

Mayor Kevin Carlson called the meeting to order at 7:00 p.m. Also present were Councilmembers Cathy Boyd, William Tedrow and Mark Broome, along with Acting City Manager Joe Gillman and City Attorney David McConaughy. Absent was Councilmember Ryan Crick. A meeting notice was posted on the City's website and 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 was none.

Citizen Comments

Annie Barker-Honchell, 105 Palmer Street, thanked the City for the help with the Concert of Hope. She commented on the request to allow a pop-up art gallery at the Chamber building for the holidays. She would like some direction on how to proceed.

Consent Agenda**Minutes of the November 7, 2023 Regular Meeting****Street Closure Permit; Delta Area Chamber of Commerce (Parade of Lights)**

It was moved by Councilmember Boyd and seconded by Councilmember Broome to approve the consent agenda as presented. All in favor, motion carried.

Delta County Historical Society Request to Add a Covered Exhibit Area at the Museum

Electric Department Manager Adam Suppes reported that the Delta County Historical Society has formally requested that the engines from the Municipal Light & Power Plant be donated to their organization. They will be proposing to DURA an addition to the building and some other modifications. At this time, staff is seeking direction on how Council would like to proceed.

There was consensus for staff to move forward with discussions on donating the engines to Delta County Historical Society.

Appeal of Planning Commission's Decision – Soper-Wang Fence Height Variance

Acting City Manager Joe Gillman reported that an appeal of the Planning Commission's Decision for the Soper-Wang Fence Height Variance has been received by the City Clerk. He summarized the options Council has. Staff is suggesting that Council hold a *de novo* hearing on the matter as the recording of the meeting is not very clear.

It was moved by Councilmember Tedrow and seconded by Councilmember Boyd to have a *de novo* hearing on the Soper-Wang Fence Height Variance. All in favor, motion carried.

Regular Meeting, Delta City Council, November 21, 2023 (Cont.)

Ordinance #12, 2023; Second and Final Reading
Consideration of WPCRF City of Delta Construction Loan Agreement

City Attorney David McConaughy reported that sections 3 and 4 have been amended. The changes reflect the bond attorney's recommendations.

ORDINANCE NO. 12, 2023

AN ORDINANCE OF THE CITY OF DELTA, COLORADO, ACTING BY AND THROUGH ITS WATER ACTIVITY ENTERPRISE, AUTHORIZING A LOAN AGREEMENT WITH THE COLORADO WATER RESOURCES AND POWER DEVELOPMENT AUTHORITY

was read by the Clerk.

It was moved by Councilmember Broome and seconded by Councilmember Tedrow to adopt Ordinance #12, 2023 on second and final reading as amended. Roll call vote: Councilmembers Broome, aye; Boyd, aye; Tedrow, aye and Carlson, aye. Motion carried.

Ordinance #13, 2023 First Reading
Charter Commission

City Clerk Jolene Nelson explained that as discussed at a previous work session, staff has drafted this ordinance to begin the process of moving forward bringing the Charter Commission question to the voters in April of 2024. She summarized the process.

City Attorney David McConaughy also explained how the Charter Commission will work and the steps they must take.

ORDINANCE NO. 13, 2023

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DELTA REGARDING THE FORMATION OF A CHARTER COMMISSION BY ELECTION

was read by the Clerk.

It was moved by Councilmember Broome and seconded by Councilmember Boyd to adopt Ordinance #13, 2023 on first reading. Roll call vote: Councilmembers Broome, aye; Boyd, aye; Tedrow, aye and Carlson, aye. Motion carried.

Digester Project Supplemental Grant Application Approval

Wastewater Treatment Plan Manager Andy Mitchell reported that while working with JVA on this project, they have come across a possible opportunity for additional grant funds to help with the project. The potential funds could be about \$1 million.

Regular Meeting, Delta City Council, November 21, 2023 (Cont.)

Digester Project Supplemental Grant Application Approval

Assistant to the City Manager Meganne Robinson stated that the grant is through the Department of Local Affairs Mineral and Energy Grant Program. Staff will draft the application. The required match for the grant will be the loan the Council has approved.

It was moved Councilmember Boyd and seconded by Councilmember Broome to approve the submission of the grant application as presented. All in favor, motion carried.

City Attorney Comments

City Attorney David McConaughy reported that staff heard back from CDOT late this afternoon regarding the contract Council approved for the Hillside Project. He will review the response and will provide information to Council at the next meeting.

City Manager Comments

There was none.

Councilmember Comments

Councilmember Broome thanked everyone that showed up this evening. He wished everyone a Happy Thanksgiving.

Councilmember Tedrow also wished everyone a Happy Thanksgiving. He thanked Joe Gillman for stepping in the City Manager role during the absence of the City Manager.

Councilmember Boyd thanked staff and wished everyone a Happy Thanksgiving. Support your local businesses.

Mayor Carlson reminded everyone to be thankful for your family and friends during this time. He provided an update on Gerald Roberts and thanked him for all he does for our community.

Executive Session

It was moved by Councilmember Boyd and seconded by Councilmember Broome 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); or more specifically for discussions regarding property located on the corner of 5th Street and Confluence Drive (parcel #3457240207003). All in favor, motion carried.

At 7:38 p.m., the Regular Meeting was recessed. The Executive Session was convened a short time later.

At 7:58 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 Cathy Boyd, William Tedrow, and Mark Broome, along with Acting City Manager Joe Gillman, Electric Department Manager Adam Suppes, Utilities and Community Development Technician Lindsay Reed and City Attorney David McConaughy.

Regular Meeting, Delta City Council, November 21, 2023 (Cont.)

Executive Session (cont.)

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.

Jolene E. Nelson, CMC, City Clerk