



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**

**May 20, 2014
7:00 p.m.**

- A. Pledge of Allegiance**
- B. Changes to the Agenda**
- C. Minutes**
- D. Citizen Comments**
- E. Bank of the West Landscaping Variance Request**
- F. Street Closure Permits for Delta Area Chamber of Commerce, Deltarado Days (Main and 9th Streets)**
- G. Street Closure Permits for Delta Area Chamber of Commerce, Deltarado Days (4th Street)**
- H. Public Hearing: Special Events Permit Application; Delta Area Chamber of Commerce (Cleland Park)**
- I. Public Hearing: Special Events Permit Application; Delta Area Chamber of Commerce (4th Street)**
- J. Hotel/Restaurant Liquor License Renewal and Report of Changes; Gerhards**
- K. Beer and Wine License Renewal; House of Chin**
- L. Rescheduling of the June 17, 2014 City Council Meeting**
- M. Public Works Week Proclamation**
- N. City Attorney Comments**
- O. City Manager Comments**
- P. Councilmember Comments**

Item A:

Pledge of Allegiance



Item B:

Changes to the Agenda

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 and 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 April 15, 2014 regular meeting as submitted by the Clerk. All in favor, motion carried.

Citizen Comments

Mayor Sisson reminded the citizens that the comment period is for comments only and is limited to three minutes..

Don Hamrich, 1280 Sunrise Drive, commented on Devil's Thumb Golf Course and their support of Outdoors of Live. He explained that Outdoors of Live help veterans, wounded warriors and military families.

Garnet Mesa 3rd Grade Class Dog Park Ordinance Proposal

Mayor Sisson stated that this is Mrs. Keiffer's 3rd grade class from Garnet Mesa Elementary. He explained that they have a civic project where they have elected a Mayor and City Council. The class went through the Delta Municipal Code and has a recommendation on the dog park ordinance.

Jordan Johnson, Mayor of Mrs. Keiffer's class, stated that they voted as a class to address the dog park ordinance. They feel it should allow 9-17 year olds to be unaccompanied by an adult and 0-8 year olds should be accompanied by an adult.

Mayor Sisson presented the current ordinance regarding the dog park.

Mr. Johnson stated that they thought the ordinance is poorly written because as it reads now 0-8 year olds would be unaccompanied by an adult.

Mayor Sisson thanked Mr. Johnson for his presentation and stated Council will take his suggestions under advisement.

Regular Meeting, Delta City Council, May 6, 2014 (cont.)

Public Hearing: Special Events Permit Application; HopeWest

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

The Clerk explained that HopeWest has submitted a special event permit application for their fundraising event at Bill Heddles Recreation Center on August 23, 2014. The application stated that HopeWest plans to sell malt, vinous and spirituous liquor from 4:00pm to 12:00am. The application is complete and all fees have been paid. A sign was posted at the site notifying the public of this hearing and no comments have been received.

The Mayor called for public comment and when there were 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 special events permit application for HopeWest for their event scheduled on August 23, 2014. All in favor, motion carried.

Appropriation for Ballot Campaign

City Manger Justin Clifton explained that at the work session earlier it was discussed to possibly dedicate funds that are not otherwise appropriated in the budget. The funds would be used to educate citizens on a couple of potential ballot questions. He stated the impression at the work session was that Council would like to see this item come back when there are more details presented regarding costs and estimates.

There was a consensus to bring this item back at the next meeting.

Upper White Ranch Lease

Manager Clifton reported that this is an annual lease of the Upper White Ranch for grazing purposes. The City Attorney as reviewed the lease and his recommendations have been incorporated in the lease that is being presented tonight for approval.

Councilmember Penick questioned if the property is inspected by staff.

Utilities Director Steve Glammeyer stated that when staff is in the area they do look at the property to ensure it is in proper condition. He explained that this is a very remote area.

