



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**

**October 15, 2013
7:00 p.m.**

- A. Pledge of Allegiance**
- B. Changes to the Agenda**
- C. Minutes**
- D. Citizen Comments**
- E. DCED Presentation**
- F. Public Hearing: Special Events Permit Application;
Altrusa International, Inc. of Delta Colorado Foundation**
- G. Hotel/Restaurant Liquor License Transfer of Ownership: Devil's Thumb Golf Club**
- H. 3.2% Beer License Renewal; Maverick Inc. #463**
- I. Temporary Closure Permit; Delta Area Chamber of Commerce Parade of Lights**
- J. Resolution #3, 2013; E-911 Surcharge**
- K. Resolution #4, 2013; Cable TV Permit Extension**
- L. Proposal on Animal Control**
- M. City Manager Review**
- N. City Attorney Comments**
- O. City Manager Comments**
- P. Councilmember Comments**
- Q. 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); and specifically to discuss the acquisition of land from the Senteney Family Trust.

Item A:

Pledge of Allegiance



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 Justin Clifton. Absent was City Attorney David Smith. 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 Penick and seconded by Councilmember Raley to approve the minutes of the September 17, 2013 regular meeting as submitted by the Clerk. All in favor, motion carried.

Citizen Comments

There were none.

Delta Montrose Electric Association Acquisition

Utilities Director Steve Glammeyer stated that this acquisition is to obtain more customers from DMEA. Staff has been working with DMEA since the first week in January regarding this acquisition. He explained that this acquisition will add an additional 111 accounts primarily along Pioneer Road and Cherry Lane.

Director Glammeyer reported that staff has followed state statute regarding the acquisition; however, the future revenues will be paid all in one lump sum rather than annually. He explained that he worked with DMEA to agree on a lump sum payment that is similar to the annual payment. The acquisition costs includes \$156,912.15 for facilities, \$28,248 for 321 DMEA man-hours, and \$240,742 for the 25% of lost future revenues of existing customers over 10 years for a total cost of \$425,903.08. If Council approves the acquisition tonight, staff will have the process finished by November 1st. The city reads meters on the 2nd so this would work well with billing.

Councilmember Raley questioned if the meters are read the same as DMEA.

Director Glammeyer stated the city does not do it remotely; however, we to have a mobile unite that reads all of the meters in the city within one day.

Mayor Sisson questioned if the city is saving money by paying the lump sum versus the annual payment for loss revenues.

Regular Meeting, Delta City Council, October 1, 2013 (cont.)

Delta Montrose Electric Association Acquisition (cont.)

Director Glammeyer stated that staff believes the city does save some money. He explained the process they are using to come up with the amount to be paid. He also explained that he has been tracking the pure revenue as well as the profit revenue from last year's acquisition and just on the pure revenue side of that acquisition, the acquisition will pay back in three years and three months. He stated that the payback will be a little longer on this acquisition because there are more accounts being acquired.

Councilmember Cooper stated that she agrees with increasing customers.

Councilmember Penick questioned how they determined the hourly rate.

Director Glammeyer stated DMEA determines that rate and he does not believe there is much the city can do regarding the amount.

It was moved by Councilmember Cooper and seconded by Councilmember Penick to purchase from DMEA the accounts and customers in the amount of \$425,903.08 as presented. All in favor, motion carried.

**Ordinance #6, 2013; Second and Final Reading
Solicitation Regulations**

Ordinance #6, 2013

AN ORDINANCE OF THE CITY OF DELTA, COLORADO,
AMENDING TITLE 5 CHAPTER 5.24 OF THE DELTA
MUNICIPAL CODE

was introduced as Council Bill #6, 2013 and read by the Clerk.

It was moved by Councilmember Penick and seconded by Councilmember Jurca to adopt Council Bill #6, 2013 on second and final reading. Roll call vote: Councilmembers Cooper, aye; Jurca, aye; Raley, aye, Penick, aye and Sisson, aye. Council Bill #6, 2013 was adopted on second and final reading as Ordinance #6, 2013.

City Attorney Comments

There were none.

City Manager Comments

Manager Clifton stated that he recently met with the Citizen Financial Task Force. They feel the city is headed in the right direction regarding the budget. They are in favor of asking the voters to keep the existing tax for the recreation center in the near future.

Manager Clifton also commented on his one year anniversary with the city.

Regular Meeting, Delta City Council, October 1, 2013 (cont.)

Councilmember Comments

Councilmember Cooper congratulated Manager Clifton on his first year with the city. She commented on a couple meetings she attended with CML.

Councilmember Penick questioned Manager Clifton if he is still being challenged.

Manager Clifton stated he is still being challenged.

Councilmember Penick stated that he would like to review the personnel policy regarding an employee in a leadership or department head position serving in a leadership position with another entity that provides service to the City of Delta or is in competition for service with the city.

Manager Clifton reported that they could take a look at the ICMA code of ethics.

There was discussion regarding the concerns of having an employee serving with an entity that could constitute a conflict.

Councilmember Raley stated he is pleased with the direction the city is heading. He appreciates the job Manager Clifton has been doing.

