

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

The Clerk reported that the Public Hearings regarding Sales and Use Tax Licenses can be removed as both licenses are now in compliance.

Minutes

It was moved by Councilmember Roberts and seconded by Councilmember Clay to approve the minutes of the August 21, 2018, as submitted by the Clerk. All in favor, motion carried.

Citizen Comments

The following individuals commented on the proposed marijuana ballot questions:

- Kathy Boyd, 539 Leon Street.
- Judy Hagen, 700 Main Street.
- Scott Schaible, 13859 25 Mesa Road.
- Hartland Clubb Jr., 14382 E Road.
- Brenda Toole, 13859 25 Mesa Road.
- Orval Proctor, 707 Main Street.
- Karen Jetley from Montrose, CO.
- Scott Keene from Montrose, CO.
- Larry Proctor, 2611 Hwy 348.
- Tom Seibert, 1920 Rose Court.
- Chris Kadlec, 660 Carpenter.
- Renee Beck from Cedaredge, CO.
- Charlyn Waggoner from Cedaredge, CO.
- Jay Stooksberry, 707 Dodge.
- Allie Guthrie, 116 Cedar Street.

Mayor Austin presented a statement regarding the ballot questions and stated his concerns.

Scott Schaible asked if he could ask a question.

Councilmember Carlson stated that this is not the correct procedure.

Mayor Austin continued forward with additional comments.

Mr. Schaible stated he would like to hear from law enforcement.

Regular Meeting, Delta City Council, September 4, 2018 (cont.)

Citizen Comments

Mark Taylor, Undersheriff for Delta County, presented some statistics regarding crime in Delta County. He stated his concerns regarding approving marijuana sales in Delta.

Resolution #9, 2018; Amending Previously Approved Ballot Question for the Sale of Municipal Light & Power

RESOLUTION NO. 9, 2018

A RESOLUTION OF THE DELTA CITY COUNCIL AMENDING
PREVIOUSLY-APPROVED BALLOT QUESTION

was read by the Clerk.

The Clerk also read the amended text of the resolution that was amended per City Council's directions.

It was moved by Councilmember Roberts and seconded by Councilmember Ryan to adopt Resolution #9, 2018. Roll call vote: Councilmembers Roberts, aye; Carlson, aye; Clay, aye; Ryan, aye and Austin, aye. Motion carried.

Resolution #10, 2018; Fixing Ballot Title and Question Regarding Sales and Use Tax Increase

RESOLUTION NO. 10, 2018

A RESOLUTION OF THE DELTA CITY COUNCIL FIXING
BALLOT TITLE AND QUESTION REGARDING SALES AND USE
TAX INCREASE

was read by the Clerk.

It was moved by Councilmember Clay and seconded by Councilmember Roberts to adopt Resolution #10, 2018. Roll call vote: Councilmembers Roberts, aye; Carlson, aye; Clay, aye; Ryan, aye and Austin, aye. Motion carried.

Resolution #11, 2018; Fixing Ballot Title and Question Regarding Retail Marijuana Sales

City Attorney, David McConaughy summarized the next four resolutions stating this is only to allow the questions to be on the November election ballot.

RESOLUTION NO. 11, 2018

A RESOLUTION OF THE DELTA CITY COUNCIL FIXING
BALLOT TITLE AND QUESTION REGARDING RETAIL
MARIJUANA STORES

was read by the Clerk.

Regular Meeting, Delta City Council, September 4, 2018 (cont.)

Resolution #11, 2018; Fixing Ballot Title and Question Regarding Retail Marijuana Sales (cont.)

Councilmember Ryan stated that he trusts that each voter will do their own research on marijuana and do what is best for them, their family and their community.

Councilmember Carlson stated that he believes the voters should decide on this matter and this is something that needs to be addressed.

Councilmember Clay stated that this should be handled with the utmost responsibility and if any of these measures pass that does not mean Council has to approve any store front. The Planning Commission has done work that was very thought out. Those advisements will be taken by this Council. This merely is giving everyone the right to vote and he thinks that is something that is very important. He encouraged everyone to get involved in our community.

It was moved by Councilmember Clay and seconded by Councilmember Ryan to adopt Resolution #11, 2018. Roll call vote: Councilmembers Roberts, no; Carlson, aye; Clay, aye; Ryan, aye and Austin, no. Motion carried.

Resolution #12, 2018; Fixing Ballot Title and Question Regarding Medical Marijuana Centers

RESOLUTION NO. 12, 2018

A RESOLUTION OF THE DELTA CITY COUNCIL FIXING
BALLOT TITLE AND QUESTION REGARDING MEDICAL
MARIJUANA CENTERS

was read by the Clerk.

Councilmember Roberts requested the definition of medical marijuana centers.

City Attorney David McConaughy stated that it is a store that is only available to those that have a state issued patient medical marijuana card.

It was moved by Councilmember Carlson and seconded by Councilmember Clay to adopt Resolution #12, 2018. Roll call vote: Councilmembers Roberts, no; Carlson, aye; Clay, aye; Ryan, aye and Austin, no. Motion carried.