It was moved by Councilmember Cooper and seconded by Councilmember Penick to approve the Upper White Ranch lease agreement with Mr. Ralph Sanburg and Mr. Dan and Roy Long for 2014 with the lease amount of \$750. All in favor, motion carried.

City Attorney Comments

City Attorney David Smith stated that the legislature is concluding their session. He will keep the Council apprised of any regulatory concerns that may affect the City of Delta.

Regular Meeting, Delta City Council, May 6, 2014 (cont.)

City Manager Comments

Manager Clifton stated that the CML Conference will conflict with the June 17th meeting. He suggested moving the meeting to a different date possible Monday the 16th before the conference. He can present something at the next meeting for formal action.

Councilmember Comments

Councilmember Cooper commented on the recent CML Executive Board meeting. She stated that Delta County Economic Development is very busy.

Councilmember Raley stated that he provided copies of the Region 10 agenda and minutes for Council's review.

Councilmember Jurca reported that he will not be at the meetings on May 20th and June 3rd.

Mayor Sisson commented on the water concerns that are being discussed at the State. He stated that a bald eagle is making its home at Confluence Park.

The Council all stated that changing the June 17th meeting to June 16th would work for them.

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, under CRS Section 24-6-402(4)(e); and more specifically for discussion concerning the Hamon and UPRR Contracts. All in favor, motion carried.

At 7:16 p.m., Mayor Sisson recessed the Regular Meeting and convened the Executive Session.

At 7:52 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 Mary Cooper, Bill Raley, Ray Penick and Robert Jurca, as well as City Manager Justin Clifton, City Attorney David Smith and Public Works Director Jim Hatheway. 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.

Discussion and Possible Approval of the First Amendment to Property Exchange Agreement with UPRR

It was moved by Councilmember Penick and seconded by Councilmember Cooper to approve the first amendment to the property exchange agreement with UPRR and authorize the City Manager to sign said agreement. All in favor, motion carried.

Regular Meeting, Delta City Council, May 6, 2014 (cont.)

Executive Session

It was moved by Councilmember Cooper and seconded by Councilmember Jurca 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, under CRS Section 24-6-402(4)(e) and for the purposes of receiving legal advice on specific legal questions under CRS Section 24-6-402(4)(b) and more specifically for discussion regarding the Senteney property. All in favor, motion carried.

At 7:55 p.m., Mayor Sisson recessed the Regular Meeting and convened the Executive Session.

At 8:26 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 Mary Cooper, Bill Raley, Ray Penick and Robert Jurca, as well as City Manager Justin Clifton, City Attorney David Smith and Public Works Director Jim Hatheway. 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.

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

Item D:

Citizen Comments



MEMO

To: Mayor, City Council and City Manager
From: Glen L. Black
Date: May 20, 2014
Subject: Landscaping Requirements



Community Development

Recommendation: It is staff's recommendation that the removed landscaping be replaced with similar material. It is the intent of the code to maintain existing landscaping in an appealing manner.

Staff would like to add clarification to the current municipal code regarding removed/destroyed landscaping that was installed prior to current regulations.

Background: Some landscaping at Bank of West was destroyed by vandals. Bank of the West has replaced the living landscape material with inert landscape material. The City is requiring the bank to replace the living material with living material. There are several options for living material that are low maintenance.

Bank of the West is requesting a variance to the supplemental site development standards for highway corridors.

Cost: There is no cost to the City.

Alignment With Strategic Planning:

Comprehensive Plan, Chapter 2, Community Character and Design

Desired Future Condition, Policies and Action Items

Desired Future Condition

The City of Delta's atmosphere, historic character, pedestrian scale and agricultural heritage of Delta are preserved and enhanced. New development and redevelopment in older parts of Delta are visually compatible with historic character and pedestrian scale, and streetscapes are attractive.