Councilmember Jurca questioned if they should be doing a review for Manager Clifton.

There was consensus to discuss the timeline for reviewing the City Manager at the next meeting.

Mayor Sisson stated it is very rewarding to work with the citizens of Delta.

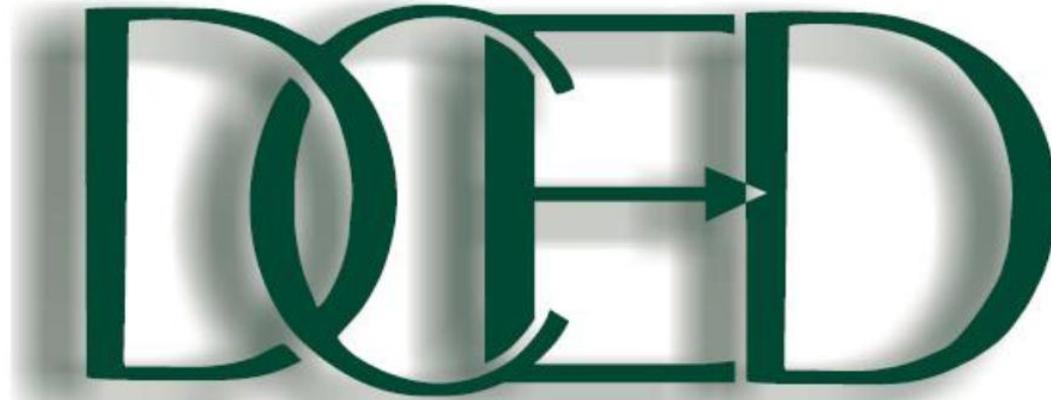
The meeting was adjourned at 7:20 p.m.

/s/ Jolene E. Nelson
Jolene E. Nelson, City Clerk

Item D:

Citizen Comments





**DELTA COUNTY
ECONOMIC DEVELOPMENT**

Formed in 1996 as a 501 (c)3 non-profit economic development organization, Delta County Economic Development, Inc. (DCED) is committed to developing a stronger economy for Delta County.

DCED represents Delta County, City of Delta and the Towns of Cedaredge, Crawford, Hotchkiss, Paonia, and Orchard City

2013 Board of Directors

Executive Committee



Brad Harding
President
First Colorado National Bank



Tom Huerkamp
Vice-President
ProSpace Interiors
H/S Properties



Phil Schmidt
Treasurer
Phillips Machine Service, Inc



Scott Thomassen
Secretary
Classic Computers

Board Members



Bruce Hovde
Delta County Commissioner



Ed Marston
Paonia Businessman



Caryn Gibson
Superintendent
Delta County School District



Mary Cooper
City of Delta



Jason Cleckler
Administrator
Delta County
Memorial Hospital



Larry Traubel
Cropworx



John Gavin
Delta County Library District



Lucinda Stanley
Grand Mesa Commercial Realty

Mission Statement

Developing A Strong Economy for Delta County

“Our job is to encourage primary employers to do business here in Delta County, to retain those that are already here, and to bring new companies in that fit our quality of life and what we see as valuable in the area”

Support Programs and Services

- **Supporting our Local Industries such as: Agritourism, Coal Mining, Logging, and Timber Processing**
- **Grant Writing and Administration**
- **Business Information and Research**
- **Real Estate Site Selection**
- **Government Contracts**
- **Community Operation**
- **Planning/ Permitting Assistance'**
- **Enterprise Zone Tax Credits**

Benefits of Being an Investor of DCED

- ❖ **Website and Investor Directory Listing**
- ❖ **Quarterly Investor meetings with DCED Updates and discussions of timely topics affecting Delta County**
- ❖ **Periodic Newsletter Updates on the Happenings of DCED**
- ❖ **Opportunities to Sponsor Meetings**
- ❖ **New Business Referral as Generated by DCED (on a strict confidential basis)**
- ❖ **Government Contract Notification**
- ❖ **Business Exposure to New and Existing Companies**
- ❖ **Investor Contributions are Tax Deductible Through the State of Colorado**
- ❖ **Help in Building and Preserving the Quality of Life in our Community**
- ❖ **Support Delta County by being a Voice on DCED**

What Have We Done??

- Successful administration of \$90,000 of Grant funds to Delta Timber via two separate grant awards applied for, and awarded to DCED
- Successful recruitment of Phillip's Machine to Delta County
- Successful award of \$9,000 to SMC Electrical via Colorado First Funding for Employee Training
- Two very Successful and growing Soil Health Conferences (Third Conference in January, 2014)
- Growing partnerships with our Local Planning Team continuing our efforts to expand and grow Broadband in Delta County
- Continued work with Delta County School District and Delta County Memorial Hospital regarding the Rural Health Track and CREATE Programs to grow the Technical College

Ongoing Projects



“Healthy Soil Is A Lot More than Dirt!”

