



---

360 Main St. • Delta, Colorado 81416 • Phone (970) 874-7566 • Fax (970) 874-8776

---

Council may take formal action on any item appearing on this Agenda. However, formal action WILL NOT be taken at this meeting on any item of business first identified during the course of the meeting as a change to the Agenda, other business, or Citizen, Councilmember and Staff Comments.

## A G E N D A

Delta City Council  
Regular Meeting

June 5, 2012  
7:00 p.m.

- A. Pledge of Allegiance
- B. Changes to the Agenda
- C. Minutes; May 15, 2012 Regular Meeting and May 22, 2012 Special Meeting
- D. Citizen Comments
- E. Public Hearing: Special Events Permit Application; Delta Elks Lodge #1235 (Neubauer)
- F. Public Hearing: Special Events Permit Application (Neubauer)  
Delta Area Chamber of Commerce (Cleland Park)
- G. Public Hearing: Special Events Permit Application (Neubauer)  
Delta Area Chamber of Commerce (Horse Country Arena)
- H. Public Hearing: Special Events Permit Application (Neubauer)  
Delta Area Chamber of Commerce (5<sup>th</sup> Street)
- I. Special Permit for Temporary Closure; Delta Area Chamber of Commerce (Neubauer)
- J. Beer & Wine Liquor License Renewal; House of Chin, Inc. (Neubauer)
- K. Purchase of Used Dump Truck (Myers)
- L. Council Bill #13, 2012; First Reading (Walker)  
Supplemental Development Standards
- M. City Attorney Comments
- N. City Manager Comments
- O. Councilmember Comments

## EXECUTIVE SESSION

For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under CRS Section 24-6-402(4)(e); or more specifically for discussions regarding Confluence Drive.

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 Joe Kerby and City Attorney Mike Schottelkotte. 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**

City Manager Joe Kerby presented a change on Resolution #5, 2012 discussion. The first sentence should read "... Senate Concurrent resolution..."

It was moved by Councilmember Cooper and seconded by Councilmember Raley to approve the minutes of May 1, 2012 with the above corrections. All in favor, motion carried.

**Citizen Comments**

Mayor Sisson presented City Manager Joe Kerby a plaque and recognized his service to the City of Delta.

**Request from Lincoln Elementary Destination Imagination Teams**

Scott Moore, teacher with Lincoln Elementary presented Ana Jurca, Hailey Curry and Kaitlin Sharpe from the Destination Imagination Teams.

Ms. Jurca, Ms. Curry and Ms. Sharpe presented Council with a brief summary of the program and their accomplishments this year. They will be attending the global competition in Tennessee the week of May 21<sup>st</sup> and is currently trying to raise money to go to the competition. They are requesting City Council consider giving a donation to help them.

Mayor Sisson questioned how many teams are going from Colorado.

Mr. Moore stated there are 60 teams out of 1100 going. There are teams from all over the world attending.

Councilmember Penick questioned how many teams will be at the global competition.

Mr. Moore reported more than 1300.

Manager Kerby questioned how much money they are trying to raise.

Mr. Moore stated that their goal is \$25,000. They have received approximately \$17,000 at this point.

There was discussion regarding if the City had any monies to donate.

It was moved by Councilmember Raley and seconded by Councilmember Penick to give \$150 to Lincoln Elementary Destination Imagination Teams. All in favor, motion carried.

**ACEC National Award Presentation**

Utilities Director Steve Glammeyer introduced Tim Boltz from URS Corporation.

Mr. Boltz stated that he had the opportunity to go to Washington D.C. to attend the annual awards banquet for the American Society of Engineer Council. He explained the different awards that were presented. The City of Delta was given an award for the river diffuser project.

Mr. Boltz presented the award to Mayor Sisson.

## **Regular Meeting, Delta City Council, May 15, 2012 (Cont.)**

### **Purchase of New Aeration Equipment for WWTP**

Director Glammeyer stated that staff has been working on an upgrade to improve the digesters out at the WWTP. In 2011 staff consulted with a firm out of Glenwood Springs to design new aeration system and a cover for the digesters. The approval from the State is forthcoming.

Mr. Glammeyer explained that at this time he is requesting Council approve the purchase of the equipment that will be installed. Normally that purchase of equipment would be put into the package with the contractor; however, this equipment is specialized. Staff has looked at several different systems and has determined this system would benefit the City. He explained how this system works.

Mr. Glammeyer also explained the timeline for the project. The total amount of the purchase of this equipment is \$162,870.

Councilmember Penick questioned if there is any concerns with contractors bidding the installation without having any input on the equipment.

Mr. Glammeyer stated that the contractors wouldn't have any input anyway. This project would have been designed and the contractors would be given a set of design drawings with the equipment already specified. The City would have to deal with the manufacture for warranty concerns if any should arise.

It was moved by Councilmember Cooper and seconded by Councilmember Raley to authorize the purchase of the aeration equipment for \$162,870 from Water Technology Group. All in favor, motion carried.

### **Presentation from Senteney Family Trust Regarding Confluence Drive**

Manager Kerby reported that staff received a letter yesterday from Mr. Senteney stating he would not be available to attend tonight's meeting. He is requesting to have a meeting with three member of Council, with one of those being Mr. Penick. Staff needs direction from Council on how they wish to proceed with Mr. Senteney.

City Attorney Michael Schottelkotte stated due to the open meetings law they could not comply with Mr. Senteney's request.

Councilmember Penick stated that Council cannot negotiate with Mr. Senteney, those negotiations need to be with Brad Rodenberg. He stated that either Council allows Mr. Senteney an opportunity at the next City Council meeting to be heard or have him submit his positions in writing.

Councilmember Jurca stated that as a citizen Mr. Senteney has the ability to contact any of the Councilmembers individually.

Attorney Schottelkotte reported that he is concerned about the term he used "represent". Mr. Senteney cannot have a body of this Council represent him. He can have some present for him if he chooses to.

Councilmember Cooper and Mayor Sisson agreed that he has had his chance and now he needs to talk with Mr. Rodenberg.

Brad Rodenberg stated that he has no vested interest in the ultimate settlement price. He is just following the process that is set by state statutes.

There was a consensus amongst Council to give Mr. Senteney an opportunity to present his position at the next City Council meeting or to have him provide a written presentation.

Attorney Schottelkotte stated that the appraisal process will continue forward in the mean time.

Mr. Rodenberg stated that Mr. Senteney can definitely be heard during this process.

Mr. Schottelkotte will write a letter and encourage Mr. Senteney to work with Mr. Rodenberg and that he can have an opportunity to present his position to Council and the next regular meeting.

**Regular Meeting, Delta City Council, May 15, 2012 (Cont.)**

**Division of Wildlife Request for Variance to Ordinance Prohibiting Discharge of Guns within the City Limits**

Chief Robert Thomas reported that DOW is requesting a variance to the ordinance prohibiting discharge of guns with the City. DOW is proposing to use their portable shooting trailer for hunter safety at the Heritage Days. This is a good opportunity to learn about gun safety and fire a weapon in a secure manner. He is recommending Council approve the variance.

Ryan Swigman with DOW stated that they are providing a safe and controlled setting to help the youth learn about hunter safety. He explained how the trailer is designed and what it is used for.

Councilmember Raley commented on last year's event, he was impressed with the supervision of the event.

Mr. Swigman stated their goal is to provide a safe environment.

Councilmember Penick questioned how frequently the trailer is used.

Mr. Swigman reported on using the trailer throughout the western slope.

Manager Kerby questioned if he is asking for approval just for Heritage Days or for a blanket approval for any hunter safety class within the City.

Mr. Swigman stated he would like to have a blanket approval for the year; however, would also accept an approval just for Heritage Days.

There was discussion regarding the variance.

Attorney Schottelkotte stated that the ordinance does say that the application for a permit varying is limited to a special event.

It was moved by Councilmember Raley and seconded by Councilmember Penick to approve a variance for ordinance prohibiting discharge of guns for the hunter safety training for the Colorado Parks and Wildlife for the rest of 2012. All in favor, motion carried.

Manager Kerby asked for clarification if that pertains only to the portable shooting trailer.

All Councilmembers agreed.

**Resolution #6, 2012; Appointment of interim City Manager**

Manager Kerby stated that this resolution is for the appointment of the Interim City Manager. He stated that Council did direct him to draft the resolution appointing Glen Black.

Resolution #6, 2012

APPOINTING GLEN L. BLACK AS INTERIM  
CITY MANAGER

was read by the Clerk.

It was moved by Councilmember Penick and seconded by Councilmember Raley to adopt Resolution #6, 2012. Roll call vote: Councilmembers Coopers, aye; Raley, aye; Penick, aye; Jurca, nay and Sisson, aye. Motion carried.

**Approval of Foster Farms Contract**

Public Works Director Jim Hatheway stated that staff is requesting approval of the purchase of Foster Farms. They have agreed to the purchase price that was offered to them of \$56,507.

It was moved by Councilmember Cooper and seconded by Councilmember Jurca to approve the property acquisition contract with Foster Farms in the amount of \$56,507. All in favor, motion carried.

## **Regular Meeting, Delta City Council, May 15, 2012 (Cont.)**

### **Delta Area Chamber of Commerce: First Saturday Market**

Linda Sanchez, Executive Director of the Delta Area Chamber of Commerce stated that she is here tonight to answer the follow up questions that were brought up at the last meeting. The Chamber Board is in support of this event. The Chamber has contacted members of the farmers market and invited them to attend the event with the offer of free space. Ms. Sanchez explained the differences between the farmer's market and the 1<sup>st</sup> Saturday Market.

Councilmember Cooper questioned if they don't have the farmer's market participate who will they get for vendors.

Ms. Sanchez stated that they have spoken with several individuals who are interested in attending; some of which are organic and/or regular produce as well as other types of producers in the County.

Councilmember Penick questioned if they have chosen a venue.

Ms. Sanchez reported that they are looking at 3<sup>rd</sup> Street between Main and Palmer. She will get with staff to discuss what the requirements would be. At this time, they are just looking for approval to use the money designated for the block parties to be used for this event.

Councilmember Cooper questioned what they would be using the money for.

Ms. Sanchez stated they plan to use the funds for marketing.

There was discussion on using local musicians as well the use of the money.

It was moved by Councilmember Raley and seconded by Councilmember Jurca to approve the \$5000 that was budgeted for block parties to be used for the 1<sup>st</sup> Saturday Market events. All in favor, motion carried.

### **Public Hearing: Special Events Permit Application; Hospice & Palliative Care of Western Colorado**

The Mayor closed the regular meeting and convened a public hearing.

City Clerk Jolene Nelson explained that Hospice & Palliative Care of Western Colorado has submitted a special event permit application for their fundraising event scheduled on September 8, 2012 from 4:00pm to 12:00am at Bill Heddles Recreation Center. The application is complete and all fees have been paid to the City as well as the State. A sign notifying the public of this hearing was posted on the site as required by law and no comments have been received.

The Mayor called for public comment and when there was none he closed the public hearing and reconvened the regular meeting.

It was moved by Councilmember Jurca and seconded by Councilmember Raley to approve the Hospices & Palliative Care of Western Colorado's application for a special events liquor permit for September 8, 2012. All in favor, motion carried.

### **Special Permit for Temporary Closure; Delta Area Chamber of Commerce**

Clerk Nelson stated that the Delta Area Chamber of Commerce has submitted a special permit for temporary closure for Deltarado Days. There are two permits, one requesting closure of Main Street for the Parade and the other for closure of 5<sup>th</sup> Street between Main Street and Palmer Street. The applications are complete and all fees have been paid.