Resolution #13, 2018; Fixing Ballot Title and Question Regarding Retail Marijuana Establishments

RESOLUTION NO. 13, 2018

A RESOLUTION OF THE DELTA CITY COUNCIL FIXING
BALLOT TITLE AND QUESTION REGARDING RETAIL
MARIJUANA ESTABLISHMENTS

was read by the Clerk.

Regular Meeting, Delta City Council, September 4, 2018 (cont.)

Resolution #13, 2018; Fixing Ballot Title and Question Regarding Retail Marijuana Establishments (cont.)

It was moved by Councilmember Ryan and seconded by Councilmember Carlson to adopt Resolution #13, 2018. Roll call vote: Councilmembers Roberts, no; Carlson, aye; Clay, aye; Ryan, aye and Austin, no. Motion carried.

Resolution #14, 2018; Fixing Ballot Title and Questions Regarding Medical Marijuana Establishments

RESOLUTION NO. 14, 2018

A RESOLUTION OF THE DELTA CITY COUNCIL FIXING
BALLOT TITLE AND QUESTION REGARDING MEDICAL
MARIJUANA ESTABLISHMENTS

was read by the Clerk.

Councilmember Carlson stated that research is something that is right on the edge of necessity.

It was moved by Councilmember Clay and seconded by Councilmember Carlson to adopt Resolution #14, 2018. Roll call vote: Councilmembers Roberts, no; Carlson, aye; Clay, aye; Ryan, aye and Austin, no. Motion carried.

**Ordinance #6, 2018 Second and Final Reading
Cross Connection**

Ordinance #6, 2018

AN ORDINANCE OF THE DELTA CITY COUNCIL AMENDING
THE DELTA MUNICIPAL CODE TO INCLUDE PROVISIONS
REGARDING BACKFLOW PREVENTION AND CROSS-
CONNECTION CONTROLS WITHIN THE CITY'S POTABLE
WATER SYSTEM

was read by the Clerk.

Public Works and Utilities Director Betsy Suerth stated that this is the second reading for the cross connection ordinance that is a requirement to have in written form.

**Ordinance #6, 2018 Second and Final Reading
Cross Connection (cont.)**

It was moved by Councilmember Clay and seconded by Councilmember Roberts to adopt Ordinance #6, 2018 on second and final reading. Roll call vote: Councilmembers Roberts, aye; Carlson, aye; Clay, aye; Ryan, aye and Austin, aye. Motion carried.

Regular Meeting, Delta City Council, September 4, 2018 (cont.)

Consideration to Award Bid for Appraisal Services

City Manager David Torgler stated that staff is requesting Council consider awarding the bid to Arnie Butler for appraisal services on various city owned properties.

It was moved by Councilmember Carlson and seconded by Councilmember Roberts to award the bid for appraisal services to Arnie Butler for a not to exceed amount of \$20,250. All in favor, motion carried.

Request for Purchase of a Used Van to Replace Existing Wastewater Camera Vehicle

Director Suerth stated that staff budgeted to replace a van which carried the wastewater camera system that is routinely used. She summarized the bids received and recommended purchasing a used van from Rocky Mountain Motors here in Delta.

There was discussion on mileage and location of the vehicles listed in the bids.

It was moved by Councilmember Carlson and seconded by Councilmember Roberts to purchase a used van from Rocky Mountain Motors in the amount of \$24,995. All in favor, motion carried.

Consideration to Authorize Mayor's Signature on a Department of Local Affairs Administrative Grant Application

Manager Torgler reminded Council of the substation study that needs to be completed. The Department of Local Affairs has an administrative grant that will put \$25,000 toward the cost of the study. Staff is seeking approval to submit a letter applying for the administrative grant with the Mayor's signature.

It was moved by Councilmember Ryan and seconded by Councilmember Roberts to authorize the Mayor to sign a letter applying for an administrative grant through the Department of Local Affairs. All in favor, motion carried.

City Attorney Comments

City Attorney David McConaughy stated that in the event the voters approve the marijuana questions, Council will have some time to address zoning, licensing, etc.

He will be a presenter at the Colorado Municipal League's conference addressing public comments.

City Manager Comments

City Manager David Torgler stated that fall cleanup will be starting on October 22, 2018 and flyers will be going out soon.

Mr. Torgler stated that Council had asked that staff get with the County to schedule a meeting to discuss airport zoning. The County is looking at a date in October.

Regular Meeting, Delta City Council, September 4, 2018 (cont.)

City Manager Comments (cont.)

Director Suerth reported on the sanitary survey that was completed by the State.

Parks, Recreations and Golf Director Wilma Erven provided information on the CRAFT 201 project.

Councilmember Comments

The Council thanked the citizens of Delta for coming and participating. It is great to see involvement in the community.

The meeting was adjourned at 8:28 p.m.

Jolene E. Nelson, CMC, City Clerk