Policies and Action Items

Policy 1 - Good design is appropriate in key areas of Delta to preserve and enhance community character and to foster economic development. Action items to implement this policy include:

1. Update the land use code to require design standards for new commercial development near U.S. 50 and State Highway 92
2. Update the land use code to encourage design guidelines for all new or renovated buildings in the proposed downtown mixed use zone (see Chapter 3).
3. Coordinate with CDOT to beautify U.S. 50 and State Highway 92 coming into town.

4. Update the land development code to encourage the preservation of structurally sound older houses, including those converted to businesses and other buildings with historic character.
5. Update the land use code to encourage the preservation of structurally sound older houses, including those converted to businesses and other buildings with historic character in the downtown area.
6. Update the land use code to require design standards for new commercial development
7. Update the land use code to encourage design guidelines for all new or renovated buildings in the proposed downtown mixed use zone.

Policy 2 - Encourage more aesthetic streetscapes such as street edge landscaping (including street trees), benches, gardens, ornamental light fixtures, hanging flower baskets, banners and works of art.

Delta Municipal Code States:

15.04.090.A.4.a. Supplemental site development standards for highway corridors
Landscaping shall be installed and maintained to a minimum depth of 15 feet along 70% of the frontages of highways, streets and roadways identified.....

b. Landscaping shall be installed and maintained to a minimum depth of 15 feet along a minimum of 25% of the secondary street frontages, excluding driveways and sidewalks.

Additionally, section 15.04.090.E provides a variance provision, "Where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of these requirements, upon written application, the City Council may vary or modify the application of these requirements, so that the spirit of the requirements is observed, public safety and welfare secured and substantial justice done.

Section 15.04.080.F - No occupancy permit shall be issued until the required improvements are constructed and approved by the City in compliance with approved plans or secured for completion within 6 months, and a recordable maintenance covenant running with the land on forms provided by the City is executed, approved by the City, and recorded.

Actions To Be Taken if Approved: If the variance is denied, staff will require the replacement of the removed/destroyed living landscape material. If the variance is approved, Council may want to specify what landscaping is required.

Prepare an ordinance for Council consideration, clarifying the current municipal code regarding replacement of destroyed/removed landscaping that was installed prior to current regulations.

MEMO

To: Mayor and City Council
From: Jolene Nelson, CMC, City Clerk
Date: May 20, 2014
Subject: Delta Area Chamber of Commerce Street Closure;
Deltarado Days Parade



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 Deltarado Days Parade scheduled on July 19, 2014.

Background:

The Delta Area Chamber of Commerce is requesting the closure of East 9th Street, between Main and Meeker Streets, as well as Main Street from 9th to 3rd Streets for the Deltarado Days Parade on July 19, 2014. The application requests that 9th Street be closed at 8:00am and Main Street closed at 8:45 am, both closures will reopen after the parade. The application is complete and the application fees have 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 permits and the Clerk will notify the Chamber of the approval.

1234

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

Date of Application: 5-5-14

PLEASE PRINT OR TYPE

Event Information:

Date & Specific Time of Event:

7-19-14

8:00 AM / Main @ 8:45 AM

Location(s) of Event: Main Street, 3rd - 9th; East 9th between Main & Grand

Name and Description of Event: Deltavado Days parade

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) 874-8616 (Evening) 361-8905

Special Equipment Needs (power, water etc.):

Police assistance

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

- Application Fee of \$ 25
- Deposit of \$ 0 ^{per Joanne} 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: Saturday July 19
 Start Time of Closure: Main - 9 am Ending Time of Closure: 11 am
9th - 8 am
 Describe R.O.W. area to be closed:
Main St, 3rd - 9th AND East 9th from Main to Grand

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] 5-5-14
 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

MEMO

To: Mayor and City Council
From: Jolene Nelson, CMC, City Clerk
Date: May 20, 2014
Subject: Delta Area Chamber of Commerce Street Closure;
Deltarado Days Street Dance



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 Deltarado Days Street Dance scheduled on July 18, 2014.