It was moved by Councilmember Cooper and seconded by Councilmember Penick to approve the special permits for temporary closure for the Delta Area Chamber of Commerce's events scheduled for July 20, 2012 through July 22, 2012.

### **Special Permit for Temporary Closure; Rebecca Angel**

The clerk reported that Rebecca Angel has also submitted a special permit for temporary closure for the 5<sup>th</sup> Annual Bike Show. The application is requesting closure of the parking lot south of Hoolie's on Main Street. The fees as well as the deposit have been paid.

**Regular Meeting, Delta City Council, May 15, 2012 (Cont.)**

**Special Permit for Temporary Closure; Rebecca Angel (cont.)**

Rueben Neuschwander with Hoolie's stated that this is their annual bike show.

Councilmember Raley questioned if there have been any problems in the past.

Chief of Police Robert Thomas reported that there have been no problems with this event. He also stated that since their liquor renewal the items that were addressed at that time have been taken care of and there have been no problems at Hoolie's.

Councilmember Penick questioned if there was an entrance off of Main Street.

Manager Kerby stated there is not.

It was moved by Councilmember Raley and seconded by Councilmember Jurca to approve the special permit for temporary closure for Rebecca Angel for the event scheduled on June 9, 2012. All in favor, motion carried.

**Walmart 3.2% Beer Retail License Renewal and Report of Changes**

Clerk Nelson reported that Walmart has submitted their 3.2% Beer Retail License as well as a Report of Changes. The renewal is complete and all fees have been paid. The police department has recommended renewal. The Report of Changes reports that they are requesting a name change from Wal Mart Supercenter #5458 to Walmart #5458. The fee to the State has been paid and there is no fee to the City for the change.

Councilmember Penick stated there is an error on the Report of Changes on the address.

Clerk Nelson stated she would have Walmart correct that change before sending it forward to the State.

It was moved by Councilmember Penick and seconded by Councilmember Jurca to approve the renewal application as well as the report of changes for Walmart #5458. All in favor, motion carried.

**Reschedule Regular Council Meeting on June 19, 2012 to June 18, 2012**

The Clerk explained that this was discussed at the last City Council meeting. She stated that June 19<sup>th</sup>, 2012 is the regularly scheduled Council meeting; however, CML is having their annual conference starting that day. Staff is requesting to move the meeting up one day since there will be some Councilmembers as well as staff attending the conference.

It was moved by Councilmember Cooper and seconded by Councilmember Penick to reschedule the June 19<sup>th</sup>, 2012 Council meeting to June 18<sup>th</sup>, 2012. All in favor, motion carried.

**Ordinance #12, 2012; Second and Final Reading  
Landscaping Requirements**

Ordinance #12, 2012

AN ORDINANCE OF THE CITY OF DELTA, COLORADO  
AMENDING CERTAIN SUB-PROVISIONS OF SECTIONS  
15.04.080.B OF THE DELTA MUNICIPAL CODE TO MODIFY  
REQUIREMENTS FOR SITE DEVELOPMENT/ LANDSCAPING  
PLANS SUBMITTED IN SUPPORT OF APPLICATIONS FOR  
BUILDING PERMITS

was introduced as Council Bill #12, 2012 and read by the Clerk.

Community Development Director Glen Black stated there is no additional information to report since the last meeting.

It was moved by Councilmember Penick and seconded by Councilmember Raley to adopt Council Bill #12, 2012 on second and final reading. Roll call vote: Councilmembers Cooper, aye; Raley, aye; Penick, aye; Jurca, aye and Sisson, aye. Council Bill #12, 2012 was adopted on second and final reading as Ordinance #12, 2012.

## **Regular Meeting, Delta City Council, May 15, 2012 (Cont.)**

### **Site Development Standards for Highway Corridors**

Director Black stated that this is the last of the review that Planning Commission was asked to look at from Council. He presented the recommendation from Planning Commission. Staff is looking for direction whether to proceed forward with an ordinance.

Councilmember Cooper commented that this is to help become more business friendly.

There was consensus amongst Council to direct staff to present an ordinance with the changes.

### **City Attorney Comments**

There were none.

### **City Manager Comments**

Manager Kerby reported on the following items:

- The City is receiving \$77,483 from Rocky Mountain Health Plans from the shared funding program.
- Jolene Nelson is continuing to work on the survey for the CDBG grant.
- Closing will take place Friday for the sewer bonds.
- Banners will be up soon along Main Street.
- Glen Black is meeting with Montrose to partner with them for IT backup.
- CDOT will be starting the chip & seal on Hwy 50.
- Tennis courts will be out of service May 28<sup>th</sup>.
- Cottonwood Park is being irrigated by the Hartland Ditch due to the North Delta Canal concerns.
- Flowers are being planted on Main Street this week.
- A work session is scheduled for May 22<sup>nd</sup> to have discussions with KRW Associates regarding the City Manager position.
- A work session is also scheduled for May 29<sup>th</sup> to discuss the golf course operational review.
- Davis Clothing will be celebrating their 100<sup>th</sup> year anniversary.

Mr. Kerby asked Mr. Black to provide an update on eagle net.

Mr. Black provided an update on eagle net. The City has been approached by eagle net to connect to the City's power system. They are looking at providing broadband and are looking for partnerships. This will allow for a carrier neutral locations to help become more economically priced. Mr. Black explained the proposed areas they are looking at. Glen Black provided an update on eagle net

There was discussion regarding the need for broadband in this area.

### **Councilmember Comments**

Councilmember Cooper commented on the community garden. She also thanked Mr. Kerby for his dedicated service to the City.

Councilmember Raley also thanked Mr. Kerby for his service.

Councilmember Penick reported that he attended the employee's benefit meeting as well as the citizen's financial task force. He also thanked Mr. Kerby.

Councilmember Jurca wished Mr. Kerby the best of luck.

Mayor Sisson commented on the scholarship breakfast he attended for the high school. He has a new grandchild that was born. He also thanked Mr. Kerby.

### **Executive Session**

It was moved by Councilmember Jurca and seconded by Councilmember Cooper to convene an Executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators,

**Regular Meeting, Delta City Council, May 15, 2012 (Cont.)**  
**Executive Session (cont.)**

under CRS Section 24-6-402(4)(e); or more specifically for discussions regarding Confluence Drive and for discussion of a personnel matter under CRS Section 24-6-402(4)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees. All in favor, motion carried.

At 8:25 p.m., Mayor Sisson recessed the Regular Meeting and convened the Executive Session.

At 9:07 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 Robert Jurca, Bill Raley, Ray Penick and Mary Cooper; along with City Manager Joe Kerby, City Attorney Michael Schottelkotte, Public Works Director Jim Hatheway, Community Development Director Glen Black and Brad Rodenberg. 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, City Clerk

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. A meeting notice was posted in the south window at City Hall at least twenty-four hours prior to the meeting.

**Discussion with KRW Regarding Recruitment of the City Manager**

Fred Rainquet with KRW presented Council with a draft add for the City Manager position.

There was discussion regarding the tenor of City Managers and if KRW provided any guarantee that they will stay.

Mr. Rainquet stated that if they leave within one year, the firm will conduct the search at no additional charge.

There was discussion regarding the requirements for the position. It was agreed to leave the wording as it is.

Mayor Sisson questioned what the realistic timeline is.

Mr. Rainquet stated traditionally it is approximately 90 days. The add will be out for 30 days then it will take about a week to organize the resumes and then start meeting with Council to discuss them. He believes they can have candidates here by August and possibly have an appointment starting in September.

Councilmember Raley questioned how much he does recruiting on the western slope. He believes there are qualified individuals in this area.

Mr. Rainquet stated that he does work on the western slope. He explained that he can put an article in the local paper if Council chooses to do so. He also explained where else he posts.

There was also discussion regarding the salary. It was decided to change the wording to read up to.

Mr. Rainquet presented a sample candidate schedule. He stated that it is Council's pleasure as to how they wish to handle the process. There are a few different options that can be discussed once the time gets closer.

Councilmember Penick stated that the department heads would like to be involved the process and provide some feedback.

Council discussed whether to have panels.

Mr. Rainquet stated that a week after the deadline for applications he will provide a binder with the top resumes. There is no magic number on what is considered the top.  
Discussions regarding panels

Councilmember Penick questioned if they can put in the ad that the City requires them to be a member of ICMA.

Mr. Rainquet suggested putting that in the interview process or also as part of the contract.

There was additional discussion regarding ICMA which is currently an option that the City covers the cost of the membership.

Councilmember Penick questioned if KRW helps with the contract.

Mr. Rainquet stated that traditionally they will call the person Council decides to offer the position to and gives them a general packet of information. At that point if that individual is interest he/she will be contacted by the City Attorney and he handles it from there.

There was consensus amongst Council to move forward with the proposed process.

The meeting was adjourned at 6:03 p.m.



---

360 Main St. • Delta, Colorado 81416 • Phone (970) 874-7566 • Fax (970) 874-8776

---

## MEMO

To: City Council, City Manager  
From: Jolene E. Nelson, City Clerk  
Date: May 30, 2012  
Subject: Delta Elks Lodge #1235 Special Events Permit Application

---

### **Recommendation**

Staff sees no problem in approving this application for a Special Events Liquor Permit to Delta Elks Lodge #1235 for their event scheduled for July 14, 2012

### **Background**

Delta Elks Lodge #1235 has submitted an application for a Special Events Liquor Permit at 563 Main Street on July 14, 2012 for a cancer awareness dance. The application specifies that they plan to sell malt, vinous and spirituous liquor from 12:00 p.m to 2:00 a.m. The application is complete and the fees - \$35 to the City and \$25.00 to the State – have been paid. A sign notifying the public of this hearing has been posted at the site for at least ten days as required by law.

### **Cost**

There is no cost to the City.

### **Action to be Taken if Approved**

The Mayor and Clerk will sign the application, and the Clerk will mail it to the State, who will review it and issue the permit.

### **Suggested Motion**

I move to approve the Delta Elks Lodge #1235 application for a special events liquor permit for July 14, 2012.

# APPLICATION FOR A SPECIAL EVENTS PERMIT

IN ORDER TO QUALIFY FOR A SPECIAL EVENTS PERMIT, YOU MUST BE NONPROFIT AND ONE OF THE FOLLOWING (See back for details.)