The Uncompahgre Valley Soil Health Project is a farmer led effort focused on agriculture sustainability in Delta and Montrose Counties

- Began in 2010 when local farmers raised their concerns that threats of high production costs , and diminishing soil quality, together with regulatory efforts linked to agriculture water availability and quality, could have long lasting negative impacts on their farming future
- The local agricultural producers believe it is important to learn more about proactive farming practices that will improve soil health and lead to improved water quality in our rivers

Agriculture is a primary industry in our region; it contributes greatly to our economic vitality as well as our way of life

Cooperative Conservation Partnership Initiative (CCPI) Grant

- In 2011 a 1.35 million dollar grant was approved by the Natural Resources Conservation Service within the United States Department of Agriculture to be administered over a three year period of time
- The grant will allow for individual farmers to receive incentive payments in Delta and Montrose Counties and focuses on Healthy Soils.
- It allows for research practices, experimentation and data collection
- The three-year program focuses on composting, cover crops and crop rotation
- In order for a producer to be eligible for the grant monies, the producers must submit a plan to and have that plan approved by the NRCS. The producers and the NRCS must enter into a contract with the producer

3rd Annual Western Slope Soil Health Conference



Brendon Rockey, Jay Fuhrer, Rudy Garcia and John Diener were key speakers for the Conference sharing their knowledge, enthusiasm, and experience regarding improved soil health

Approximately 250 people attended the two day conference in Delta on January 24th and 25th.

Economic Impact of hosting the conference in Delta was approximately \$15,000. This includes lodging, catering, facility rental, fuel purchases and local purchases.

The annual conference continues to grow almost double in size each year with Soil Health Meetings taking place every other month. The Soil Health Meeting contact list has grown to over 150 people.

The 2014 Soil Health Conference will be held January 23rd and 24th at Bill Heddles Recreation Center in Delta, Colorado.

Forest Service Building Relocation and Land Purchase

Delta County has pledged up to \$200,000, much of which could be contributed in-kind. The City of Delta is providing sewer service improvements valued at up to \$250,000. DCED and its partners have pledged to purchase 10 acres next to the technical college and deed it to the federal government if the project is approved.

In addition, a new GMUG headquarters would share highway access with the technical college. That would require access improvements, including acceleration/deceleration lanes, and the college would expect to pay its share for those.

Current Status:

Awaiting word of Federal Funding.

If Federal Funding does not come through, DCED is prepared to work with the community and our partners to find a solution that will allow Delta County to retain these vital jobs in our community.

Rural Track Medical Program

CREATE

Rural Track Program consists of DCED and our Large Partners working with Mark Deutchman, M.D., a professor in CU Denver's Department of Family Medicine, regarding health profession students locating to Delta County to live and work in a rural community.

CREATE Health Program has been developed to expose middle and high school students and their teachers to Health Careers.

Status: Moving forward on bringing this program into Delta County as early as this year, with plans for a camp for student to attend in Delta in Summer 2014

Broadband Initiative

Expansion of Fiber in Delta County

Competitive internet services are vital to the economies of Delta and Montrose counties. Without the ability to obtain good broadband service, our communities have little chance of staying relevant in the global economy. DCED believes that finding alternatives to the existing pathway for communication services is imperative to our economic future. DCED further believes that improvement to our communication infrastructure would help attract and retain customers within the economic area of Delta County.

Status:

Delta Montrose Electric Association (DMEA)/TriState has run fiber-optic cable from the main transmission line, running west of Delta, to several of its substations within the DMEA service area. DCED views the fiber cable on the major transmission line west of Delta as a significant opportunity to improve communications infrastructure of Delta and Montrose counties.

Going Forward DCED will...

Identify local needs that will allow existing business to expand job opportunities and enhance local economies.

Work with local startups to prove viability.

Leverage grant opportunities to help support existing companies. DCED has been very successful in attaining and administering grants to our local businesses and investors.

Identify new supporting business that will enhance profitable opportunities for already existing business and industry.

Exploit the strengths of each DCED Board Member, Staff, Delta County Business leaders, and Community leaders, to make things happen.

Look for opportunities that enhance the local economy and vision for each area of Delta County: Delta, Surface Creek, North Fork.

Operate DCED as a fiscally conservative organization.

Funding

Where does the support come from?

Public Sources: 51% **\$49,750**

(Delta County, City of Delta, Towns of: Cedaredge, Orchard City, Paonia, Hotchkiss, Delta County Memorial Hospital, Delta County School District, DMEA)

Private Businesses: 49% **\$48,222**

(Large and small businesses)

2013 DCED Investors

Thank You!

Adult Home Care Services

Alpine Bank

Anytime Fitness

Bank of Colorado

Bank of the West

Bert Sibley- Remax

Bloc Chazco, LLC

City of Delta

Classic Computers

Clay & Dodson, P.C.

Colorado Lending Source

Comparable Sales Research

Cropworx

David A Lane, CPA

Del-Mont Consultants, Inc.

Delta Ace Hardware

Delta County

Delta County Public Libraries

Delta County Memorial Hospital

Delta County Physicians

Delta County School District

Delta-Montrose Electric Association

Delta-Montrose Technical College

Delta Timber Company

Domino's Pizza

Ed Marston

First Colorado National Bank

First State Bank of Colorado

Grand Mesa Business Park

Grand Mesa Commercial Real Estate

Gunnison Energy Corporation

H/S Properties

Hellman Chevrolet Buick

Hellman Motor Company

Hershberger Construction, LLC

High Country Shopper

Hometown Electric, Inc.

