

Mayor Ron Austin called the meeting to order at 7:0 p.m. Also present were Councilmembers Kevin Carlson, Nathan Clay, 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**

It was moved by Councilmember Roberts and seconded by Councilmember Clay to approve the minutes of the April 17, 2018 regular meeting, as submitted by the Clerk. All in favor, motion carried.

**Citizen Comments**

There were none.

**Election of Mayor Pro Tem**

Mayor Austin called for nominations for Mayor Pro Tem

It was moved by Councilmember Carlson and seconded by Councilmember Roberts to nominate Christopher Ryan as Mayor Pro Tem.

There were no other nominations made.

Mayor Austin called for the vote. All were in favor, motion carried.

**Consideration to Approve the Delta Area Chamber of Commerce's Request**

City Manager David Torgler explained that the Chamber is requesting \$3000 for advertising local events. Council did budget \$3000 for the Chamber in the 2018 budget.

Darnell Place-Wise stated that the Chamber will use the funds specifically for events in 2018. She summarized the events which included Deltarado Days, Downtown Delta Fest and the Small Business Saturday with Parade event. She also summarized the costs the Chamber has incurred in the past.

There was discussion regarding Deltarado Days and moving the vendors to Confluence Park.

**Regular Meeting, Delta City Council, May 1, 2018 (cont.)**

**Consideration to Approve the Delta Area Chamber of Commerce's Request (cont.)**

It was moved by Councilmember Ryan and seconded by Councilmember Carlson to approve the Delta Area Chamber of Commerce's funding request for \$3000. All in favor, motion carried.

**Consideration to Approve a System Impact Study Funding Agreement with Municipal Energy Agency of Nebraska (MEAN) and the City of Delta**

Public Works and Utilities Director Betsy Suerth stated that this is before Council tonight for approval of the System Impact Study Funding Agreement with MEAN. She also stated that Council did hold a work session discussing this agreement. The City has identified the possible need to increase the power source. Staff has been approached by a new business which would like to locate to Delta and to be a viable competitor the City needs to determine if they can meet the power needs of the business.

There was discussion regarding the fee amount and if there was a cap. The City will be responsible for the entire amount. Staff is confident in the agreement and does not believe it will go beyond the \$30,000.

City Attorney David McConaughy stated that paragraph 9 of the agreement needs to be removed or amended.

There was additional discussion regarding the budget.

It was moved by Councilmember Ryan and seconded by Councilmember Clay to approve the System Impact Study Funding Agreement with MEAN with the amendment of paragraph 9 per the City Attorney's recommendation. All in favor, motion carried.

**Consideration to Waive a Sewer Improvement Fee for 253 King Street**

Public Works and Utilities Director Betsy Suerth stated that Lon Brouse at 253 King Street wants to make improvements to his property and build a house. During discussions with Mr. Brouse it was determined that the existing sewer collection pipeline was built substandard with at 4" line which has been problematic for adjacent property owners. The City is working with Mr. Brouse to share the cost of the public infrastructure improvement by supplying some materials and labor to the project. It is expected that Mr. Brouse's share of the cost will be just under \$20,000 and the city will contribute approximately \$7300 for the construction of the sewer line and pavement patch, along with some costs associated with inspection and assuring the existing services are reconnected to the new line. Staff is requesting Council approve a waiver for the sewer improvement fee of \$5450.

Councilmember Roberts disclosed that he has worked with Mr. Brouse's wife in the past on City Council and does not believe it will affect his decision on this item.

Lon Brouse, 2200 Mead Lane, Montrose, stated that he has owned the lot for eight (8) years and started the process to improve the lot last August. It was determined that there were two sewer taps purchased for that lot. He would like to work with the city to move forward with the improvements.

## **Regular Meeting, Delta City Council, May 1, 2018 (cont.)**

### **Consideration to Waive a Sewer Improvement Fee for 253 King Street (cont.)**

City Attorney David McConaughy advised that Council could approve the proposal and authorize the drafting of a contract.

Mayor Austin stated he would not like to see this project held up any longer.

It was moved by Councilmember Clay and seconded by Councilmember Carlson to approve a waiver of the sewer improvement fee of \$5450 and authorize the staff to draft a contract. All in favor, motion carried.

### **City Attorney Comments**

City Attorney David McConaughy stated that he submitted a confidential audit letter and an update on litigation to the Council. He also stated that if Council would like the information presented in a different format to let him know.

### **City Manager Comments**

Parks, Recreation and Culture Wilma Erven updated the Council on the Inspire Grant.

Public Works and Utilities Director Betsy Suerth updated the Council the following items:

- Various Colorado Department of Transportation projects throughout the region.
- 1<sup>st</sup> and Palmer Streets Project.
- McDonald's water line.
- Spring brush and leaf drop off.
- Community meetings for the upcoming road closures for street improvements.

### **Councilmember Comments**

Councilmember Ryan provided an update on the most recent Region 10 meeting. He thanked Council for their votes of confidence in appointing him Mayor Pro Tem.

Councilmember Carlson stated that he has been approached by the grad night community for a donation.

It was explained that there are funds that have been budgeted for grad night and that they will need to submit the request to the finance director.

Councilmember Carlson has also received requests from two Destination Imagination teams going to a global competition. He suggested donating \$200 to each team.

There was discussion regarding donations.

It was decided to bring these requests to the next Council meeting.

Councilmember Clay commented on the Municipal Quarterly Meeting.

**Regular Meeting, Delta City Council, May 1, 2018 (cont.)**

**Councilmember Comments (cont.)**

Mayor Austin also commented on the Municipal Quarterly Meeting. He thanked Mr. Brouse for his efforts of bringing his situation to the city's attention.

Mayor Austin questioned Chief Luke Fedler if the crime rate is going up in Delta or is the police department becoming more active.

Chief Fedler reported that statewide crime is going up. However, when he started, the police department went from a reactive phase to a more proactive phase. He summarized some of the things his department is doing.

Mayor Austin thanked Pat Sunderland at the Delta County Independent for her work with the City.

**Executive Session**

It was moved by Councilmember Ryan and seconded by Councilmember Roberts to convene an Executive Session 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 8:23 p.m., Mayor Austin recessed the Regular Meeting and convened the Executive Session.

At 9:24 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 Kevin Carlson, Nathan Clay, Gerald Roberts, Christopher Ryan, along with City Manager David Torgler, Parks, Recreation and Culture Director Wilma Erven, Community Development Glen Black, City Clerk Jolene Nelson, and City Attorney David McConaughy. 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.

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Jolene E. Nelson, CMC, City Clerk