Background:

The Delta Area Chamber of Commerce is requesting the closure of East 4th Street, between Main and Meeker Streets, for the Deltarado Days Street Dance on July 18, 2014 from 6:00pm to 11:30pm. The application is complete and the application fees have 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 permits and the Clerk will notify the Chamber of the approval.

1234

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

Date of Application: 5-5-14

PLEASE PRINT OR TYPE

Event Information:

Date & Specific Time of Event:

7-18-14 6-11:30pm

Location(s) of Event: East 4th St between Main & Meeker

Name and Description of Event: Delarado Days Street dance

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@deltaolorado.org

Phone Number: (Day) 874-8616 (Evening) 361-8905

Special Equipment Needs (power, water etc.):

Barricades - chainlink fence for beer garden

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

- Application Fee of \$ 25
- Deposit of \$ 0 ^{per Jolene} 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: Friday, July 18, 2014
Start Time of Closure: NOON Ending Time of Closure: Midnight

Describe R.O.W. area to be closed:
One block of east 4th St between Main & Meeker

Barricades, cones and signs needed:

Barricades: X Signs: _____ Cones: X
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] 7-5-14
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

MEMO

To: Mayor and City Council
From: Jolene Nelson, CMC, City Clerk
Date: May 20, 2014
Subject: Special Event Permit Application;
Delta Area Chamber of Commerce (Cleland Park)



Office of the City Clerk

Recommendation:

Staff recommends approving the application for a Special Events Liquor Permit for the Delta Area Chamber of Commerce's event scheduled on July 19, 2014.

Background:

The Delta Area Chamber of Commerce has submitted an application for a Special Events Liquor Permit for their event scheduled on July 19, 2014. The location of this event will be Cleland Park, 7th & Howard. The application specifies that they plan to sell alcoholic beverages from 10:00 a.m. to 11:30 p.m.

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.

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.

MEMO

To: Mayor and City Council
From: Jolene Nelson, CMC, City Clerk
Date: May 20, 2014
Subject: Special Event Permit Application;
Delta Area Chamber of Commerce (4th Street)



Office of the City Clerk

Recommendation:

Staff recommends approving the application for a Special Events Liquor Permit for the Delta Area Chamber of Commerce's event scheduled on July 18, 2014.

Background:

The Delta Area Chamber of Commerce has submitted an application for a Special Events Liquor Permit for their event scheduled on July 18, 2014. The location of this event will be on East 4th Street, between Main and Meeker Streets. The application specifies that they plan to sell alcoholic beverages from 5:00 p.m. to 11:30 p.m.

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.

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 checked="" 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 <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>Delta Area Chamber of Commerce</i>	State Sales Tax Number (Required) <i>84-0364994</i>
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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)
*East 4th St between Main & Meeker
Delta CO 81416*

NAME	DATE OF BIRTH	HOME ADDRESS (Street, City, State, ZIP)	PHONE NUMBER
4. PRES./SEC'Y OF ORG. or POLITICAL CANDIDATE <i>Josh Applegate</i>		<i>637 Harvard St Delta CO 81416</i>	<i>970-250-3877</i>
5. EVENT MANAGER <i>Kami Collins</i>		<i>2745 Tessman Rd, Delta CO 81416</i>	<i>970-361-8905</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	Hours	From	To	Date	Hours	From	To	Date	Hours	From	To	Date	Hours	From	To
<i>7-18-14</i>															
		<i>5</i>	<i>11:30</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 <i>[Signature]</i>	TITLE <i>Executive Director</i>	DATE <i>5-5-14</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
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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>	\$

MEMO

To: City Council
From: Jolene E. Nelson, CMC, City Clerk
Date: May 20, 2014
Subject: Hotel/Restaurant Liquor License Renewal & Report of Changes for Gerhards



Office of the City Clerk

Recommendation:

Staff recommends approval of the Hotel/Restaurant Liquor License Renewal for Delta Fireside Inn, Inc. dba Gerhards located at 820 Highway 92. The Police Department's report and recommendation is attached. Staff is also recommending approval of the Report of Changes submitted by Gerhards.

