

Mayor Ed Sisson called the meeting to order at 7:00 p.m. Also present were Councilmembers Bill Raley, Robert Jurca, Mary Cooper, and Ray Penick along with City Manager Glen Black and City Attorney David McConahaughy. 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 Jurca and seconded by Councilmember Penick to approve the minutes of December 15, 2015 as submitted by the Clerk. All in favor, motion carried.

Citizen Comments

There were none.

Public Hearing – Special Events Permit Application; Delta Elks Lodge No. 1235

The Clerk stated that the Delta Elks Lodge No. 1235 has submitted an application for a Special Events Liquor License Permit Application for February 13, 2016. All fees have been paid and the application has been submitted.

A motion was made by Councilmember Raley, seconded by Councilmember Penick to approve the Special Events Liquor License Permit for Delta Elks Lodge No. 1235 to sell malt, vinous and spirituous liquor on February 13, 2016. All voted yes. Motion passed.

2016 Designated Posting Place

A motion was made by Councilmember Penick, seconded by Councilmember Jurca to designate the South window of City Hall as the official posting place for 2016. All voted yes. Motion passed.

City Manager Contract Approval

City Attorney David McConaughy stated that he requested this contract be put on the agenda this evening for approval.

A motion was made by Councilmember Penick, seconded by Councilmember Raley to ratify the final employment contract with the new City Manager, David Torgler as presented. All voted yes. Motion passed.

Regular Meeting, Delta City Council, January 5, 2016 (cont.)

Discussion Regarding Administrative Approval of Liquor License Renewals, Transfer of Ownership and Special Events Permits

City Manager Glen Black stated that it was requested that staff bring this before Council for discussion.

City Clerk Jolene Nelson explained there has been discussion regarding liquor license renewals and allowing the City Clerk to administratively approve the renewal when no violations exist. Articles 46, 47 and 48 of Title 12 of the Colorado Revised Statutes, grant local licensing authorities the ability to approve liquor renewals and transfer of ownership without a hearing.

There also has been discussion regarding special event permits and allowing local approval only as well as allowing the City Clerk to approve the application administratively. Pursuant to Articles 46, 47 and 48 of Title 12 of the Colorado Revised Statutes grants local licensing authorities the option to assume exclusive local control over and responsibility for the issuance of special event permits within their respective jurisdictions.

Allowing for administrative approval will streamline and make more efficient the procedures by which the City reviews and approves applications for liquor license renewals and transfer of ownership as well as applications for special events permits. The savings for the applicant on special events permits will be \$25 per day on the requested permit. There is no cost savings for the applicant on renewals or transfer of ownership.

If Council should consider allowing administrative approval, the following are a few guidelines allowing administrative approval:

For liquor license renewals and transfer of ownership:

- Timely submission of a complete application and the payment of all fees by the applicant.
- Referral of the application by the City Clerk to the police department for review and comment.
- For license transfers, whether the applicant satisfies the eligibility criteria set forth in CRS 12-47-307.
- The Clerk shall not approve an application where the police department has submitted a timely written objection to the Clerk concerning such action.

For special event permits:

- Timely submission of a complete application and the payment of all fees by the applicant.
- Referral of the application by the City Clerk to the police department for review and comment.
- Timely and proper posting of a conspicuous public notice of the proposed license and protest procedures at the location sought to be licensed.
- Application and applicant satisfies the eligibility criteria set forth in CRS 12-48-102 and 12-48-103
- There does not exist facts or information on the application, or as provided in referral comments or a protest against the license filed by the affected persons, illustrating sound or good cause to deny the application.

Regular Meeting, Delta City Council, January 5, 2016 (cont.)

Discussion Regarding Administrative Approval of Liquor License Renewals, Transfer of Ownership and Special Events Permits (cont.)

- The Clerk shall not approve an application where the police department has submitted a timely written objection to the Clerk concerning such action.

In the event the City Clerk cannot or will not approve the transfer or renewal of a license, or the issuance of a special event permit, then the Clerk shall automatically bring the application before the City Council acting as the local liquor licensing authority at the next regularly scheduled City Council meeting.

City Attorney David McConaughy stated that another option would be to appoint a Liquor Board that would approve liquor applications.

There was consensus to have staff draft an ordinance for the next meeting allowing administrative approval.

Discussion Regarding Consent Agendas

Attorney McConaughy stated that on most consent agendas are liquor renewals, minutes and renewal of contracts.

Councilmember Penick stated that with the discussion previously, the meetings will not be long enough to justify a consent agenda. He suggested looking at consent agendas in the future when the meetings are longer.

City Attorney Comments

Attorney McConaughy commented on a bankruptcy notice he received regarding electrical utilities. He also stated that he will be presenting an update on the Stantec litigation at the first meeting in February during executive session.

City Manager Comments

Manager Black stated that the City has received notice of a potential lawsuit involving the Delta Police Department. He also stated that the Center for Mental Health is requesting that the City assist in a Colorado Development Block Grant through the Department of Local Affairs. He will bring more information to Council as it becomes available.

Councilmember Comments

Councilmember Cooper commented on the DMEA broadband announcement.

Mayor Sisson commented on the homeless shelter.

The meeting was adjourned at 7:20 p.m.

Jolene E. Nelson, City Clerk