✓ CHECK ONE:  SOCIAL  CHARTERED BRANCH, LODGE OR CHAPTER OF A NATIONAL ORGANIZATION OR SOCIETY

FRATERNAL  RELIGIOUS INSTITUTION

PATRIOTIC  PHILANTHROPIC INSTITUTION

POLITICAL  POLITICAL CANDIDATE

ATHLETIC  MUNICIPALITY OWNING ARTS FACILITIES

DO NOT WRITE IN THIS SPACE

| LIAB | TYPE OF SPECIAL EVENT APPLICANT IS APPLYING FOR:                       |                 |
|------|--|-----------------|
| 2110 | <input checked="" type="checkbox"/> MALT, VINOUS AND SPIRITUOUS LIQUOR | \$25.00 PER DAY |
| 2170 | <input type="checkbox"/> FERMENTED MALT BEVERAGE (3.2 Beer)            | \$10.00 PER DAY |

DO NOT WRITE IN THIS SPACE

LIQUOR PERMIT NUMBER

1. NAME OF APPLICANT ORGANIZATION OR POLITICAL CANDIDATE State Sales Tax Number (Required)

*Delta Eks Lodge #1235* *04-01745*

2. MAILING ADDRESS OF ORGANIZATION OR POLITICAL CANDIDATE (include street, city/town and ZIP)

*563 Main ST  
Delta CO. 81416*

3. ADDRESS OF PLACE TO HAVE SPECIAL EVENT (include street, city/town and ZIP)

*563 Main ST  
Delta CO 81416*

| NAME | DATE OF BIRTH | HOME ADDRESS (Street, City, State, ZIP) | PHONE NUMBER |
|------|---------------|---|--------------|
|------|---------------|---|--------------|

4. PRES./SECY OF ORG. or POLITICAL CANDIDATE

*Joe Siennicki*

*21170 Pleasant Valley Rd Delta 879-1918*

5. EVENT MANAGER

*Dennis J Shreeves*

*6726 1900rd Delta CO 877-3624*

6. HAS APPLICANT ORGANIZATION OR POLITICAL CANDIDATE BEEN ISSUED A SPECIAL EVENT PERMIT THIS CALENDAR YEAR?

NO  YES HOW MANY DAYS? *1*

7. IS PREMISES NOW LICENSED UNDER STATE LIQUOR OR BEER CODE?

NO  YES TO WHOM? *Delta ELLKS 1235*

8. DOES THE APPLICANT HAVE POSSESSION OR WRITTEN PERMISSION FOR THE USE OF THE PREMISES TO BE LICENSED?  Yes  No

LIST BELOW THE EXACT DATE(S) FOR WHICH APPLICATION IS BEING MADE FOR PERMIT

| Date           | Hours From       | To               | Date | Hours From | To | Date | Hours From | To | Date | Hours From | To |
|----------------|------------------|------------------|------|------------|----|------|------------|----|------|------------|----|
| <i>7-14-12</i> | <i>12:00p.m.</i> | <i>2:00 A.m.</i> |      |            |    |      |            |    |      |            |    |

**OATH OF APPLICANT**

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

SIGNATURE *Dennis J Shreeves* TITLE *Manager* *5/8/12*

**REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY OR COUNTY)**

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 12, Article 48, C.R.S., as amended.

**THEREFORE, THIS APPLICATION IS APPROVED.**

LOCAL LICENSING AUTHORITY (CITY OR COUNTY)  CITY  COUNTY TELEPHONE NUMBER OF CITY/COUNTY CLERK

SIGNATURE TITLE DATE

**DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY**

LIABILITY INFORMATION

| License Account Number | Liability Date | State | TOTAL |
|------------------------|----------------|-------|-------|
|                        |                |       |       |

-750 (999)

This Deed, Made this twenty-first day of July in the year of our Lord one thousand nine hundred and eleven between

Annie B. McCartney

of the County of Delta

and State of Colorado, of the first part, and Delta Lodge Number 1235 Benevolent and Protective order of Elks,

of the County of Delta

and State of Colorado, of the second part:

WITNESSETH, That the said party of the first part, for and in consideration of the sum of Six thousand

00 Dollars, to the said party of the first part in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, has granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part, ~~to successors heirs~~ and assigns, forever, all the following described lot or parcel: of land, situate, lying and being in the County of Delta and State of Colorado, to-wit:

lots numbered Thirteen (13), Fourteen (14), Fifteen (15) and Sixteen (16), in Block numbered seven-ten (17), of the Town (now city) of Delta, Colorado.

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever, of the said party of the first part, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the said party of the second part, ~~to successors heirs~~ and assigns forever. And the said Annie B. McCartney

party of the first part, for ~~herself and her~~ herself and her heirs, executors and administrators, do covenant, grant, bargain, and agree to and with the said party of the second part ~~to successors heirs~~ and assigns, that at the time of the ensembling and delivery of these presents she is well seized of the premises above conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same, in manner and form aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments and incumbrances of whatever kind or nature soever;

and the above bargained premises, in the quiet and peaceable possession of the said party of the second part ~~to successors heirs~~ and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said party of the first part shall and will Warrant and Forever Defend.

IN WITNESS WHEREOF, The said party of the first part hath hereunto set her hand and seal the day and year first above written.

Signed, Sealed and Delivered in Presence of

Annie B. McCartney

Seal  
Seal  
Seal  
Seal

STATE OF COLORADO, } ss. I, Ruby E. Turner a notary public  
County of Delta in and for said County, in the State aforesaid, do hereby certify that Annie B. McCartney

who is personally known to me to be the person whose name is subscribed to the annexed Deed, appeared before me this day in person and acknowledged that she signed, sealed and delivered the said instrument of writing as her free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal, this 21<sup>st</sup> day of July A. D. 1911.

My commission expires June 11<sup>th</sup> 1914.

Notarial Seal

Ruby E. Turner  
Notary Public

OFFICE OF THE SECRETARY OF STATE  
OF THE STATE OF COLORADO

**CERTIFICATE**

I, Scott Gessler, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

**DELTA LODGE, NO. 1235 BENEVOLENT AND PROTECTIVE ORDER OF ELKS OF THE  
UNITED STATES OF AMERICA**

is a **Nonprofit Corporation** formed or registered on 09/03/1925 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 19871082199.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 11/29/2011 that have been posted, and by documents delivered to this office electronically through 12/05/2011 @ 11:56:50.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, authenticated, issued, delivered and communicated this official certificate at Denver, Colorado on 12/05/2011 @ 11:56:50 pursuant to and in accordance with applicable law. This certificate is assigned Confirmation Number 8106694.

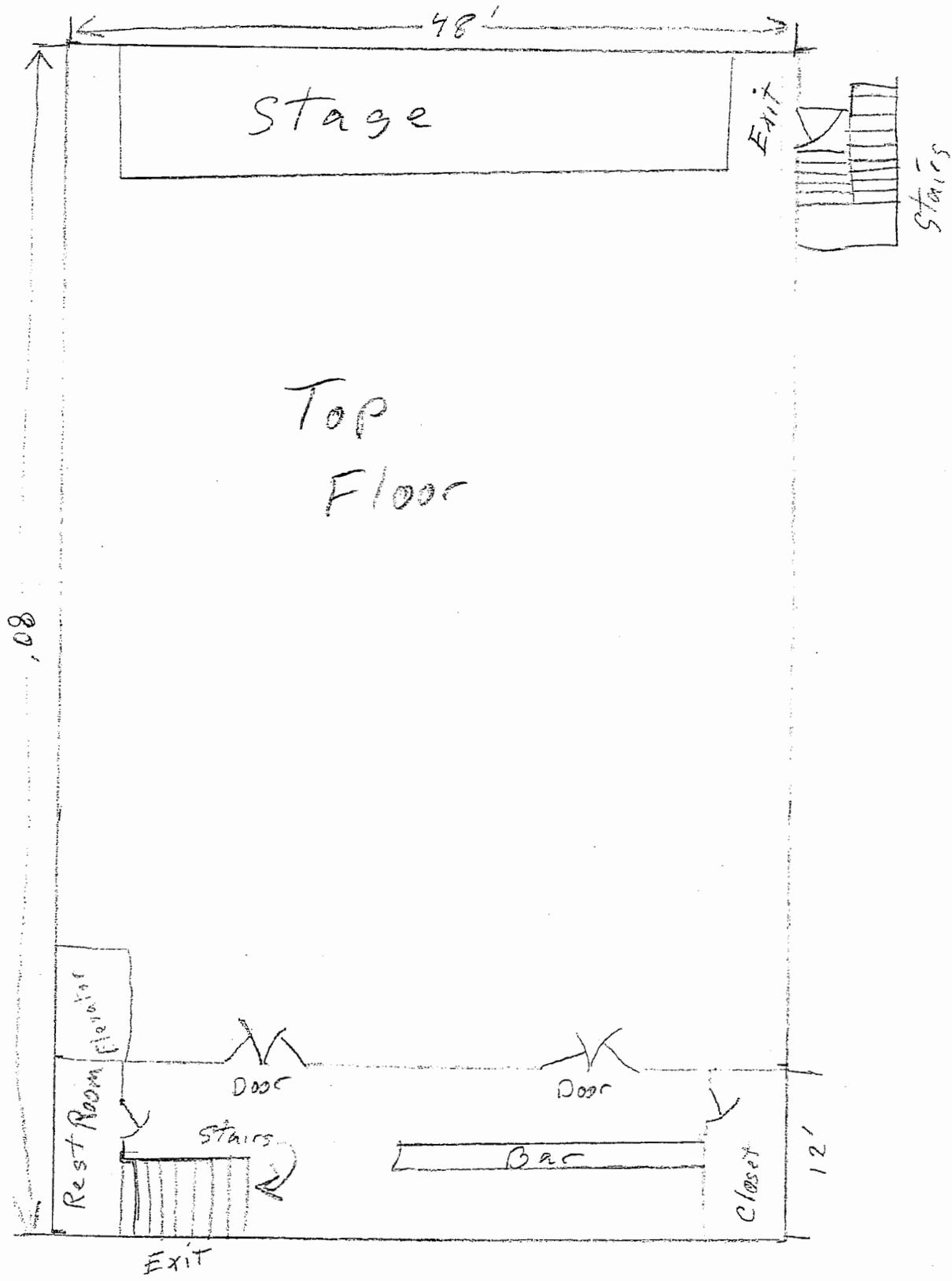


Secretary of State of the State of Colorado

\*\*\*\*\*End of Certificate\*\*\*\*\*

*Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Certificate Confirmation Page of the Secretary of State's Web site. <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site. <http://www.sos.state.co.us/> click Business Center and select "Frequently Asked Questions."*