Hospice and Palliative Care of

Western Colorado

Kevin Parks Insurance Agency, Inc.

Lane Mortgage

Les & Ann Renfrow

Lewis & Company CPA's, P.C.

Main Street Printers

Mountain Coal Company, LLC

North Fork Heart & Soul Project

Peters & Company Public

Accountants

Phillips Machine Service, Inc.

ProSpace Interiors

Renfrow Realty

Robert C. McHugh, Architect

Simmons Insurance

Small Business Finance Corp

SMC Electrical Products

Source Gas

Surface Creek Bank/Delta Bank

Surface Creek Family Practice

Terra Vision Consulting

T K Mining Services, LLC

Thelma Starner

Timberwolf Welding, Inc.

Town of Cedaredge

Town of Hotchkiss

Town of Orchard City

Town of Paonia

Verna Forbes

Weather Port

Wells Fargo Bank

Wildfire Pizzeria & Wine Bar

Sarah Carlquist
Delta County Economic Development, Inc
428 Main Street
Delta, Colorado 81416
970-874-4992
sarah@deltacountyed.org

MEMO

To: Mayor and City Council
From: Jolene Nelson, City Clerk
Date: October 10, 2013
Subject: Special Events Permit Application – Altrusa International



Office of the City Clerk

Recommendation:

Staff recommends approving the application for a Special Events Liquor Permit for Altrusa’s fund raiser scheduled at Bill Heddles Recreation Center on November 22nd and 23rd, 2013.

Background:

Altrusa has submitted an application for a Special Events Liquor Permit for their fund raiser to be held at Bill Heddle Recreation Center on November 22nd and 23rd, 2013. The application specifies that they plan to sell alcoholic beverages from 4:00pm to 10:00pm on November 22nd and 9:00am to 5:00pm on November 23rd.

The application is complete and the fees, \$70 to the City and \$50 to the State for each day, have been paid.

A sign notifying the public of this hearing has been posted 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.

Alignment With Strategic Planning:

Per Delta Municipal Code 5.10.010 “the Delta City Council is hereby designated the local licensing authority for the purposes of exercising the duties and powers provided for in the Colorado Beer Code and the Colorado Liquor Code.”

Actions 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.

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 checked="" 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 <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 <i>ALTRUSA INTL. OF DELTA CO; FOUNDATION INC</i>	State Sales Tax Number (Required) <i>27-64924</i>
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2. MAILING ADDRESS OF ORGANIZATION OR POLITICAL CANDIDATE (include street, city/town and ZIP) <i>P.O. BOX 54 DELTA CO 81416</i>	3. ADDRESS OF PLACE TO HAVE SPECIAL EVENT (include street, city/town and ZIP) <i>530 Gunnison River DR. DELTA, CO 81416</i>
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NAME	DATE OF BIRTH	HOME ADDRESS (Street, City, State, ZIP)	PHONE NUMBER
4. PRES./SEC'Y OF ORG. or POLITICAL CANDIDATE <i>VICKI S RIPP</i>		<i>3440 Old Wagon RD DELTA CO 81416</i>	<i>9708745127</i>
5. EVENT MANAGER <i>BARBARA BULLARD</i>		<i>247 Dodge St DELTA CO 81416</i>	<i>9702346431</i>

6. HAS APPLICANT ORGANIZATION OR POLITICAL CANDIDATE BEEN ISSUED A SPECIAL EVENT PERMIT THIS CALENDAR YEAR? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES HOW MANY DAYS? _____	7. IS PREMISES NOW LICENSED UNDER STATE LIQUOR OR BEER CODE? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES TO WHOM? _____
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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
<i>11-22-13</i> From <i>4</i> p.m. To <i>10</i> p.m.	<i>11-23-13</i> From <i>9</i> A.m. To <i>5</i> 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 <i>Vicki S Ripp</i>	TITLE <i>PRESIDENT</i>	DATE <i>9/17/13</i>
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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 <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)	\$

MEMO

To: Mayor and City Council
From: Jolene Nelson, City Clerk
Date: October 10, 2013
Subject: Hotel/Restaurant Liquor License Transfer of Ownership:
Devil's Thumb Golf Club



Office of the City Clerk

Recommendation:

Staff recommends approval of the Transfer of Ownership Application submitted by the City of Delta dba Devil's Thumb Golf Club for a Hotel and Restaurant Liquor License located at 9900 Devil's Thumb Road.

Background:

Since the City of Delta is taking over the food and beverage area at the golf course the liquor license needs to be transferred. The application states that the City of Delta is applying for the license. Staff has completed the application and will submit payment once the application is approved. The State is requiring background checks on the City Manager, Finance Director and Golf Course Director. Staff is waiting for those results.

Cost:

The cost to the City is \$1600 to the State for the license, \$115 to CBI for background checks and \$700 to the City.

