

Mayor Ron Austin called the meeting to order at 7:00 p.m. Also present were Councilmembers Kevin Carlson, 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

Mayor Austin stated that the public hearing for Ken's Pit Stop can be removed.

Minutes

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

Citizen Comments

Jay Stooksberry, 707 Dodge Street, endorsed Ryan Crick for the Planning Commission. He reported that the Planning Commission approved the conditional use request at their meeting last evening. He suggested that the City revise some of the existing ordinances to become more business friendly.

Paul Stockwell, 9795 Hillside Road, Olathe, stated that he will be the new director of the Delta Area Chamber of Commerce.

Consideration to Appoint Youth Council

Elyse Ackerman-Caselberry reported that she will be working with the Youth Council. She has received six applications from Delta High School. She explained that all but three students graduated and new members need appointed.

There was discussion regarding projects the Youth Council may look at for the coming year.

It was moved by Councilmember Ryan and seconded by Councilmember Carlson to appoint Caleb Frazier, Claire Corbasson, Lauren Davey, Noeli Castro, Reagan Clay and Trevor Whiteside to the Youth Council. All in favor, motion carried.

Consideration to Approve the Barracuda's Financial Request

Darnell Place-Wise, 1565 H50 Road, introduced Lyndall Young and a few swimmers from the Barracuda Swim Team.

Regular Meeting, Delta City Council, June 5, 2018 (cont.)

Consideration to Approve the Barracuda's Financial Request (cont.)

Ms. Place-Wise explained that she came before the City Council with a request to help fund a new timing system at the recreation center for the swim team. The request has been updated to \$2000 as they have collected more donations since the last meeting.

There was discussion regarding the swim meets and how many potential swimmers compete.

It was moved by Councilmember Carlson and seconded by Councilmember Roberts to approve a donation of \$2000 to the Barracuda Swim Team. All in favor, motion carried.

Resolution #4, 2018; Eliminating a Trail out of the Parks, Recreation, Trails and Open Space Master Plan

City Manager David Torgler stated that the North Delta Irrigation Company presented to Council a Resolution in opposition of a trail in the Parks, Recreation, Trails and Open Space Master plan that goes along the North Delta Canal.

RESOLUTION NO. 4, 2018

A RESOLUTION OF THE CITY OF DELTA, COLORADO,
ELIMINATING A TRAIL ALONG THE NORTH DELTA CANAL IN
THE CITY OF DELTA'S PARKS, RECREATION, TRAILS AND
OPEN SPACE MASTER PLAN

was read by the Clerk.

It was moved by Councilmember Roberts and seconded by Councilmember Ryan to adopt Resolution #4, 2018. Roll call vote: Councilmembers Carlson, aye; Roberts, aye; Ryan, aye and Austin, aye. Motion carried.

Resolution #5, 2018; Approving Wage Ranges for Certain Employee Positions

RESOLUTION NO. 5, 2018

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
DELTA, COLORADO, APPROVING WAGE RANGES FOR
CERTAIN CITY EMPLOYEE POSITIONS

was read by the Clerk.

Councilmember Carlson moved to adopt Resolution #5, 2018 with an amendment setting the effective date as January 1, 2018.

Councilmember Ryan requested the motion to be amended to reflect the effective date as today.

Regular Meeting, Delta City Council, June 5, 2018 (cont.)

Resolution #5, 2018; Approving Wage Ranges for Certain Employee Positions

There was discussion regarding why the effective date should be January 1, 2018 and the cost of the new effective date.

Councilmember Roberts questioned if there are any current employees affected by this resolution on probation.

Manager Torgler explained that there is no probationary period for new employees.

City Attorney David McConaughy stated that there is an attachment that was not included with the resolution that needs to be presented.

This item was tabled and was recalled later in the meeting.

Resolution #6, 2018; A Ban on the Issuance of any Fireworks Stand Permits

The Clerk reported that the Delta Volunteer Fire Department is recommending that the Council consider banning the sale of fireworks in the City of Delta. Various municipalities throughout our region have enacted similar bans due to the dry conditions.

Tyler Hineshein 1251 E. 5th Street stated that he understands the concern; however, this will limit their ability to collect funds for their youth programs. This is the main fundraising event.

