staff advertised the project and contacted nine contractors to solicit bids and also posted the bid documents to three bid plan rooms, our online plan holder company, the City website, and Craigslist. We received one bid from Mueller Construction for this project on April 26, 2017. Mueller Construction's bid was for a total project cost of \$183,338.00. The engineers estimate for the project was \$195,000.00.

Staff and our consulting engineers, FEI Engineers, performed a thorough review of the bid and we feel Mueller is qualified to complete the project on time and within the bid amount. Staff budgeted a total of \$200,000 for the entire project, including engineering, the upgraded equipment, and construction. The low bid will put us over budget in this line item by approximately \$12,700. However, there exists sufficient reserve in the sewer budget to cover the over budget amount. Staff does not believe a supplemental appropriation will be needed at the end of the year in the sewer fund.

There was discussion on the equipment and what purpose it has at the treatment plant.

Councilmember Roberts requested the plant operator explain what may happen if the equipment is not replaced.

Plant Operator Andy Mitchell stated that the equipment as it stands now causes extra grit and sludge. The extra grit and sludge can cause issues with the trash truck when loading as well as possible downstream concerns.

Mr. Glammeyer stated that should Council approve the purchase, the equipment would take approximately six months to be installed and put into use.

It was moved by Councilmember Roberts and seconded by Councilmember Raley to award the bid to Mueller Construction for the Grit Removal System Upgrade in the amount of \$182,338. All in favor, motion carried.

Review Proposal from DIP Co., with Recommendations from the City Manager, to Participate in the City's Economic Incentives

City Manager David Torgler stated that Council adopted an Economic Incentive Policy early this year. The City has its first request to provide economic incentive. DIP, Co is expanding their facility and adding new employees. He provided a summary of the changes.

Mr. Torgler explained the steps that need to be taken to move forward.

Attorney McConaughy stated that he would write a formal agreement to provide the incentive to

Regular Meeting, Delta City Council, May 2, 2017 (Cont.)

Review Proposal from DIP Co., with Recommendations from the City Manager, to Participate in the City's Economic Incentives (cont.)

DIP, Co and bring the agreement to Council for their approval.

Councilmember Austin questioned whether Council would be donating the funds or refunding the funds.

Mr. McConaughy stated the correct term would be used within the agreement.

Caitlin Boyd with DIP, Co stated that in the past DIP, Co has been successful with implementing the use of funds given in a positive way. The REDI grant through Department of Local Affairs was used to create her job. She explained what their company does and how it has become successful.

Trish Thibodo with Delta County Economic Development stated that she has worked with DIP, Co and believes this is a great opportunity for the City of Delta to implement the incentive policy.

Councilmember Ryan questioned how many employees DIP, Co has currently.

Ms. Boyd stated they have fifteen employees.

Councilmember Austin stated that he believes this incentive policy could have an indirect ability to bring other companies to Delta.

Mr. Torgler suggested Council give direction to the City Attorney to draft a formal agreement to bring back to Council for their approval.

There was additional discussion regarding the percentage amount of the utility donation. Councilmember Ryan stated he would like to see the amount and discuss the item further.

Mr. McConaughy suggested that if there is a consensus to move forward, he will prepare the draft agreement and the final percentage amounts can be changed if need be.

It was moved by Councilmember Ryan and seconded by Councilmember Raley to direct the City Attorney to draft an Economic Incentive Agreement with DIP, Co and bring back the agreement to Council for further consideration. All in favor, motion carried.

Public Hearing; Ordinance #1, 2017

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

Attorney McConaughy stated that this is a real estate proposal. He explained that the Charter requires the Council to adopt an ordinance in the sale of city owned property. In the ordinance it lists the findings and determinations. There is a lot line dissolution that is in process which will be recorded at the same time as the sale.

Councilmember Roberts questioned the length of the contract.

Mr. McConaughy stated that is the standard form that is used during a sale of property.

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

Ordinance #1, 2017; First Reading
Sale of City Owned Property

Ordinance #1, 2017

AN ORDINANCE OF THE CITY OF DELTA, COLORADO,
APPROVING THE SALE OF CITY-OWNED REAL PROPERTY
AND THE REAL ESTATE CONTRACT REGARDING THE SAME

was ready by the Clerk.

Regular Meeting, Delta City Council, May 2, 2017 (Cont.)

Ordinance #1, 2017; First Reading
Sale of City Owned Property (cont.)

It was moved by Councilmember Roberts and seconded by Councilmember Raley to adopt Ordinance #1, 2017 on first reading. Roll call vote: Councilmember Roberts, aye; Ryan, aye; Raley, aye and Austin, aye. Motion carried.

City Attorney Comments

There were none.

City Manager Comments

City Manager David Torgler presented the following updates:

- Working on the agreements with the Delta Urban Renewal Authority and the various taxing districts.
- Provided a summary of the Municipal Quarterly Meeting. The Center of Mental Health is looking at possibly creating a facility to house individuals with mental health concerns. The Center works with six counties.
- West Elk Mine has hired twenty of the one hundred laid off workers. Kathy Welt presented a summary of the road less process.
- Delta County is continuing to move forward with the Master Plan. There will be various public meetings requesting input.
- Delta County Memorial Hospital conducted a community health needs assessment and identified three areas of concern: affordability, accessibility and mental health.

Community Development Director Glen Black stated development is picking up. Planning Commission met last evening to discuss a preliminary plat which will be brought to Council at the next meeting. They also had a non-conforming use request. The broadband is close to being completed on the city build out.

Utilities and Public Works Director Steve Glammeyer reported that 9th Street Hill will be closed on the evening of May 16, 2017 through May 17, 2017 in support of the Annual Senior Hill Painting event.

Councilmember Comments

Councilmember Raley commented on the mental health discussion that is happening. The jails are the last resort for the individuals with mental health concerns and that is very unfortunate.

Mr. Raley stated he is not a fan of work sessions; however, it sure does help make decisions easier.

Councilmember Ryan thanked staff for the discussion during the work session regarding the cemetery. He thanked all those in attendance.

Councilmember Roberts commented on the liquor license procedures.

Mayor Pro Tem Austin also presented a summary of the Municipal Quarterly meeting. He thanked Chief Luke Fidler for his comments regarding the mental health concerns. He also commented on the DIP, Co and the process to get successful businesses in Delta.

The meeting was adjourned at 8:22 p.m.

Jolene E. Nelson, CMC, City Clerk