Alignment With Strategic Planning:

Per Delta Municipal Code 5.10.010 "the Delta City Council is hereby designated the local licensing authority for the purposes of exercising the duties and powers provided for in the Colorado Beer Code and the Colorado Liquor Code."

Actions 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.

**COLORADO LIQUOR
 RETAIL LICENSE APPLICATION**

NEW LICENSE TRANSFER OF OWNERSHIP LICENSE RENEWAL

• ALL ANSWERS MUST BE PRINTED IN BLACK INK OR TYPEWRITTEN
 • APPLICANT MUST CHECK THE APPROPRIATE BOX(ES)
 • LOCAL LICENSE FEE \$ 700.00
 • APPLICANT SHOULD OBTAIN A COPY OF THE COLORADO LIQUOR AND BEER CODE (Call 303-370-2165)

1. Applicant is applying as a
 Corporation Individual
 Partnership (includes Limited Liability and Husband and Wife Partnerships) Limited Liability Company
 Association or Other

2. Applicant: If an LLC, name of LLC; if partnership, at least 2 partner's names; if corporation, name of corporation Fein Number
 City of Delta 84-6000578

2a. Trade Name of Establishment (DBA) State Sales Tax No. Business Telephone
 Devil's Thumb Golf Club 04050920004 970-874-7566

3. Address of Premises (specify exact location of premises)
 9900 Devil's Thumb Road

City Delta	County Delta	State CO	ZIP Code 81416
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4. Mailing Address (Number and Street) 360 Main Street	City or Town Delta	State CO	ZIP Code 81416
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5. If the premises currently have a liquor or beer license, you MUST answer the following questions:

Present Trade Name of Establishment (DBA) Devil's Thumb Bar & Grill	Present State License No. 42920410000	Present Class of License Hotel/Restuarant	Present Expiration Date May 17, 2014
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LIAB SECTION A: NONREFUNDABLE APPLICATION FEES	LIAB SECTION B: (CONT.) LIQUOR LICENSE FEES
2300 <input type="checkbox"/> Application Fee for New License \$1,025.00	1985 <input type="checkbox"/> Resort Complex License (City) \$500.00
2302 <input type="checkbox"/> Application Fee for New License - w/Concurrent Review \$1,125.00	1986 <input type="checkbox"/> Resort Complex License (County) \$500.00
2310 <input checked="" type="checkbox"/> Application Fee for Transfer \$1,025.00	1988 <input type="checkbox"/> Add Related Facility to Resort Complex ... \$ 75.00 X ____ Total ____
	1990 <input type="checkbox"/> Club License (City) \$308.75
	1991 <input type="checkbox"/> Club License (County) \$308.75
	2010 <input type="checkbox"/> Tavern License (City) \$500.00
	2011 <input type="checkbox"/> Tavern License (County) \$500.00
	2012 <input type="checkbox"/> Manager Registration - Tavern \$ 75.00
	2020 <input type="checkbox"/> Arts License (City) \$308.75
	2021 <input type="checkbox"/> Arts License (County) \$308.75
	2030 <input type="checkbox"/> Racetrack License (City) \$500.00
	2031 <input type="checkbox"/> Racetrack License (County) \$500.00
	2040 <input type="checkbox"/> Optional Premises License (City) \$500.00
	2041 <input type="checkbox"/> Optional Premises License (County) \$500.00
	2045 <input type="checkbox"/> Vintners Restaurant License (City) \$750.00
	2046 <input type="checkbox"/> Vintners Restaurant License (County) \$750.00
	2220 <input checked="" type="checkbox"/> Add Optional Premises to H & R \$100.00 X <u>1</u> Total ____
	2370 <input type="checkbox"/> Master File Location Fee \$ 25.00 X ____ Total ____
	2375 <input type="checkbox"/> Master File Background \$250.00 X ____ Total ____
1905 <input type="checkbox"/> Retail Gaming Tavern License (City) \$500.00	
1906 <input type="checkbox"/> Retail Gaming Tavern License (County) \$500.00	
1940 <input type="checkbox"/> Retail Liquor Store License (City) \$227.50	
1941 <input type="checkbox"/> Retail Liquor Store License (County) \$312.50	
1950 <input type="checkbox"/> Liquor Licensed Drugstore (City) \$227.50	
1951 <input type="checkbox"/> Liquor Licensed Drugstore (County) \$312.50	
1960 <input type="checkbox"/> Beer and Wine License (City) \$351.25	
1961 <input type="checkbox"/> Beer and Wine License (County) \$436.25	
1970 <input type="checkbox"/> Hotel and Restaurant License (City) \$500.00	
1971 <input type="checkbox"/> Hotel and Restaurant License (County) \$500.00	
1975 <input type="checkbox"/> Brew Pub License (City) \$750.00	
1976 <input type="checkbox"/> Brew Pub License (County) \$750.00	
1980 <input checked="" type="checkbox"/> Hotel and Restaurant License w/opt premises (City) \$500.00	
1981 <input type="checkbox"/> Hotel and Restaurant License w/opt premises (County) \$500.00	
1983 <input type="checkbox"/> Manager Registration - H & R \$ 75.00	