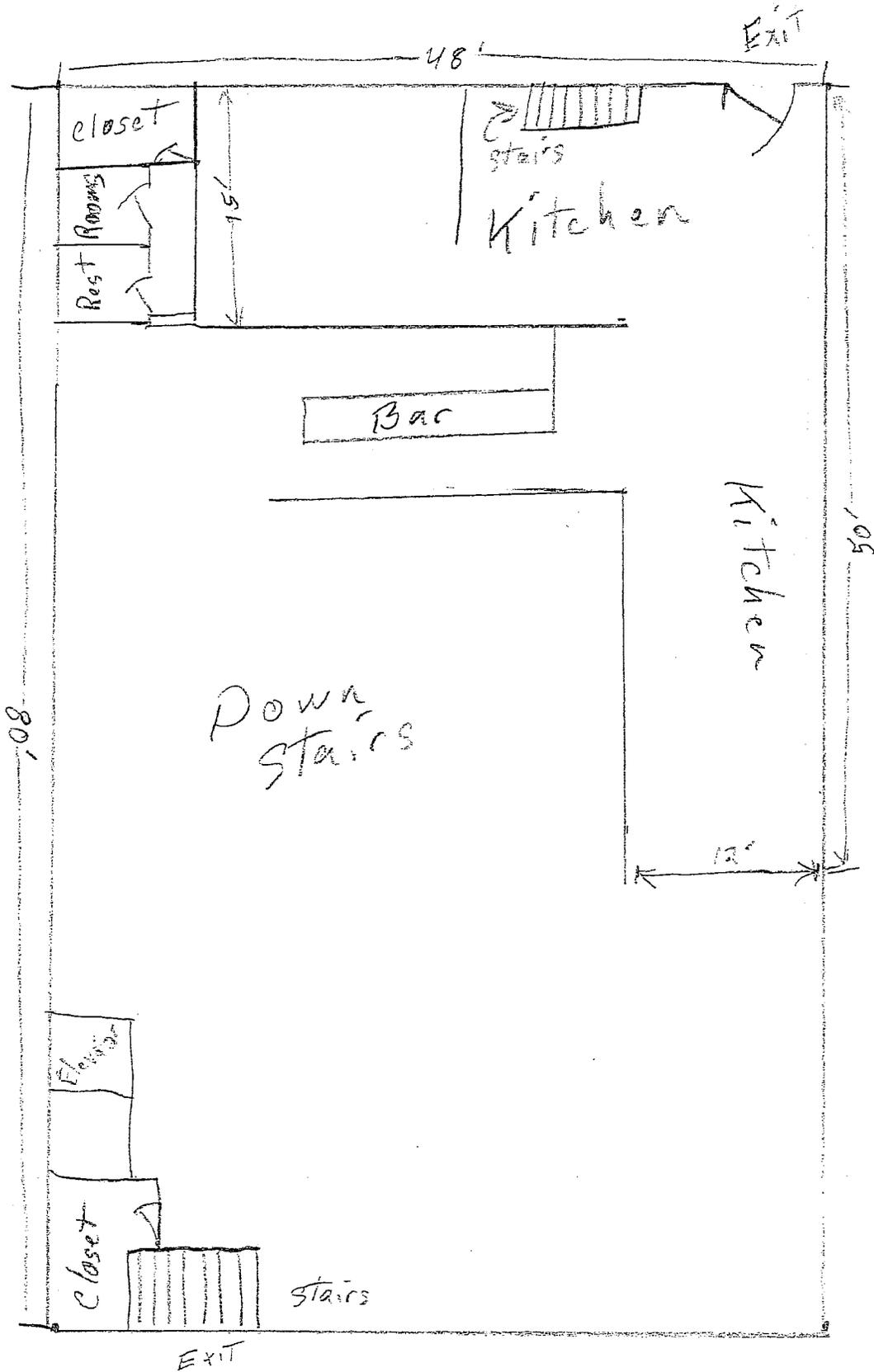
Delta EIKs #1235  
563 Main Delta CO. 81416



1" = 10'

Delta E/K/S #1235

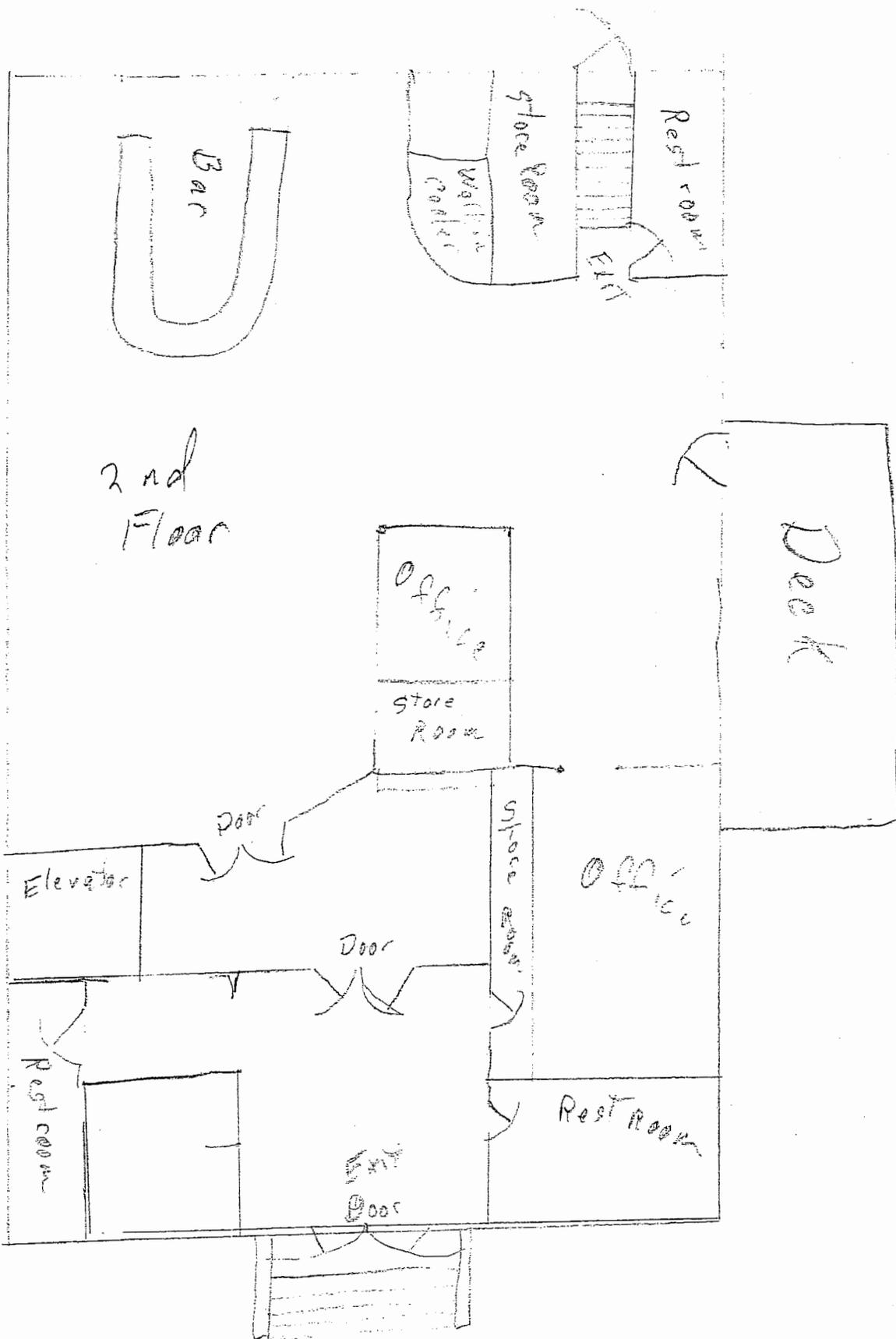
563 Main Delta CO 81416



1" = 10'

Delta EKS #1235

513 Main St Delta CO 81416





---

360 Main St. • Delta, Colorado 81416 • Phone (970) 874-7566 • Fax (970) 874-8776

---

## MEMO

To: City Council, City Manager  
From: Jolene E. Nelson, City Clerk  
Date: May 30, 2012  
Subject: Delta Area Chamber of Commerce Special Events Permit Application

---

### **Recommendation**

Staff sees no problem in approving this application for a Special Events Liquor Permit to Delta Area Chamber of Commerce for an event scheduled for July 21<sup>st</sup>, 2012.

### **Background**

Delta Area Chamber of Commerce has submitted an application for a Special Events Liquor Permit for Deltarado Days events to be held July 21<sup>st</sup>, 2012 at Cleland Park. The application specifies that they plan to serve malt, vinous and spirituous liquor from 11:00 am to 5:00 pm. The application is complete and the fees, \$35 to the City, and \$25 to the State, have been paid. A sign notifying the public of this hearing has been posted at the site for at least ten days as required by law. As of the writing of this memo, no comments either for or against the approval of the application have been received by the City Clerk.

### **Cost**

There is no cost to the City.

### **Action to be Taken if Approved**

The Mayor and Clerk will sign the application, and the Clerk will mail it to the State, who will review it and issue the permit.

### **Suggested Motion**

I move to approve Delta Area Chamber of Commerce's application for a special events liquor permit at Cleland Park for July 21, 2012.

# APPLICATION FOR A SPECIAL EVENTS PERMIT

Department Use Only

IN ORDER TO QUALIFY FOR A SPECIAL EVENTS PERMIT, YOU MUST BE NONPROFIT AND ONE OF THE FOLLOWING (See back for details.)

- |                                    |  |  |
|------------------------------------|--|--|
| <input type="checkbox"/> SOCIAL    | <input type="checkbox"/> ATHLETIC                              | <input type="checkbox"/> PHILANTHROPIC INSTITUTION           |
| <input type="checkbox"/> FRATERNAL | <input type="checkbox"/> CHARTERED BRANCH, LODGE OR CHAPTER    | <input type="checkbox"/> POLITICAL CANDIDATE                 |
| <input type="checkbox"/> PATRIOTIC | <input type="checkbox"/> OF A NATIONAL ORGANIZATION OR SOCIETY | <input type="checkbox"/> MUNICIPALITY OWNING ARTS FACILITIES |
| <input type="checkbox"/> POLITICAL | <input type="checkbox"/> RELIGIOUS INSTITUTION                 |  |

**LIAB TYPE OF SPECIAL EVENT APPLICANT IS APPLYING FOR:**  
 2110  MALT, VINOUS AND SPIRITUOUS LIQUOR \$25.00 PER DAY  
 2170  FERMENTED MALT BEVERAGE (3.2 Beer) \$10.00 PER DAY

**DO NOT WRITE IN THIS SPACE**  
 LIQUOR PERMIT NUMBER

1. NAME OF APPLICANT ORGANIZATION OR POLITICAL CANDIDATE State Sales Tax Number (Required)  
 Delta Area Chamber of Commerce 84-0364994

2. MAILING ADDRESS OF ORGANIZATION OR POLITICAL CANDIDATE (include street, city/town and ZIP)  
 301 main st.  
 Delta CO 81416

3. ADDRESS OF PLACE TO HAVE SPECIAL EVENT (include street, city/town and ZIP)  
 Cleland Park  
 700 Howard  
 Delta CO 81416

| NAME   | DATE OF BIRTH | HOME ADDRESS (Street, City, State, ZIP)      | PHONE NUMBER |
|--|---------------|--|--------------|
| 4. PRES./SEC'Y OF ORG. or POLITICAL CANDIDATE<br>Gynee THOMASSEN |               | 14340 Sunnyslope Dr. <sup>Eckert 81418</sup> | 835-8501     |

|                                   |                                  |          |
|-----------------------------------|----------------------------------|----------|
| 5. EVENT MANAGER<br>Linda Sanchez | 6700 W. Apple Dr. Delta CO 81416 | 640-2715 |
|-----------------------------------|----------------------------------|----------|

6. HAS APPLICANT ORGANIZATION OR POLITICAL CANDIDATE BEEN ISSUED A SPECIAL EVENT PERMIT THIS CALENDAR YEAR?  
 NO  YES HOW MANY DAYS? 1

7. IS PREMISES NOW LICENSED UNDER STATE LIQUOR OR BEER CODE?  
 NO  YES TO WHOM? \_\_\_\_\_

8. DOES THE APPLICANT HAVE POSSESSION OR WRITTEN PERMISSION FOR THE USE OF THE PREMISES TO BE LICENSED?  Yes  No

LIST BELOW THE EXACT DATE(S) FOR WHICH APPLICATION IS BEING MADE FOR PERMIT

| Date                                 | Date          | Date          | Date          | Date          |
|--------------------------------------|---------------|---------------|---------------|---------------|
| Hours From To                        | Hours From To | Hours From To | Hours From To | Hours From To |
| 7-21-12<br>From 11 A.m.<br>To 5 P.m. |               |               |               |               |

**OATH OF APPLICANT**  
 I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

|                               |                         |                 |
|-------------------------------|-------------------------|-----------------|
| SIGNATURE<br><i>Sam Nancy</i> | TITLE<br>Exec. Director | DATE<br>5-14-12 |
|-------------------------------|-------------------------|-----------------|

**REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY OR COUNTY)**  
 The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 12, Article 48, C.R.S., as amended.  
**THEREFORE, THIS APPLICATION IS APPROVED.**

|  |  |                                       |
|--|--|---------------------------------------|
| LOCAL LICENSING AUTHORITY (CITY OR COUNTY) | <input type="checkbox"/> CITY<br><input type="checkbox"/> COUNTY | TELEPHONE NUMBER OF CITY/COUNTY CLERK |
| SIGNATURE                                  | TITLE  | DATE                                  |

**DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY**

**LIABILITY INFORMATION**

| License Account Number | Liability Date | State      | TOTAL |
|------------------------|----------------|------------|-------|
|                        |                | -750 (999) | \$    |

OFFICE OF THE SECRETARY OF STATE  
OF THE STATE OF COLORADO

**CERTIFICATE**

I, Scott Gessler, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

**DELTA AREA CHAMBER OF COMMERCE, INC.**

is a **Nonprofit Corporation** formed or registered on 04/19/1982 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 19871472178.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 05/09/2012 that have been posted, and by documents delivered to this office electronically through 05/14/2012 @ 09:59:51.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, authenticated, issued, delivered and communicated this official certificate at Denver, Colorado on 05/14/2012 @ 09:59:51 pursuant to and in accordance with applicable law. This certificate is assigned Confirmation Number 8244232.