Attorney McConaughy stated that he would add that this expires on a specific date or after the fire restrictions are lifted.

RESOLUTION NO. 6, 2018

A RESOLUTION OF THE CITY OF DELTA, COLORADO,
IMPOSING A BAN ON THE SALE, EXCHANGE, BARTER OR
TRADE OF OR IN FIREWORKS AND ISSUANCE OF
TEMPORARY PERMITS FOR THE SAME IN THE CITY OF
DELTA

was read by the Clerk.

Britton Cottrell, 4327 W. 31st, Greeley, stated that while he does not live here, he does visit often. He works for TNT Fireworks and has been working with several municipalities with the unintended consequences of the sale of fireworks. He summarized the state statute regarding the discharge of fireworks. He does not believe that eliminating the sale of fireworks will eliminate the discharge of them. He requested that the City do a safety campaign.

Councilmember Carlson questioned how many fires were started last year with fireworks.

Kevin Teal, Assistant Chief of the Fire Department, stated he does not believe they were called out last year.

Regular Meeting, Delta City Council, June 5, 2018 (cont.)

Resolution #6, 2018; A Ban on the Issuance of any Fireworks Stand Permits (cont.)

Councilmember Roberts questioned how successful the police department was in controlling fireworks.

Chief Luke Fedler explained that he has extra staff on the 4th of July. It is damage control mostly dealing with the fireworks. He has huge concerns with fireworks in Delta this year. This is the driest he has ever seen.

Councilmember Carlson questioned who expects the stands.

The Clerk stated that our building department inspects the stands and the state does an inspection for product.

It was moved by Councilmember Ryan and seconded by Councilmember Carlson to deny Resolution #6, 2018. Roll call vote: Councilmembers Carlson, aye; Roberts, nay; Ryan, aye and Austin, aye. Motion carried.

Consideration to Approve the Fireworks Permit for the Delta Volunteer Fire Department's Annual 4th of the July Fireworks Show

Councilmember Carlson questioned where they light the fireworks off.

Mr. Teal stated on the west side of the lake. He reported that they are requesting more individuals from other agencies to help just in case something was to go array.

It was moved by Councilmember Roberts and seconded by Councilmember Carlson to approve the fireworks permit for the Delta Volunteer Fire Department's Annual 4th of July fireworks show. All in favor, motion carried.

Resolution #5, 2018; Approving Wage Ranges for Certain Employee Positions (cont.)

Mayor Austin commented on the resolution stating that he is not discounting any employee of this City. He wants discussion regarding the police department being lumped into the same category as other departments. Mayor Austin wanted to discuss the police department separately from the other departments.

Councilmember Roberts questioned if a supplemental appropriation will need to be done.

Manager Torgler stated that is a possibility.

It was moved by Councilmember Carlson and seconded by Councilmember Ryan to adopt Resolution #5, 2018 with the amendment to be effective January 1, 2018. Roll call vote: Councilmembers Carlson, aye; Roberts, aye; Ryan, aye and Austin, nay. Motion carried.

Consideration of a Sewer Improvement Fee Waiver for 851 Vine Street

Public Works and Utilities Director Betsy Suerth reported that this is similar to the last request for the same waiver. The owners of the property are partnering with the city to extend the sewer

Regular Meeting, Delta City Council, June 5, 2018 (cont.)

Consideration of a Sewer Improvement Fee Waiver for 851 Vine Street

main. This is a needed and wanted improvement. She explained the code and the ability for Council to approve this waiver.

There was discussion regarding the need for the extension of the sewer line in that area.

It was moved by Councilmember Carlson and seconded by Councilmember Roberts to approve the sewer improvement fee waiver for 851 Vine Street. All in favor, motion carried.

Consideration to Award a Contract for Weed Control

Director Suerth reported that this is a contract for weed control. Staff advertised for bids and received one bid from Fedler Spraying, LLC. She explained the contract and the areas in which the contractor will be responsible. She requested a contingency amount of \$3100. The total amount of the approval would be for \$26500 with the option to renew for the same amount for 2019.

Councilmember Ryan questioned whether staff believes the contractor can make a solid impact this year as it seems kind of late.

Director Suerth believes they can make an impact.