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

LIABILITY INFORMATION

County	City	Industry Type	License Account Number	Liability Date	License Issued Through
				FROM	(Expiration Date) TO
State -750 (999)	City 2180-100 (999)	County 2190-100 (999)	Managers Reg -750 (999)		
Cash Fund New License 2300-100 (999)				Cash Fund Transfer License 2310-100 (999)	
				TOTAL	
				\$	

MEMO

To: City Council
From: Jolene E. Nelson, City Clerk
Date: September 12, 2013
Subject: 3.2% Beer Off Premises Renewal; Maverik, Inc. #463



Office of the City Clerk

Recommendation:

Staff recommends approval of the 3.2% Beer Off Premises License for Maverik, Inc. #463 located at 101 Hwy 92. The Police Department's report and recommendation is attached.

Background:

The current liquor license expires November 26, 2013.

Cost:

There is no cost to the City to renew the license. The applicant has paid the \$96.25 renewal fee to the State, the City renewal fee of \$78.75 as well as the City liquor occupation tax of \$150.

Alignment With Strategic Planning:

Per Delta Municipal Code 5.10.010 "the Delta City Council is hereby designated the local licensing authority for the purposes of exercising the duties and powers provided for in the Colorado Beer Code and the Colorado Liquor Code."

Actions To Be Taken if Approved:

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

**LIQUOR OR 3.2 BEER LICENSE
 RENEWAL APPLICATION**

Fees Due	
Renewal Fee	\$96.25
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$75 x _____	_____
Amount Due/Paid	96.25

MAVERIK INC #463
 880 W CENTER ST
 NORTH SALT LAKE UT 84054

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

PLEASE VERIFY & UPDATE ALL INFORMATION BELOW

RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE

Licensee Name MAVERIK INC		DBA MAVERIK INC #463		
Liquor License # 4600064	License Type 3.2% Beer Off Premises (city)	Sales Tax License # 0422730	Expiration Date 11/26/2013	Due Date 10/12/2013
Street Address 101 HWY 92 DELTA CO 81416				Phone Number (801) 683 3628
Mailing Address 880 W CENTER ST NORTH SALT LAKE UT 84054				
Operating Manager Clyde Wright		Home Address 1112 Park Ridge Ct, Delta, UT 81416		Phone Number 970-560-3702

- Do you have legal possession of the premises at the street address above? YES NO
 Is the premises owned or rented? Owned Rented* *If rented, expiration date of lease _____
- Since the date of filing of the last annual application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. YES NO
NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS: If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
- Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. YES NO
- Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. YES NO
- Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. YES NO
- SOLE PROPRIETORSHIPS, HUSBAND-WIFE PARTNERSHIPS AND PARTNERS IN GENERAL PARTNERSHIPS:** Each person must complete and sign the DR 4679: Affidavit - Restriction on Public Benefits (available online or by calling 303-205-2300) and attach a copy of their driver's license, state-issued ID or valid passport.

AFFIRMATION & CONSENT
 I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business Spencer Hewlett	Title EVP
Signature <i>[Signature]</i>	Date 17 Sept 2013

REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY
 The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. THEREFORE THIS APPLICATION IS APPROVED.

Local Licensing Authority For	Date
Signature	Title
	Attest



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

LIQUOR LICENSE RENEWAL RECOMMENDATION

To: City Council

Re: Application of Maverik, Inc. #463

DBA: Maverik, Inc. #463

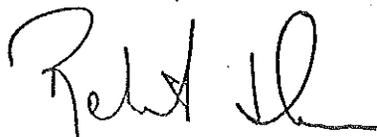
The report sheets show the following liquor violations for the past twelve months for the above named applicant:

No liquor license violations in the past twelve months.

Remarks:

Police Department recommendation:

Recommend liquor license renewal.



Robert Thomas, Chief of Police

MEMO

To: Mayor and City Council
From: Jolene Nelson, City Clerk
Date: October 10, 2013
Subject: Delta Area Chamber of Commerce Temporary Closure Permit
Parade of Lights



Office of the City Clerk

Recommendation:

It is recommended that the Council approve the special permit for the temporary closure request from the Delta Area Chamber of Commerce for the Parade of Lights.

Background:

The Delta Area Chamber of Commerce is requesting the closure of Main Street from 9th Street to 3rd Street, for the Parade of Lights on December 6th, 2013. The application is complete and the application fee as well as the deposit has been paid.

Cost:

There is no cost to the City.

Alignment With Strategic Planning:

The Delta Municipal Code section 12.10-030 states: “the City Council may grant a special permit for the temporary use or occupation of a street, alley or other public property for civic events, parades, special sales or other events of a public or quasi-public nature.”

Actions To Be Taken if Approved:

The Mayor will sign the special permit and the Clerk will notify the Chamber of the approval.