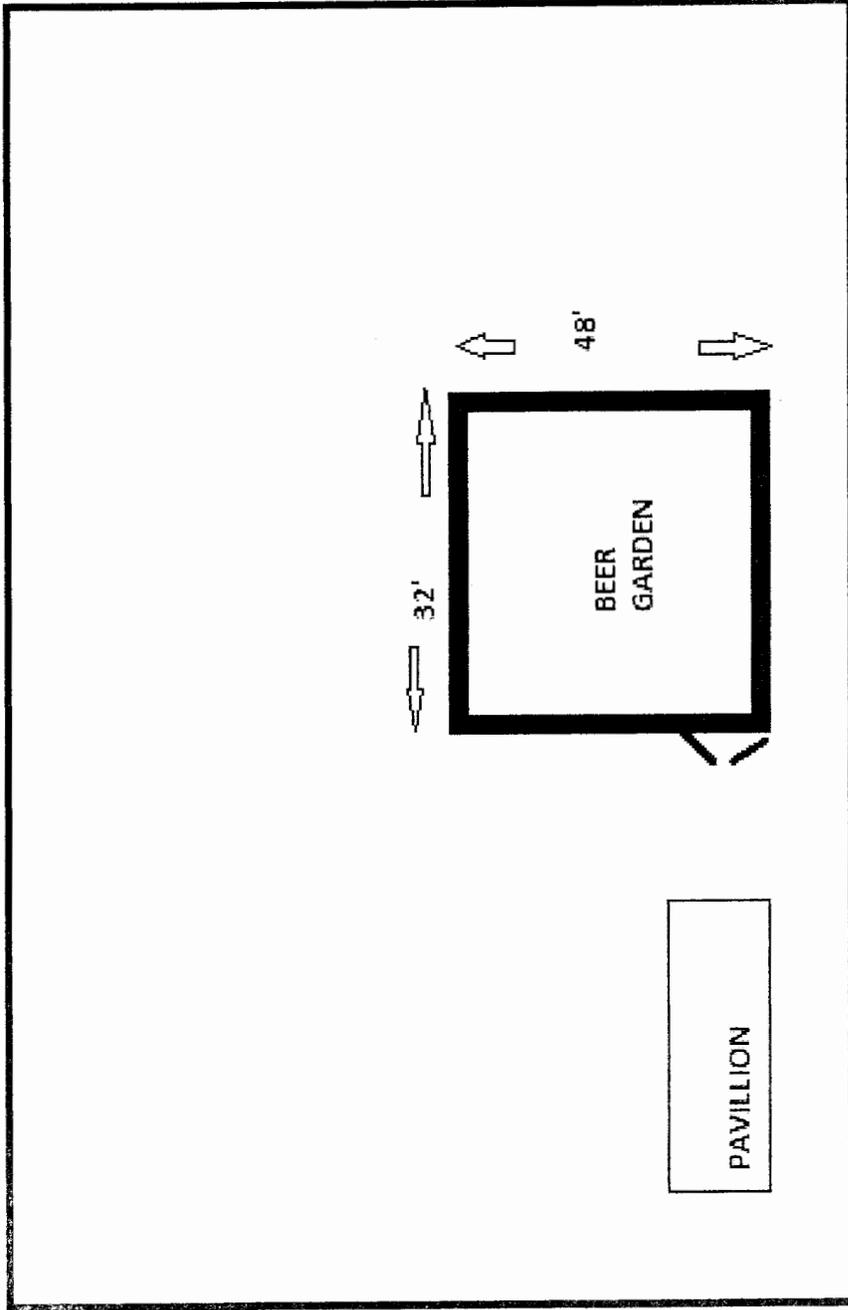


Secretary of State of the State of Colorado

\*\*\*\*\*End of Certificate\*\*\*\*\*

*Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Certificate Confirmation Page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click Business Center and select "Frequently Asked Questions."*

7TH STREET



H O W A R D S T R E E T



---

360 Main St. • Delta, Colorado 81416 • Phone (970) 874-7566 • Fax (970) 874-8776

---

## MEMO

To: City Council, City Manager  
From: Jolene E. Nelson, City Clerk  
Date: May 30, 2012  
Subject: Delta Area Chamber of Commerce Special Events Permit Application

---

### **Recommendation**

Staff sees no problem in approving this application for a Special Events Liquor Permit to Delta Area Chamber of Commerce for an event scheduled for July 21<sup>st</sup>, 2012.

### **Background**

Delta Area Chamber of Commerce has submitted an application for a Special Events Liquor Permit for a Deltarado Days event to be held July 21<sup>st</sup>, 2012 at Horse Country Arena. The application specifies that they plan to serve malt, vinous and spirituous liquor from 5:00 pm to 10:00 pm. The application is complete and the fees, \$35 to the City, and \$25 to the State, have been paid. A sign notifying the public of this hearing has been posted at the site for at least ten days as required by law. As of the writing of this memo, no comments either for or against the approval of the application have been received by the City Clerk.

### **Cost**

There is no cost to the City.

### **Action to be Taken if Approved**

The Mayor and Clerk will sign the application, and the Clerk will mail it to the State, who will review it and issue the permit.

### **Suggested Motion**

I move to approve Delta Area Chamber of Commerce's application for a special events liquor permit at Horse Country Arena for July 21, 2012.

# APPLICATION FOR A SPECIAL EVENTS PERMIT

Department Use Only

IN ORDER TO QUALIFY FOR A SPECIAL EVENTS PERMIT, YOU MUST BE NONPROFIT AND ONE OF THE FOLLOWING (See back for details.)

- |                                    |  |  |
|------------------------------------|--|--|
| <input type="checkbox"/> SOCIAL    | <input type="checkbox"/> ATHLETIC                              | <input type="checkbox"/> PHILANTHROPIC INSTITUTION           |
| <input type="checkbox"/> FRATERNAL | <input type="checkbox"/> CHARTERED BRANCH, LODGE OR CHAPTER    | <input type="checkbox"/> POLITICAL CANDIDATE                 |
| <input type="checkbox"/> PATRIOTIC | <input type="checkbox"/> OF A NATIONAL ORGANIZATION OR SOCIETY | <input type="checkbox"/> MUNICIPALITY OWNING ARTS FACILITIES |
| <input type="checkbox"/> POLITICAL | <input type="checkbox"/> RELIGIOUS INSTITUTION                 |  |

**LIAB TYPE OF SPECIAL EVENT APPLICANT IS APPLYING FOR:**  
 2110  MALT, VINOUS AND SPIRITUOUS LIQUOR \$25.00 PER DAY  
 2170  FERMENTED MALT BEVERAGE (3.2 Beer) \$10.00 PER DAY

**DO NOT WRITE IN THIS SPACE**  
 LIQUOR PERMIT NUMBER

1. NAME OF APPLICANT ORGANIZATION OR POLITICAL CANDIDATE  
*Delta Area Chamber of Commerce* State Sales Tax Number (Required)  
*84-0364994*

2. MAILING ADDRESS OF ORGANIZATION OR POLITICAL CANDIDATE  
 (include street, city/town and ZIP)  
*301 main st.  
 Delta CO 81416*

3. ADDRESS OF PLACE TO HAVE SPECIAL EVENT  
 (include street, city/town and ZIP)  
*Horse Country Arena  
 201 Kello 99  
 Delta CO 81416*

| NAME  | DATE OF BIRTH | HOME ADDRESS (Street, City, State, ZIP)                | PHONE NUMBER    |
|---|---------------|--|-----------------|
| 4. PRES./SEC'Y OF ORG. or POLITICAL CANDIDATE<br><i>Gynee Thomassen</i> |               | <i>14340 Sunnyslope Dr.<br/>       ECKERT CO 81418</i> | <i>835-8501</i> |

|  |                               |                |
|--|-------------------------------|----------------|
| 5. EVENT MANAGER<br><i>Linda Sanchez</i> | <i>670 W. Apple Dr. Delta</i> | <i>6402715</i> |
|--|-------------------------------|----------------|

6. HAS APPLICANT ORGANIZATION OR POLITICAL CANDIDATE BEEN ISSUED A SPECIAL EVENT PERMIT THIS CALENDAR YEAR?  
 NO  YES HOW MANY DAYS? *1*

7. IS PREMISES NOW LICENSED UNDER STATE LIQUOR OR BEER CODE?  
 NO  YES TO WHOM? \_\_\_\_\_

8. DOES THE APPLICANT HAVE POSSESSION OR WRITTEN PERMISSION FOR THE USE OF THE PREMISES TO BE LICENSED?  Yes  No

LIST BELOW THE EXACT DATE(S) FOR WHICH APPLICATION IS BEING MADE FOR PERMIT

| Date  | Date          | Date          | Date          |
|---|---------------|---------------|---------------|
| Hours From To   | Hours From To | Hours From To | Hours From To |
| <i>7-21-12</i><br>From <i>5 P.m.</i><br>To <i>10 P.m.</i> |               |               |               |

**OATH OF APPLICANT**  
*I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.*

|                                   |                                |                        |
|-----------------------------------|--------------------------------|------------------------|
| SIGNATURE<br><i>Linda Sanchez</i> | TITLE<br><i>Exec. Director</i> | DATE<br><i>5-14-12</i> |
|-----------------------------------|--------------------------------|------------------------|

**REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY OR COUNTY)**  
 The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 12, Article 48, C.R.S., as amended.  
**THEREFORE, THIS APPLICATION IS APPROVED.**

LOCAL LICENSING AUTHORITY (CITY OR COUNTY)  CITY  COUNTY TELEPHONE NUMBER OF CITY/COUNTY CLERK

|           |       |      |
|-----------|-------|------|
| SIGNATURE | TITLE | DATE |
|-----------|-------|------|

**DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY**

**LIABILITY INFORMATION**

| License Account Number | Liability Date | State             | TOTAL     |
|------------------------|----------------|-------------------|-----------|
|                        |                |                   |           |
|                        |                | <i>-750 (999)</i> | <i>\$</i> |

OFFICE OF THE SECRETARY OF STATE  
OF THE STATE OF COLORADO

**CERTIFICATE**

I, Scott Gessler, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

**DELTA AREA CHAMBER OF COMMERCE, INC.**

is a **Nonprofit Corporation** formed or registered on 04/19/1982 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 19871472178.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 05/09/2012 that have been posted, and by documents delivered to this office electronically through 05/14/2012 @ 09:59:51.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, authenticated, issued, delivered and communicated this official certificate at Denver, Colorado on 05/14/2012 @ 09:59:51 pursuant to and in accordance with applicable law. This certificate is assigned Confirmation Number 8244232.