Background:

The current license expires June 17, 2014. The Report of Changes states that Karen Sue Avila will be the new manager at Gerhards. Ms. Avila has submitted her fingerprint card to conduct a background check and stay is waiting for those results.

Cost:

There is no cost to the City. The applicant has paid the \$500 renewal fee and the \$75 report of change fee to the State, as well as the City's \$150 renewal fee and \$400 liquor occupation tax.

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 applications, and the Clerk will mail them to the State, who will review them and issue the license.

**LIQUOR OR 3.2 BEER LICENSE
 RENEWAL APPLICATION**

Fees Due	
Renewal Fee	\$500.00
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$75 x _____	_____
Amount Due/Paid	

GERHARD'S
 820 HIGHWAY 92
 DELTA CO 81416

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 DELTA FIRESIDE INN INC		DBA GERHARD'S		
Liquor License # 4701580	License Type Hotel & Restaurant (city)	Sales Tax License # 29879957-2000	Expiration Date 6/17/2014	Due Date 5/3/2014
Street Address 820 HIGHWAY 92 DELTA CO 81416				Phone Number 970-874-7688
Mailing Address 820 HIGHWAY 92 DELTA CO 81416				
Operating Manager ERNST SCHOPP	Home Address 315 COUNTY ROAD 229 SILT CO 81652	Phone Number 970-876-2131		

- 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

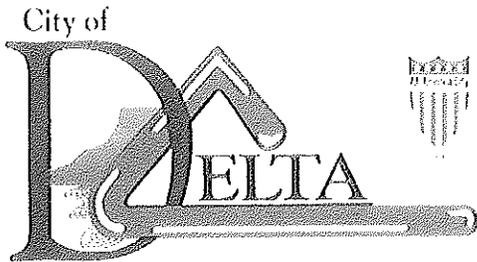
I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business Ernst Schopp	Title President
Signature <i>Ernst Schopp</i>	Date 4-15-14

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 Delta Fireside Inn Inc.
DBA: Gerhard's

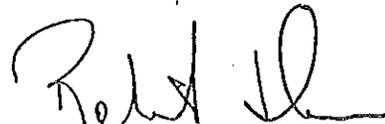
The report sheets show the following liquor violations for the past twelve months for the above named applicant:

No liquor violations in the past twelve months.

Remarks:

Police Department recommendation:

Recommend liquor license renewal.



Robert Thomas, Chief of Police

PERMIT APPLICATION AND REPORT OF CHANGES

CURRENT LICENSE NUMBER 4701580
 ALL ANSWERS MUST BE PRINTED IN BLACK INK OR TYPEWRITTEN
 LOCAL LICENSE FEE \$ _____
 APPLICANT SHOULD OBTAIN A COLORADO LIQUOR & BEER CODE BOOK TO ORDER CALL (303) 370-2165

1. Applicant is a <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Liability Company		PRESENT LICENSE NUMBER <u>4701580</u>
2. Name of Licensee <u>DELTA FIRESIDE INN INC.</u>		3. Trade Name <u>FERHARD'S</u>
4. Location Address <u>820 HAYWAY 92</u>		
City <u>DELTA CO.</u>	County <u>DELTA</u>	ZIP <u>81416</u>

SELECT THE APPROPRIATE SECTION BELOW AND PROCEED TO THE INSTRUCTIONS ON PAGE 2.