It was moved by Councilmember Roberts and seconded by Councilmember Ryan to award the contract for weed control to Fedler Spraying, LLC in the amount of \$23,400 with a contingency amount added of \$3100 for 2018 and the option of renewal for 2019. All in favor, motion carried.

Consideration of the Third Amendment to Make Chipeta Water District a “Contracting Party” Under the Terms of the Contract Establishing Project 7 Water Authority Dated on or about August 28, 1977

Director Suerth reported that this is being brought before the Council from Project 7. There was a work session held explaining the request to add Chipeta Water District as a contracting party to Project 7 Water Authority.

It was moved by Councilmember Roberts and seconded by Councilmember Carlson to approve the Third Amendment to make Chipeta Water District a Contracting Party under the terms of the contract establishing Project 7 Water Authority dated on or about August 28, 1977. All in favor, motion carried.

Consideration of Letter of Consent to the Colorado Department of Transportation for Temporary ROW Encroachment During ADA Ramps Project

Director Suerth stated that at the last meeting she presented a letter of consent for the Colorado Department of Transportation’s (CDOT) ADA ramp project. That project has been finalized and the presented letter would be for temporary right of way encroachment for the ADA project.

Councilmember Roberts questioned if there was any downside to the letter.

Regular Meeting, Delta City Council, June 5, 2018 (cont.)

Consideration of Letter of Consent to the Colorado Department of Transportation for Temporary ROW Encroachment During ADA Ramps Project (cont.)

Manager Torgler stated he does not see any down side. He explained CDOT is improving the ramps which are a benefit to the City.

Director Suerth explained that she has worked with CDOT to keep the same design with the pavers.

It was moved by Councilmember Roberts and seconded by Councilmember Ryan to approve the Letter of Consent to the Colorado Department of Transportation for ROW Encroachment during ADA Ramps Project. All in favor, motion carried.

Consideration of Contract Renewal for Firm Electric Service with Western Area Power Administration

Director Suerth stated that this is a housekeeping item. This contract is with Western Area Power Administration (WAPA) for firm electric service. She explained the contract and the savings for the city.

Councilmember Ryan questioned if the City could purchase more alternative means for power.

Utilities Supervisor Adam Suppes stated that there are additional opportunities that could be looked at in the future.

It was moved by Councilmember Roberts and seconded by Councilmember Ryan to renew the contract for Firm Electric Power with Western Area Power Administration. All in favor, motion carried.

Consideration to Approve a Temporary Closure or Occupation of Public Right of Way for the Delta Area Chamber of Commerce

The Clerk reported that this application is for the closure of Main Street on June 28 and August 30, 2018 for Downtown Deltafest.

It was moved by Councilmember Ryan and seconded by Councilmember Carlson to approve the street closure permit for June 28 and August 30, 2018. All in favor, motion carried.

Consideration to Reschedule the July 3, 2018 Regular Meeting to July 2, 2018

Manager Torgler stated that there had been discussions regarding the 4th of July holiday and the ability to move the City Council meeting.

There was discussion to move the July 3, 2018 date.

It was moved by Councilmember Roberts and seconded by Councilmember Ryan to move the July City Council Regular meetings to July 10th and July 24th, 2018. All in favor, motion carried.

Regular Meeting, Delta City Council, June 5, 2018 (cont.)

City Attorney Comments

City Attorney David McConaughy stated that he had presented some material earlier regarding a litigation settlement. He questioned if there are any objections to moving forward with the agreement.

There was no objection to moving forward with the agreement.

City Manager Comments

Parks, Recreation and Culture Director Wilma Erven commented on Heritage Days. She stated that this year was the largest turn out.

Ms. Erven reported on the leak at the pool. Staff will be working with the contractor to determine where the leak is and to get it fixed as quickly as possible.

Manager Torgler stated that he received a letter from the graduating class thanking the City for its donation to their grad party. He also stated he will be out of the office and Chief Luke Fedler will be Acting City Manager.

Councilmember Comments

Councilmember Carlson commented on the attendance this evening.

Mayor Austin stated that he has requested a meeting with the administration staff to hear from them as to how they believe the city is going.

The meeting was adjourned at 9:00 p.m.

Jolene E. Nelson, CMC, City Clerk