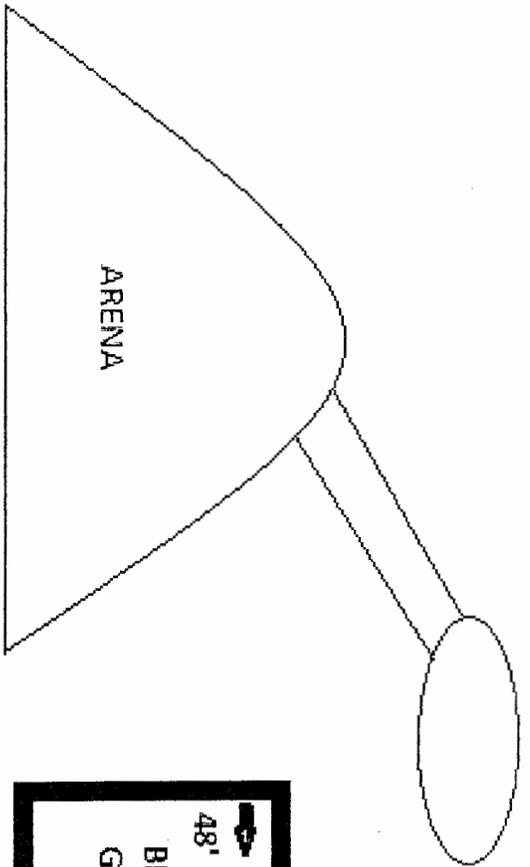
Secretary of State of the State of Colorado

\*\*\*\*\*End of Certificate\*\*\*\*\*

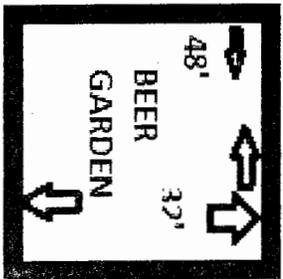
*Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Certificate Confirmation Page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click Business Center and select "Frequently Asked Questions."*



HORSE STABLES



CONCESSIONS





---

360 Main St. • Delta, Colorado 81416 • Phone (970) 874-7566 • Fax (970) 874-8776

---

## MEMO

To: City Council, City Manager  
From: Jolene E. Nelson, City Clerk  
Date: May 30, 2012  
Subject: Delta Area Chamber of Commerce Special Events Permit Application

---

### **Recommendation**

Staff sees no problem in approving this application for a Special Events Liquor Permit to Delta Area Chamber of Commerce for an event scheduled for July 20, 2012 through July 21, 2012.

### **Background**

Delta Area Chamber of Commerce has submitted an application for a Special Events Liquor Permit for Deltarado Days events to be held July 20, 2012 through July 21, 2012 on 5<sup>th</sup> Street between Main Street and Palmer Street. The application specifies that they plan to serve malt, vinous and spirituous liquor from 6:00 pm to 11:00 pm. The application is complete and the fees, \$70 to the City, and \$50 to the State, have been paid. A sign notifying the public of this hearing has been posted at the site for at least ten days as required by law. As of the writing of this memo, no comments either for or against the approval of the application have been received by the City Clerk.

### **Cost**

There is no cost to the City.

### **Action to be Taken if Approved**

The Mayor and Clerk will sign the application, and the Clerk will mail it to the State, who will review it and issue the permit.

### **Suggested Motion**

I move to approve Delta Area Chamber of Commerce's application for a special events liquor permit on 5<sup>th</sup> Street between Main Street and Palmer Street for July, 20, 2012 and July 21, 2012.

# APPLICATION FOR A SPECIAL EVENTS PERMIT

Department Use Only

IN ORDER TO QUALIFY FOR A SPECIAL EVENTS PERMIT, YOU MUST BE NONPROFIT AND ONE OF THE FOLLOWING (See back for details.)

- |                                    |  |  |
|------------------------------------|--|--|
| <input type="checkbox"/> SOCIAL    | <input type="checkbox"/> ATHLETIC                              | <input type="checkbox"/> PHILANTHROPIC INSTITUTION           |
| <input type="checkbox"/> FRATERNAL | <input type="checkbox"/> CHARTERED BRANCH, LODGE OR CHAPTER    | <input type="checkbox"/> POLITICAL CANDIDATE                 |
| <input type="checkbox"/> PATRIOTIC | <input type="checkbox"/> OF A NATIONAL ORGANIZATION OR SOCIETY | <input type="checkbox"/> MUNICIPALITY OWNING ARTS FACILITIES |
| <input type="checkbox"/> POLITICAL | <input type="checkbox"/> RELIGIOUS INSTITUTION                 |  |

**LIAB TYPE OF SPECIAL EVENT APPLICANT IS APPLYING FOR:**

**DO NOT WRITE IN THIS SPACE**

- 2110  MALT, VINOUS AND SPIRITUOUS LIQUOR \$25.00 PER DAY  
 2170  FERMENTED MALT BEVERAGE (3.2 Beer) \$10.00 PER DAY

LIQUOR PERMIT NUMBER

1. NAME OF APPLICANT ORGANIZATION OR POLITICAL CANDIDATE  
*Delta Area Chamber of Commerce* State Sales Tax Number (Required)  
*84-0364994*

2. MAILING ADDRESS OF ORGANIZATION OR POLITICAL CANDIDATE  
 (include street, city/town and ZIP)  
*301 main st.  
 Delta CO 81416*

3. ADDRESS OF PLACE TO HAVE SPECIAL EVENT  
 (include street, city/town and ZIP)  
*5th & main to 5th & Palmer  
 Delta CO 81416*

| NAME   | DATE OF BIRTH | HOME ADDRESS (Street, City, State, ZIP)     | PHONE NUMBER    |
|--|---------------|---|-----------------|
| 4. PRES./SEC'Y OF ORG. or POLITICAL CANDIDATE<br><i>Gunnar Thomassen</i> |               | <i>14340 Sunnyslope Dr. ECKRAT CO 81418</i> | <i>835-8501</i> |
| 5. EVENT MANAGER<br><i>Linda Sanchez</i>                                 |               | <i>670 W. Apple Dr. Delta</i>               | <i>640-2715</i> |

6. HAS APPLICANT ORGANIZATION OR POLITICAL CANDIDATE BEEN ISSUED A SPECIAL EVENT PERMIT THIS CALENDAR YEAR?  
 NO  YES HOW MANY DAYS? *1*

7. IS PREMISES NOW LICENSED UNDER STATE LIQUOR OR BEER CODE?  
 NO  YES TO WHOM? \_\_\_\_\_

8. DOES THE APPLICANT HAVE POSSESSION OR WRITTEN PERMISSION FOR THE USE OF THE PREMISES TO BE LICENSED?  Yes  No

LIST BELOW THE EXACT DATE(S) FOR WHICH APPLICATION IS BEING MADE FOR PERMIT

| Date                                       | Date                                       | Date                  | Date                  | Date                  |
|--|--|-----------------------|-----------------------|-----------------------|
| <i>7-20-12</i>                             | <i>7-21-12</i>                             |                       |                       |                       |
| Hours From <i>6</i> p.m. To <i>11</i> p.m. | Hours From <i>6</i> p.m. To <i>11</i> p.m. | Hours From .m. To .m. | Hours From .m. To .m. | Hours From .m. To .m. |

**OATH OF APPLICANT**

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

|                                 |                                |                        |
|---------------------------------|--------------------------------|------------------------|
| SIGNATURE<br><i>[Signature]</i> | TITLE<br><i>Exec. Director</i> | DATE<br><i>5-14-12</i> |
|---------------------------------|--------------------------------|------------------------|

**REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY OR COUNTY)**

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 12, Article 48, C.R.S., as amended.

**THEREFORE, THIS APPLICATION IS APPROVED.**

LOCAL LICENSING AUTHORITY (CITY OR COUNTY)  CITY  COUNTY TELEPHONE NUMBER OF CITY/COUNTY CLERK

|           |       |      |
|-----------|-------|------|
| SIGNATURE | TITLE | DATE |
|-----------|-------|------|

**DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY**

**LIABILITY INFORMATION**

| License Account Number | Liability Date | State             | TOTAL     |
|------------------------|----------------|-------------------|-----------|
|                        |                |                   |           |
|                        |                | <i>-750 (999)</i> | <i>\$</i> |

OFFICE OF THE SECRETARY OF STATE  
OF THE STATE OF COLORADO

**CERTIFICATE**

I, Scott Gessler, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

**DELTA AREA CHAMBER OF COMMERCE, INC.**

is a **Nonprofit Corporation** formed or registered on 04/19/1982 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 19871472178.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 05/09/2012 that have been posted, and by documents delivered to this office electronically through 05/14/2012 @ 09:59:51.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, authenticated, issued, delivered and communicated this official certificate at Denver, Colorado on 05/14/2012 @ 09:59:51 pursuant to and in accordance with applicable law. This certificate is assigned Confirmation Number 8244232.



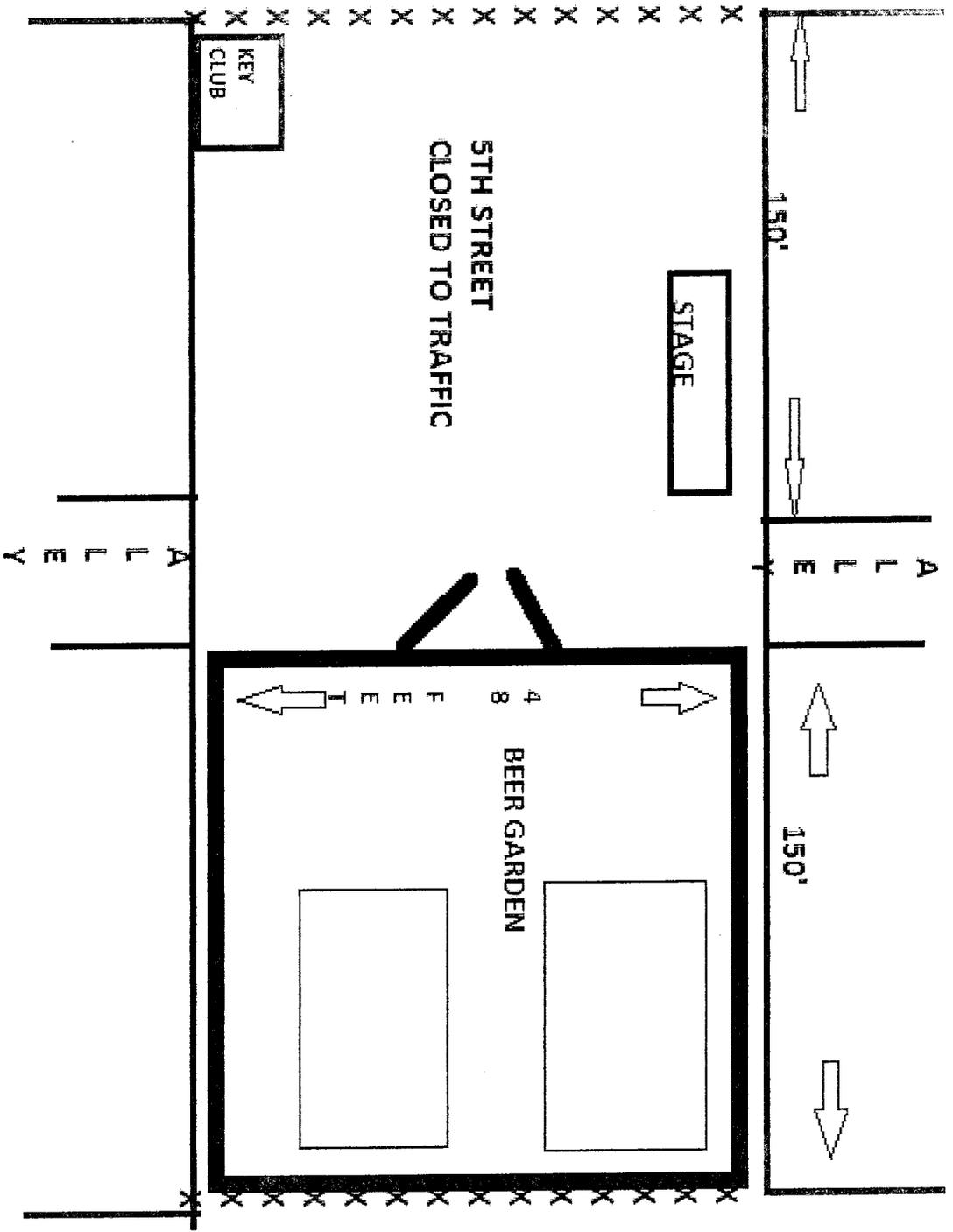
A handwritten signature in black ink, appearing to read "Scott Gessler".