Section A – Manager reg/change	Section C
• License Account No. _____ 1983-750 (999) <input checked="" type="checkbox"/> Manager's Registration (Hotel & Restr.)..\$75.00 2012-750 (999) <input type="checkbox"/> Manager's Registration (Tavern).....\$75.00 <input type="checkbox"/> Change of Manager (Other Licenses) NO FEE	2210-100 (999) <input type="checkbox"/> Retail Warehouse Storage Permit (ea) \$100.00 2200-100 (999) <input type="checkbox"/> Wholesale Branch House Permit (ea).... 100.00 2260-100 (999) <input type="checkbox"/> Change Corp. or Trade Name Permit (ea) .50.00 2230-100 (999) <input type="checkbox"/> Change Location Permit (ea)..... 150.00 2280-100 (999) <input type="checkbox"/> Change, Alter or Modify Premises \$150.00 x _____ Total Fee _____
Section B – Duplicate License	
• Liquor License No. _____ 2270-100 (999) <input type="checkbox"/> Duplicate License\$50.00	2220-100 (999) <input type="checkbox"/> Addition of Optional Premises to Existing H/R \$100.00 x _____ Total Fee _____ 1988-100 (999) <input type="checkbox"/> Addition of Related Facility to Resort Complex \$75.00 x _____ Total Fee _____

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

DATE LICENSE ISSUED	LICENSE ACCOUNT NUMBER	PERIOD
-750 (999)	-100 (999)	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 of Revenue may collect the payment amount directly from your bank account electronically.
		TOTAL AMOUNT DUE \$ _____ .00

CHANGE OF MANAGER

8. Change of Manager or to Register the Manager of a Tavern or a Hotel and Restaurant liquor license.

(a) Change of Manager (attach Individual History DR 8404-I H/R and Tavern only)
 Former manager's name Jeri L. Schopp
 New manager's name Karen Sue Avila

(b) Date of Employment 3-17-14
 Has manager ever managed a liquor licensed establishment?..... Yes No
 Does manager have a financial interest in any other liquor licensed establishment?..... Yes No
 If yes, give name and location of establishment _____

MODIFY PREMISES OR ADDITION OF OPTIONAL PREMISES OR RELATED FACILITY

9. Modification of Premises, Addition of an Optional Premises, or Addition of Related Facility

NOTE: Licensees may not modify or add to their licensed premises until approved by state and local authorities.

(a) Describe change proposed _____

(b) If the modification is temporary, when will the proposed change:
 Start _____ (mo/day/year) End _____ (mo/day/year)

NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00

(c) Will the proposed change result in the licensed premises now being located within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?
 (If yes, explain in detail and describe any exemptions that apply) Yes No

(d) Is the proposed change in compliance with local building and zoning laws? Yes No

(e) If this modification is for an additional Hotel and Restaurant Optional Premises or Resort Complex Related Facility, has the local authority authorized by resolution or ordinance the issuance of optional premises?
 Yes No

(f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises.

(g) Attach any existing lease that is revised due to the modification.

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 <u>[Handwritten Signature]</u>	Title <u>Pres.</u>	Date <u>4-21-14</u>
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REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY / 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 applicable provisions of Title 12, Articles 46 and 47, C.R.S., as amended. **THEREFORE, THIS APPLICATION IS APPROVED.**

Local Licensing Authority (City or County)	Date filed with Local Authority
--	---------------------------------

Signature	Title	Date
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REPORT OF STATE LICENSING AUTHORITY

The foregoing has been examined and complies with the filing requirements of Title 12, Article 47, C.R.S., as amended.

Signature	Title	Date
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MEMO

To: City Council
From: Jolene E. Nelson, City Clerk
Date: May 20, 2014
Subject: Beer and Wine License Renewal; House of Chin



Office of the City Clerk

Recommendation:

Staff recommends approval of a beer and wine license renewal for House of Chin Inc. /dba House of Chin located at 142 Eaton Ave. The Police Department's report and recommendation is attached.

Background:

The current liquor license expires July 1, 2014.

Cost:

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

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	\$351.25
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$75 x _____	_____
Amount Due/Paid	

HOUSE OF CHIN
 142 EATON AVE
 DELTA CO 81416-1812

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 HOUSE OF CHIN INC		DBA HOUSE OF CHIN		
Liquor License # 25547940000	License Type Beer & Wine (city)	Sales Tax License # 25547940000	Expiration Date 7/1/2014	Due Date 5/17/2014
Street Address 142 EATON AVE DELTA CO 81416-1812				Phone Number (970) 874 4884
Mailing Address 142 EATON AVE DELTA CO 81416-1812				
Operating Manager Zong Yong He		Home Address 360 Howard St #6 Delta, CO 81416		Phone Number 970.874.4884

- 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 Jan 2020
- 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
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- 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

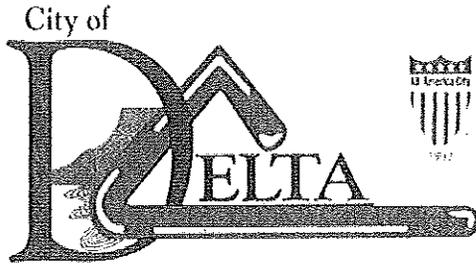
I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business Zong Yong He	Title President
Signature Zong Yong He ZYH	Date 5-5-14

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 House of Chin, Inc.
DBA: House of Chin

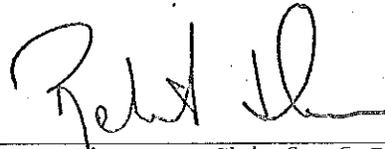
The report sheets show the following liquor violations for the past twelve months for the above named applicant:

No liquor violations in the past twelve months.

Remarks:

Police Department recommendation:

Recommend liquor license renewal.



Robert Thomas, Chief of Police

MEMO

To: City Council
From: Jolene E. Nelson, CMC, City Clerk
Date: May 20, 2014
Subject: Rescheduling of the June 17, 2014 Regular Meeting



Office of the City Clerk

Recommendation:

Staff recommends rescheduling the June 17, 2014 regular meeting to June 16, 2014.

Background:

The Colorado Municipal League's Annual Conference is from June 17, 2014 to June 20, 2014. The regular Council meeting is scheduled for June 17, 2014. Since there will be three Councilmembers and two staff members attending, it is recommended that the meeting be moved to June 16, 2014.

Cost:

There is no cost to the City to reschedule the meeting.

Alignment With Strategic Planning:

The Delta Municipal Code under 2.04.010 "The Council shall hold at least two regular meetings per month at such times as it may prescribe in its rules, as provided by Section 16 of the City Charter."

Actions To Be Taken if Approved:

The Clerk will post the June 16, 2014 meeting.

MEMO

To: City Council
From: Steve Glammeyer, Utilities/PW Director
Date: May 20, 2014
Subject: National Public Works Week Proclamation



Utilities Department

Recommendation:

Staff is recommending that Council read the attached proclamation to highlight the importance of public works in our lives and community and to recognize the many staff that provides this service.

Background:

Each year, the National Chapter of the American Public Works Association urges each community that provides public works services to read and proclaim the third week of May as National Public Works Week.

Cost:

There is no cost to provide this proclamation.

Alignment With Strategic Planning:

This proclamation continues to enforce the mission, vision, and values of the City.

Actions To Be Taken if Approved:

The Mayor will read the proclamation.

City of Delta
Office of the Mayor

Proclamation

Whereas, public works services provided in our community are an integral part of our citizens' everyday lives; and

Whereas, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sewers, streets and highways, public buildings, and solid waste collection; and

Whereas, the health, safety and comfort of this community greatly depends on these facilities and services; and

Whereas, the quality and effectiveness of these facilities, as well as their planning, design, and construction, are vitally dependent upon the efforts and skill of public works officials; and

Whereas, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform,

Now, therefore, I, Edward C. Sisson, Mayor of the City of Delta
do hereby proclaim the week of May 19th, 2014 as

“National Public Works Week”

in the City of Delta and I call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life.

Give under my hand and seal of the City of Delta, Colorado, this 20th day of May, 2014.

Mayor Signature

SEAL

Attorney Comments



City Manager Comments



Councilmember Comments