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

Date of Application: 10-7-13

PLEASE PRINT OR TYPE

Event Information:

Date & Specific Time of Event: Friday, Dec. 6, 2013. 6 p.m. (5 p.m. setup)

Location(s) of Event: Main Street, Third - Ninth

Name and Description of Event: Christmas Parade of Lights

Applicant:

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

Authorized Contact Person: Kami Collins

Mailing Address: 301 Main St, Delta

E-Mail Address: director@delta.colorado.org

Phone Number: (Day) 874-8614 (Evening) 361-8905

Special Equipment Needs (power, water etc.):

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

- Application Fee of \$ 25
- Deposit of \$ 500 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: 12-6-13
 Start Time of Closure: 4:55 pm Ending Time of Closure: 7:30 pm

Describe R.O.W. area to be closed:
Main Street from Third to Ninth

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 9th Street from Grand Avenue to Main Street with additional staging area on Main Street from 9th Street to 11th Street on the East side. The parade must then travel North on Main Street to 4th Street, turning off of Main Street, East onto 4th 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.

[Signature] 10-7-13
 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

Resolution #3, 2013

A RESOLUTION OF THE CITY OF DELTA, COLORADO INCREASING E-911
MONTHLY CHARGE

WHEREAS, on June 12, 1990, the City of Delta adopted Ordinance No. 7, 1990 imposing an emergency telephone charge upon telephone exchange access facilities within the City of Delta; and

WHEREAS, said Ordinance 7, 1990 also authorized the City to enter into an Intergovernmental Agreement creating an Emergency Telephone Authority within the County of Delta, which agreement established the Board of County Commissioners of Delta County as the Emergency Telephone Service Authority responsible for administering the operation of the Emergency Telephone Service program; and

WHEREAS, said Ordinance also provided for an E-911 monthly telephone charge as provided by § 29-11-102, C.R.S., and further provided that upon recommendation of the Emergency Telephone Service Authority, the City Council may, by resolution, raise or lower the emergency telephone charge; and

WHEREAS, the Emergency Telephone Act was amended effective April 30, 1997, to apply to wireless telephone accesses as well as exchange access facilities; and

WHEREAS, the Board of County Commissioners of Delta County, as the Emergency Telephone Service Authority, based upon a necessary increase in the expected expenditures for the operation and maintenance of the E-911 Emergency Telephone System, including increased personnel demands, has recommended that the E-911 monthly charge be increased to \$1.00 for exchange access facilities and wireless communication accesses effective immediately upon approval of the PUC.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Delta, Colorado that the E-911 monthly emergency telephone charge for exchange access facilities and wireless communication accesses shall be and hereby is increased to \$1.00, effective immediately upon approval of the PUC, within the boundaries of the City of Delta.

ADOPTED this ____ day of _____, 2013, by the City Council.

Mayor

ATTEST:

City Clerk

Resolution #4, 2013

A RESOLUTION OF THE CITY OF DELTA, COLORADO, EXTENDING THE
CABLE TELEVISION SYSTEM PERMIT TO CHARTER COMMUNICATIONS
HOLDING COMPANY, LLC

WHEREAS, Charter Communications Holding Company, LLC, (“Permittee”) previously acquired AT&T Broadband of Colorado, LLC and the Cable Television Permit (“Permit”) from the City of Delta (the “Permit Authority”) held by AT&T; and

WHEREAS, Permittee operates and maintains a cable television system in the City of Delta, Colorado pursuant the permit granted by the Permit Authority and Permittee is the current duly authorized holder of the Permit; and

WHEREAS, the Permit is due to expire on October 31st, 2013; and

WHEREAS, the Permit Authority and Permittee desire to negotiate a renewal of the Permit in accordance with Chapter 12.20.060 of the City of Delta Municipal Code; and

WHEREAS, additional time is needed beyond the Permit expiration date to negotiate specific terms of the Permit renewal.

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

The City hereby extends the Permit held by Charter Communications Holding Company, LLC for a period of six months through and including May 31, 2014.

All terms conditions, fees and other requirements of the existing Permit or as set forth in Chapter 12.20 of the City of Delta Municipal Code shall remain in full force and effect during the period of this extension. Nothing herein shall constitute a waiver of any powers of the City or regulations thereof.

Dated this ____ day of _____, 2013.

Mayor

ATTEST:

City Clerk

MEMO

To: City Council
From: Justin Clifton, City Manager
Date: October 11, 2013
Subject: Animal Control Services



Office of the City Manager

Recommendation:

Staff recommends that Animal Control services be relocated from the Police Department to the Code Enforcement Division of Community Development.

Background:

The City of Delta has struggled for some time to provide substantial animal control services. In recent years, the Animal Control budget has been reduced to approximately \$50K. The budget amount was established in part based on a partnership with CAWS to run the animal shelter facility. We learned recently that CAWS will cease to operate the Delta facility after this year. More recently the City hosted a stake holder meeting to discuss ideas about how we can continue to provide animal control services without the CAWS partnership and without increases the Animal Control budget.

This proposal has the potential to create the following positive impacts on service:

- The City can utilize its full time Code Enforcement Officer to address animal control code violations, thereby increasing staff dedicated to animal control from .5 FTE to 1.5 FTE.
- The City can use part time salary dollars to continue to operate the shelter on a limited basis if no other partnership can be established
- Relocating the service enables us to wipe the slate clean and take a new approach to improve effectiveness
- Having Animal Control housed with Community Development will enable other City Hall staff to contribute to grant writing, social media, education campaigns and other efforts that may improve the effectiveness of the animal control program
- Moving the service to Community Development enables new staff members to take a new approach to developing community partnerships
- The Community Development Director has more oversight capacity with a staff of 4 than the Police Chief with a staff of around 20

Staff proposes that the change take place at the first of the year to correspond with the departure of CAWS from the shelter and a new fiscal year.

Cost:

There are no proposed budget changes at this time. However, the Code Enforcement Officer will have new duties and at some point periods high demand for animal control services may limit timely response to less-important code violations.

Alignment With Strategic Planning:

The City is charged with the health and welfare of its citizens. This change addresses the kind of creative thinking whereby we can improve service through prioritization and inter-departmental cooperation without generating a need for increased funding.

Actions To Be Taken if Approved:

If Council supports the change, staff will immediately begin planning for the transition.

MEMO

To: City Council
From: Justin Clifton, City Manager
Date: October 11, 2013
Subject: City Manager Performance Evaluation



Office of the City Manager

Recommendation:

Council needs to conduct a performance evaluation for the City Manager.

Background:

An annual performance evaluation is required by the employment contract between the City and the City Manager. October 1st, 2013 marked the one year employment anniversary.

The Council has decided on a form to use for the evaluation. I suggest the following process:

- City Manager will submit a self evaluation to Council by October 22nd.
- 360 supplemental forms will be completed by all employees who directly report to the City Manager and submitted to Council by October 22nd.
- Council members will review documentation and consider their individual assessment of performance.
- Council will meet in Executive Session on Nov 5th to compare notes and create one consensus (or majority vote) evaluation. This evaluation will be agreed upon by Council but will not be a compilation of individual Council member feedback.

I've included copies of the evaluation and 360 supplemental forms for your review.

Cost:

NA

Alignment With Strategic Planning:

Article III of the City Charter outlines duties of the City Manager. The performance contract requires an annual review.

Actions To Be Taken if Approved:

The performance evaluation will be completed as directed by Council.

PERFORMANCE Evaluation City Manager

Employee Name _____ Title _____

PLEASE PRINT

Period covered by review _____ to _____ Date of last review _____ Scheduled review date _____

Areas to be Evaluated	N/A	Unacceptable (1)	Needs Improvement (2)	Meets/ Exceeds (3)	Very Good (4)	Out-standing (5)
Administration						
Demonstrates working knowledge of all City Departments.						
	Comments:					
Demonstrates ability to help staff set and meet goals.						
	Comments:					
Meets Council set deadlines.						
Has set and workable work hours.						
	Comments:					
Financial Management						
Follows City budget.						
	Comments:					
Suggests more efficient use of City funds.						
	Comments:					
Has positive relationship with Finance Department.						
	Comments:					
Aware of and brings to Council alternate funding sources for city activities.						
	Comments:					
Compliance Issues						
Relates well with staff and helps meet their needs.						
	Comments:					
Has open, honest, knowledgeable rapport with news, media and customers.						
	Comments:					
Available to present City message to public (speaking engagement, etc.)						
	Comments:					
Articulate, organized, knowledgeable, and open in Council communication.						
	Comments:					

Areas to be Evaluated	N/A	Unacceptable (1)	Needs Improvement (2)	Meets/ Exceeds (3)	Very Good (4)	Out-standing (5)
Compliance Issues (cont.)						
Willing and able to present opposing views for Council to consider.						
	Comments:					
Leadership						
Maintains positive open relationships with other communities, organizations (ie County Administrator, DCED, School District, Hospital Administrator)						
	Comments:					
Maintains working relationship with other governmental agencies (ie DOLA, Region 10, Club 20)						
	Comments:					
Able to adapt to changing circumstances.						
	Comments:					
Interpersonal Skills						
Makes use of continuing education opportunities.						
	Comments:					
Demonstrates working knowledge of technologies for efficient use of time and resources.						
	Comments:					

ADDITIONAL SUPERVISOR COMMENTS: _____

EMPLOYEE COMMENTS: _____

SPECIFIC IMPROVEMENTS/ACTIONS REQUIRED: (See attached Employee Action Plan)

SUPERVISOR'S SIGNATURE _____ **Date** _____

SUPERVISOR'S SIGNATURE _____ **Date** _____

EMPLOYEE'S SIGNATURE _____ **Date** _____

SALARY ADJUSTMENT (if any)

Previous salary _____

Salary following performance review _____ **Effective Date** _____

(Reviewer please initial)

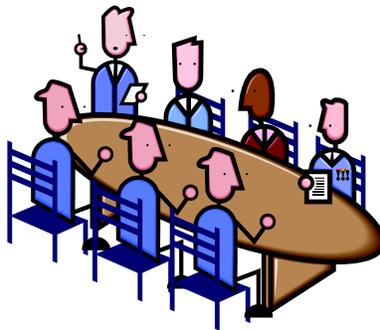
Attorney Comments



City Manager Comments



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); and specifically to discuss the acquisition of land from the Senteney Family Trust.