Secretary of State of the State of Colorado

\*\*\*\*\*End of Certificate\*\*\*\*\*

*Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Certificate Confirmation Page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz-CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click Business Center and select "Frequently Asked Questions."*

P A L M E R S T R E E T



M A I N S T R E E T



---

360 Main St. • Delta, Colorado 81416 • Phone (970) 874-7566 • Fax (970) 874-8776

---

## MEMO

To: City Council, City Manager  
From: Jolene E. Nelson, City Clerk  
Date: June 1, 2012  
Subject: Special Permit for Temporary Closure Request from Delta Area Chamber of Commerce

---

### **Recommendation**

It is recommended that the Council approve the special permit for temporary closure request from the Delta Area Chamber of Commerce for their events scheduled on July 7<sup>th</sup>, July 21<sup>st</sup>, August 4<sup>th</sup>, September 1<sup>st</sup> and October 6<sup>th</sup>, 2012.

### **Background**

The Delta Area Chamber of Commerce is requesting 9<sup>th</sup> Street Hill to be closed for a 5K Run for Deltarado Days on July 21, 2012. They also submitted an application requesting 3<sup>rd</sup> Street between Main St. and Palmer St for the 1<sup>st</sup> Saturday Market events on July 7<sup>th</sup>, August 4<sup>th</sup>, September 1<sup>st</sup> and October 6<sup>th</sup>, 2012. The application is complete and the application fee as well as the deposit has been paid.

### **Cost**

There is no cost to the City

### **Action to be Taken if Approved**

The Mayor will sign the special permits and the Clerk will notify the Chamber of the approvals.

### **Suggested Motion**

I move to approve the special permits for temporary closure for the Delta Area Chamber of Commerce's events scheduled on July 7<sup>th</sup>, July 21<sup>st</sup>, August 4<sup>th</sup>, September 1<sup>st</sup> and October 6<sup>th</sup>, 2012.

### City of Delta Special Permit for Temporary Closure Or Occupation of Public Right of Way (R.O.W.)

Date of Application: 5-16-12

PLEASE PRINT OR TYPE

**Event Information:**

7-21  
9th Street  
Hill from  
7 a.m. to  
9 a.m.  
for 5K  
run.

Date & Specific Time of Event: 7-7, 8-4, 9-1, 10-6 from 7 a.m. to 1 p.m.

Location(s) of Event: 3rd & main to 3rd & Palmer

Name and Description of Event: 1st Saturday Market

**Applicant:**

Name of Organization, Group, or Individual: Delta Area Chamber of Commerce

Authorized Contact Person: Linda Sanchez

Mailing Address: 301 main St, Delta

E-Mail Address: director@delatacolorado.org

Phone Number: (Day) 970-874-8616 (Evening) 970-640-2715

**Special Equipment Needs (power, water etc.):**

**The following items have been received by the City of Delta:**

- Application Fee of \$ 25<sup>00</sup>
- Deposit of \$ 500<sup>00</sup> to be refunded no more than five (5) business days after the permitted event if the Right of Way (R.O.W.) closure area and adjoining property is made clean and litter free by applicant within 24 hours of the event.
- Proof of Special Event Insurance (\$1 million event liability policy).

**Conditions For Use**

1. Sales of food, beverage, and merchandise are not allowed without prior approval of the City.
2. A permit must be issued by the City of Delta Police Department for Beer and Wines to be sold and consumed on designated City property. If alcoholic beverages are to be distributed or sold, applicable State and Local Licenses must be obtained and approval from the City is required to obtain such permits. Permits are not available for distilled Liquor. Exact location of area proposed for sales and consumption of beer and/or wine during subject special event:

City of Delta Special Permit continued

Any authorized City of Delta representative may terminate the event at any time for any good cause and applicant must then immediately vacate. No refund will be given in such event.

R.O.W. Closure Regulations:

- No R.O.W. closure may occur in conjunction with any Special Events Liquor License, unless permission is granted by the City Council.
- No R.O.W. may be closed more than ten hours.
- Application must be submitted at least 30 days in advance of event.
- Event must conclude by 11:00 p.m.
- R.O.W. and adjoining walkway, etc. must be cleaned after event by applicant.

Date of R.O.W. Closure: 7-7, 8-4, 9-1, 10-6  
 Start Time of Closure: 7 a.m. Ending Time of Closure: 1 p.m.

Describe R.O.W. area to be closed:  
3<sup>rd</sup> street from main to Palmer.

Barricades, cones and signs needed:

Barricades: \_\_\_\_\_ Signs: \_\_\_\_\_ Cones: \_\_\_\_\_  
 Time and Date for Delivery: \_\_\_\_\_  
 Time and Date for Pickup: \_\_\_\_\_

Parade Regulations:

- Application must be submitted at least 60 days in advance of event.
- Each parade must organize and stage on 9<sup>th</sup> Street from Grand Avenue to Main Street with additional staging area on Main Street from 9<sup>th</sup> Street to 11<sup>th</sup> Street on the East side. The parade must then travel North on Main Street to 4<sup>th</sup> Street, turning off of Main Street, East onto 4<sup>th</sup> Street.
- Throwing candy and other items from moving vehicles is prohibited.

I understand that the City of Delta has no liability and provides no insurance for the protection of the applicant or event spectators. The applicant agrees to save and hold harmless the City and its employees from any and all claims and demands arising out of the use of the permitted areas and will defend any cause of action brought to enforce any such claims or demands against the City and/or its Employees.

Shirley Clardy 5-16-12  
 Signature of Applicant or Representative Date

\*\*\*\*\*

The foregoing application for a special permit is hereby granted, subject to all terms, conditions and regulations previously stated and subject to all other applicable City Code regulations.

\_\_\_\_\_  
 Mayor of the City of Delta Date

# ACORD CERTIFICATE OF LIABILITY INSURANCE

OP ID CL  
DCHAM-1

DATE (MM/DD/YYYY)  
05/16/12

|  |   |               |
|--|---|---------------|
| <b>PRODUCER</b><br><br>The Insurance Center-Delta<br>464 Main<br>Delta CO 81416<br>Phone: 970-874-7665 Fax: 970-874-7226 | THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. |               |
|  | <b>INSURERS AFFORDING COVERAGE</b>  | <b>NAIC #</b> |
| <b>INSURED</b><br><br>Delta Chamber of Commerce<br>301 Main Street<br>Delta CO 81416                                     | INSURER A: <b>Secura Insurance Companies</b>  |               |
|  | INSURER B:  |               |
|  | INSURER C:  |               |
|  | INSURER D:  |               |
|  | INSURER E:  |               |

## COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR ADD'L LTR INSRD | TYPE OF INSURANCE   | POLICY NUMBER | POLICY EFFECTIVE DATE (MM/DD/YY) | POLICY EXPIRATION DATE (MM/DD/YY) | LIMITS  |              |
|----------------------|---|---------------|----------------------------------|-----------------------------------|---|--------------|
| A                    | <b>GENERAL LIABILITY</b><br><input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY<br><input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR<br><br>GEN'L AGGREGATE LIMIT APPLIES PER:<br><input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC | CP3192525     | 05/09/12                         | 05/09/13                          | EACH OCCURRENCE   | \$ 1,000,000 |
|                      | DAMAGE TO RENTED PREMISES (Ea occurrence)   |               |                                  |                                   | \$ 100,000  |              |
|                      | MED EXP (Any one person)  |               |                                  |                                   | \$ 5000   |              |
|                      | PERSONAL & ADV INJURY   |               |                                  |                                   | \$ 1,000,000  |              |
|                      | GENERAL AGGREGATE   |               |                                  |                                   | \$ 2,000,000  |              |
|                      | PRODUCTS - COMP/OP AGG  |               |                                  |                                   | \$ 2,000,000  |              |
|                      |   |               |                                  |                                   |   |              |
|                      | <b>AUTOMOBILE LIABILITY</b><br><input type="checkbox"/> ANY AUTO<br><input type="checkbox"/> ALL OWNED AUTOS<br><input type="checkbox"/> SCHEDULED AUTOS<br><input type="checkbox"/> HIRED AUTOS<br><input type="checkbox"/> NON-OWNED AUTOS  |               |                                  |                                   | COMBINED SINGLE LIMIT (Ea accident) \$<br><br>BODILY INJURY (Per person) \$<br><br>BODILY INJURY (Per accident) \$<br><br>PROPERTY DAMAGE (Per accident) \$               |              |
|                      | <b>GARAGE LIABILITY</b><br><input type="checkbox"/> ANY AUTO  |               |                                  |                                   | AUTO ONLY - EA ACCIDENT \$<br><br>OTHER THAN EA ACC \$<br>AUTO ONLY: AGG \$   |              |
|                      | <b>EXCESS/UMBRELLA LIABILITY</b><br><input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE<br><br><input type="checkbox"/> DEDUCTIBLE<br><input type="checkbox"/> RETENTION \$   |               |                                  |                                   | EACH OCCURRENCE \$<br>AGGREGATE \$<br>\$<br>\$<br>\$  |              |
|                      | <b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b><br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?<br>If yes, describe under SPECIAL PROVISIONS below  |               |                                  |                                   | <input type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER<br>E.L. EACH ACCIDENT \$<br>E.L. DISEASE - EA EMPLOYEE \$<br>E.L. DISEASE - POLICY LIMIT \$ |              |
|                      | OTHER   |               |                                  |                                   |   |              |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS  
**Event - Deltarado Days**

|  |  |
|--|--|
| <b>CERTIFICATE HOLDER</b><br><br>CITYD-1<br><br>City of Delta<br>PO Box 19<br>Delta CO 81416 | <b>CANCELLATION</b><br><br>SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL <u>10</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.<br><br>AUTHORIZED REPRESENTATIVE<br><b>Steve A. Attarian</b> |
|--|--|



---

360 Main St. • Delta, Colorado 81416 • Phone (970) 874-7566 • Fax (970) 874-8776

---

## MEMO

To: City Council, City Manager  
From: Jolene E. Nelson  
Date: May 15, 2012  
Subject: Beer and Wine Liquor License Renewal for House of Chin, Inc.

---

### **Recommendation**

Staff recommends approval of a Beer and Wine Liquor License Renewal for House of Chin, Inc. located at 142 Eaton Avenue.

### **Background**

A Beer and Wine Liquor License was initially granted to House of Chin, Inc. in 2010.

### **Cost**

There is no cost to the City to approve this license. The applicant has paid the \$351.25 renewal fee to the State, and the City's fee of \$123.75 as well as the City's \$250.00 liquor occupation tax.

### **Action to be Taken if Approved**

The Mayor and Clerk will sign the application, and the Clerk will mail it to the State, who will review the application and issue the State license.

### **Suggested Motion**

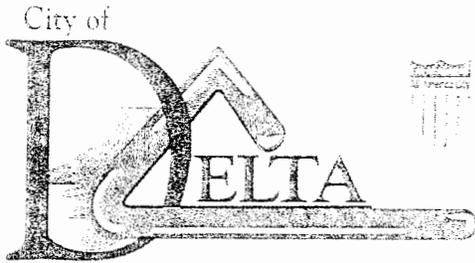
I move to approve the Beer and Wine Liquor License renewal for House of Chin, Inc.



## ATTACHMENT TO LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION

**This page must be completed and attached to your signed renewal application form.  
 Failure to include this page with the application may result in your license not being renewed.**

|  |   |  |
|--|---|--|
| Trade Name of Establishment<br><i>House of Chin</i>  |   | State License Number<br><i>25-54794-0000</i> |
| 1. Operating Manager<br><i>Bobby Trinh</i>   | Home Address<br><i>3140 Stoneburro Dr GJ CO 81504</i> |  |
| 2. Do you have legal possession of the premises for which this application for license is made?<br>Are the premises owned or rented: <u><i>rented</i></u> If rented, expiration date of lease: <u><i>Jan 2020</i></u>  | Yes<br><input checked="" type="checkbox"/>            | No<br><input type="checkbox"/>               |
| 3. Has there been any change in financial interest (new notes, loans, owners, etc.) since the last annual application? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders or owners, (other than licensed financial institutions) are materially interested.   | Yes<br><input type="checkbox"/>                       | No<br><input checked="" type="checkbox"/>    |
| 4. Since the date of filing of the last annual application, has the applicant, or any of its agents, owners, managers, principals, or lenders (other than licensed financial institutions), been convicted of a crime? If yes, attach a detailed explanation.  | Yes<br><input type="checkbox"/>                       | No<br><input checked="" type="checkbox"/>    |
| 5. Since the date of filing of the last annual application, has the applicant, or any of its agents, owners, managers, principals, or lenders (other than licensed financial institutions), been denied an alcoholic beverage license, had an alcoholic beverage license suspended or revoked, or had interest in any entity that had an alcoholic beverage license denied, suspended or revoked? If yes, attach a detailed explanation.   | Yes<br><input type="checkbox"/>                       | No<br><input checked="" type="checkbox"/>    |
| 6. Does the applicant, or any of its agents, owners, managers, principals, or lenders (other than licensed financial institutions), have a direct or indirect interest in any other Colorado liquor license (include loans to or from any licensee, or interest in a loan to any licensee)? If yes, attach a detailed explanation.   | Yes<br><input type="checkbox"/>                       | No<br><input checked="" type="checkbox"/>    |
| 7. <b>Corporation or Limited Liability Company (LLC) or Partnership applicants must answer these questions.</b><br><b>Since the date of filing of the last annual license application:</b><br>(a) Are there, or have there been: any officers or directors; or managing members; or general partners added to or deleted from applicant for renewal of a 3.2 beer or liquor license?<br>(b) Are there or have there been: any stockholders with 10% or more of the issued stock of the Corporation; or any members with 10% or more membership interest in the LLC; or any partners with 10% or more interest in the partnership added to or deleted from the applicant for renewal of a 3.2 beer or liquor license?<br>(c) If Yes to (a) or (b), complete and attach Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, and all supporting documentation, and fees your Local Licensing Authority immediately.  | Yes<br><input type="checkbox"/>                       | No<br><input checked="" type="checkbox"/>    |
| 8. <b>Sole proprietorships, Husband-Wife Partnerships or Partners in General Partnerships:</b><br><br><b style="text-align: center;">EVIDENCE OF LAWFUL PRESENCE</b><br>Each person identified above must complete and sign the following affidavit. Please make additional copies if necessary. Each person must also provide a copy of their driver's license or state issued identification card.<br><br>In lieu of form DR 4679, the undersigned swears or affirms under penalty of perjury under the laws of the State of Colorado that (check one):<br><br><input type="checkbox"/> I am a United States Citizen<br><input type="checkbox"/> I am not a United States Citizen but I am a Permanent Resident of the United States<br><input type="checkbox"/> I am not a United States Citizen but I am lawfully present in the United States pursuant to Federal Law<br><input type="checkbox"/> I am a foreign national not physically present in the United States<br><br>I understand that this sworn statement is required by law because I have applied for a public benefit. I understand that state law requires me to provide proof that I am lawfully present in the United States prior to receipt of this public benefit. I further acknowledge that making a false, or fraudulent statement or misrepresentation in this sworn affidavit is punishable under the criminal laws of Colorado Revised Statute 18-8-503 and it shall constitute a separate criminal offense each time a public benefit is fraudulently received. |   |  |
| Signature<br><i>Bobby Trinh</i>  | Printed name<br><i>Bobby Trinh</i>                    | Date<br><i>5-07-12</i>                       |



---

360 Main St. • Delta, Colorado 81416 • Phone (970) 874-7566 • Fax (970) 874-8776

---

**LIQUOR LICENSE RENEWAL RECOMMENDATION**

To: City Council

Re: Application of House of Chin, Inc.  
DBA: House of Chin

---

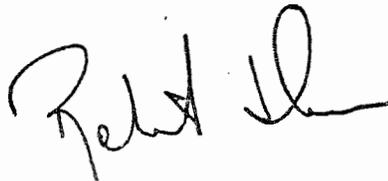
The report sheets show the following liquor violations for the past twelve months for the above named applicant:

**No liquor violations in the past twelve months.**

Remarks:

Police Department recommendation:

**Recommend liquor license renewal.**



---

Robert Thomas, Chief of Police



---

360 Main St. • Delta, Colorado 81416 • Phone (970) 874-7566 • Fax (970) 874-8776

---

## MEMO

To: Mayor and Council  
From: Rod Myers – Fleet Manager  
Date: June 5, 2012  
Subject: Used Dump Truck

---

### Recommendation

The City of Delta Purchase a used 2001 International Dump Truck from Hanson International.

Background- This is a non-budgeted item for 2012. The City has purchased two used dump trucks in the past and both have been very dependable trucks, one of which was purchased from the City of Craig in 2001. Hanson provided the truck to the City to demonstrate. The truck has 28039 miles on it. Public Works department employees operated the truck and it performed well. The truck is equipped with a 12 foot snow plow, orange and blue strobe lights, automatic transmission and rear hydraulics for sander hookup. This truck does meet specs that would be required if this were a new purchase.

Staff has checked the Vehicle & Equipment budget for 2012 and has determined there is enough money remaining in the 2012 budget to make this purchase without a supplemental appropriation. Budget prices for a new dump truck with a snow plow set up are estimated at \$140,000.00 based on discussions with various vendors. This purchase will allow the City to begin updating an aging truck fleet that uses trucks with model years between 1991 and 1995. Additionally, this is an opportunity to realize budget savings now by purchasing a good used truck to replace one of the aging trucks scheduled for replacement in 2013.

### Cost

\$46,650.00

### Action to be taken if approved

Purchase a 2001 International dump truck.

### Suggested Motion

I move the City of Delta purchase the 2001 International dump truck from Hanson International for the sum of \$ 46,650.00.

# MEMO

## Community Development

www.cityofdelta.net



360 Main St. • Delta, Colorado 81416  
Phone (970) 874-7903 • Fax (970) 874-6931

**Date:** June 5, 2012

**To:** Mayor, City Council and City Manager

**From:** Sharleen R. Walker, Planning Technician

A small, handwritten signature in blue ink, appearing to be "slw", is placed over the "From:" line.

**Re:** Site Development Standards Highway Corridors – Specifically Architectural Standards

---

### **RECOMMENDATION**

City Council consider changing the Site Development Standards for the highway corridors per Planning Commission recommendation.

### **BACKGROUND**

The City Council requested that the Planning Commission make a recommendation regarding Site Development Standards for highway corridors at the City Council Work Session held on December 6, 2011.

The Planning Commission reviewed this item at the Planning Commission meeting held on May 7, 2012. The City Council reviewed the recommendation from the Planning Commission at the City Council meeting held on May 15, 2012, and directed staff to prepare an ordinance to make the changes.

### **COST**

There is no cost to the City.

### **ACTION TO BE TAKEN IF APPROVED**

City Council consideration of Council Bill #13, 2012 on first reading amending the Delta Municipal Code section 15.04.090.A.1.

### **SUGGESTED MOTION**

I would move to adopt Council Bill #13 on first reading. (Disapproval would be indicated by a “nay” vote)

Thank you for your attention.

**AN ORDINANCE OF THE CITY OF DELTA, COLORADO,  
AMENDING SUBSECTION 15.04.090.A.1. OF THE DELTA  
MUNICIPAL CODE TO REVISE SUPPLEMENTAL  
DEVELOPMENT STANDARDS FOR PROPERTIES  
LOCATED WITHIN HIGHWAY CORRIDORS IN THE  
CITY LIMITS.**

WHEREAS, at the request of the City Council, the City Planning Commission has reviewed provisions of development standards for properties located within highway corridors in City limits; and

WHEREAS, following its process of review, the Planning Commission has made recommendations to the Council for certain revisions of the pertinent standards; and

WHEREAS, the City Council finds the recommendations of the Planning Commission to be reasonable and necessary for promotion of the public welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DELTA, COLORADO, AS FOLLOWS:

Section 1. Subsection 15.04.090.A.1..of the Delta Municipal Code is hereby amended to hereafter provide as follows:

15.04.090.A. Supplemental site development standards for highway corridors.

1. Building facades which are substantially constructed of smooth-face concrete, smooth-face concrete block, or metal siding, or similar monolithic building materials shall be designed to include either a) two (2) foot eaves and a different colored pitched roof with a height between the top of the roof and the eave of at least equal to the distance from the eave to the ground, or a 8:12 pitch; or b) contrasting surface materials on a minimum of 24% of area of the front, and on 20% on each side and rear where visible from any street or proposed street. Such materials may include, but are not limited to, contrasting materials such as glass, brick, stucco, wood, stone, different colored metal or different colored paint. In either case, other architectural elements must also be included in the design which include but are not limited to architectural projections such as dormers, roof overhangs, protective canopies, and creatively shaped window openings. Metal skinned buildings are not allowed within the B-1 Zoning District.

Section 2. All other provisions of Section 15.04.090 of the Delta Municipal Code are hereby ratified and confirmed as presently written.

ADOPTED ON FIRST READING AND ORDERED PUBLISHED THIS \_\_\_\_\_ DAY  
OF \_\_\_\_\_, 2012.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

ADOPTED ON SECOND AND FINAL READING AND ORDERED PUBLISHED  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk