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2  
3 **New castle Town Council Meeting**  
4 **Tuesday, November 5, 2013, 7:00 p.m.**  
5

6 **Call to Order**  
7

8 **Pledge of Allegiance**  
9

10 **Roll Call**

11 Present	Councilor Riddile
12	Councilor Metzger
13	Mayor Breslin
14	Councilor Gordon
15	Councilor Leland
16	Councilor Stuckey
17 Absent	Councilor Russi

18  
19 Also present at the meeting were Town Clerk Melody Harrison, Finance Director Lyle  
20 Layton and Human Resources Manager Mike Edgar.  
21

22 **Meeting Notice**

23 Clerk Harrison verified that her office gave notice of the meeting in accordance with  
24 Resolution TC-2013-1.  
25

26 **Conflicts of Interest**

27 There were no conflicts of interest.  
28

29 **Agenda Changes**

30 There were no agenda changes.  
31

32 **Citizen Comments on Item not on the Agenda**

33 There were no citizen comments.  
34

35 **Consultant Reports**

36 Consultant Attorney – not present.  
37 Consultant Planner – not present.  
38 Consultant Engineer – not present  
39

40 **Agenda Changes**

41 There were no agenda changes.

42 Mayor Breslin told the council he would be running for a council seat in 2014, not  
43 for mayor. He told the council that they were all qualified to sit as chair. He wanted  
44 to offer each councilor the opportunity to moderate agenda items during the next  
45 six months. He asked Councilor Metzger to please moderate.  
46

47 **Items for Consideration**  
48

49 **Tap Fee Discussion**

50 Public Works Director John Wenzel and Town Clerk Melody Harrison explained the  
51 various tap fee repayment proposals to the council. The council was in favor of Idea

1 5, which would allow a business that owns a tap(s) to open their business and pay  
2 the Water and Sewer Overage charges, plus a Capital Investment Fee on a monthly  
3 basis. The Town could apply 95% of the Capital Investment Fee toward the  
4 purchase of additional needed taps. Public Works Director Wenzel and Clerk  
5 Harrison reviewed the table in the packet that outlined what the monthly billing  
6 would look like under idea 5. Councilor Leland noted that at the rate proposed in  
7 the example, it would take ten years to pay the needed taps. Mayor Breslin said he  
8 felt that was acceptable and that should the business close or change, the property  
9 would be credited the percentage of taps paid for at the date of close or change.  
10 Clerk Harrison pointed out that the proposed tap repayment plan in idea 5 was  
11 compliant with other town agreements that did not allow 'discounts' on taps.  
12 Councilor Gordon said he thought the Capital Investment Fee should be based on  
13 the cost of the taps rather than monthly rates, and the council agreed. Councilor  
14 Gordon also thought the EQR table in the municipal code could be reviewed,  
15 particularly the taps required for hotels, because he thought the requirement was  
16 extraordinary and cost prohibitive for a new business. Director Wenzel said that  
17 many of the EQR requirements in the code were based on engineering standards for  
18 infrastructure, and others seemed to be based on use. He said that the town  
19 engineer, Jeff Simonson, was evaluating the EQR table in the code to determine  
20 which requirements were engineering related and which were use related. Staff said  
21 they would adjust the Capital Investment Fee to reflect the cost of needed taps and  
22 bring it and Engineer Simonson's information back to the council.

#### 23 24 **Consent Agenda**

25 Minutes of the October 15, 2013 council meeting

26 October bills of \$348,517.70

27 The council offered a few corrections to the minutes.

28 **MOTION: Councilor Gordon made a motion to approve the consent agenda**  
29 **with corrections. Councilor Riddile seconded the motion and it passed**  
30 **unanimously.**

#### 31 32 **Staff Reports**

33 Town Administrator – not present

34 Town Clerk - Clerk Harrison told the council that the family of Linda Holley asked  
35 that donations be made to certain organizations in lieu of flowers for her services.

36 Staff suggested that the town donate to the local Lions Club in Linda's name,  
37 because the town typically did not provide any other funding to that organization.

38 Councilor Gordon suggested a \$500.00 donation, and the council agreed.

39 **MOTION: Councilor Gordon made a motion to approve a donation of**  
40 **\$500.00 to the local Lions Club in Linda Holley's name. Mayor Breslin**  
41 **seconded the motion and it passed unanimously.**

42 Clerk Harrison told the council that Administrative Assistant Debbie Nichols was  
43 working on items for the next town newsletter and would appreciate input from the  
44 council.

45 Town Planner – not present

46 Public Works Director – Director Wenzel told the council that the LED speed limit  
47 signs purchased with a grant from the AGNC had been installed on Castle Valley  
48 Boulevard and 7th Street. The flashing signs were installed in the school zones as  
49 well. He said his department had completed the crumb rubber project on the fields.  
50 The fall clean-up had been a success with approximately 150 visitors and they filled  
51 four dumpsters. Director Wenzel said his department was ready for winter, and

1 snow plows were installed on the trucks. Last he said the sidewalk in front of the  
2 post office was poured.

3  
4 **Council Comments**

5 Councilor Leland passed out copies of a draft of the Downtown Waling Map for the  
6 council to review. He said it was still being edited, but that they hoped to have the  
7 final map complete by the time of the Chili Cook-Off in December. Councilor Leland  
8 said he would like the council to consider placement for the Northwest Colorado  
9 Historic Tourism sign. He told the council that the land purchase contract Alpine  
10 Bank had with the Grays had expired and that the coffee shop would not be going  
11 in. Last, Councilor Leland said he had items for time capsule.

12 Councilor Gordon asked the council to consider allowing Mayor Breslin and himself  
13 to set up a meeting with the school board to ask for use of the school gymnasiums  
14 for roller derby. He said there was a local roller derby league, and there were  
15 several residents involved. They practiced in Minturn, and he thought New Castle  
16 might be able to provide a local practice area

17 Mayor Breslin reminded the council that Councilor Russi has approached the council  
18 about advocating for KJAX radio (Aspen Public Radio). Administrator Baker talked  
19 about it at the Senior Lunch and asked if they could come up with ideas for  
20 fundraising.

21 Mayor Breslin said he had been considering volunteerism, what function volunteers  
22 could serve and who the town should credential. He said there were many retired  
23 professionals in town who could be credentialed for the incident command system.  
24 He thought Colorado Mountain College could create a database and ID cards for  
25 the town. The council liked the idea.

26 Councilor Metzger asked when the next public meeting for the Lakota Sports Park  
27 will be. Public Works Director Wenzel said that the town had not been awarded the  
28 FMLD grant, and he did not feel another meeting would be appropriate until the  
29 project was funded. He also said that the town should be hearing about the awards  
30 for the GoCo grant soon, and staff was hopeful the town would be selected.

31 Councilor Metzger suggested that the residents be notified of the status of the  
32 project. Councilor Leland thought a status update could go in the next town  
33 newsletter.

34  
35 **MOTION: Councilor Riddile made a motion to adjourn. Mayor Breslin**  
36 **seconded the motion and it passed unanimously.**

37  
38 The meeting adjourned at 8:03 p.m.

39  
40  
41 Respectfully submitted,

42  
43  
44  
45 \_\_\_\_\_  
46 Mayor Frank Breslin

47 \_\_\_\_\_  
48 Town Clerk Melody Harrison

11/12/13

To: Mindy Andis  
Deputy Town Clerk  
From: Chief Chris Sadler  
NCPD 601  
Re: Kum and Go, renewal of liquor license

Dear Mindy,

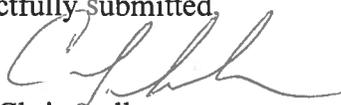
On July 1<sup>st</sup> the Colorado Department of Revenue Liquor Enforcement Division performed compliance checks in our area. Kum and Go failed the check by selling alcohol to a minor. Kum and Go paid a fine for a first offense in lieu of a 15 day suspension and in October a second compliance check by the DOR took place. Kum and Go passed this compliance check with no issues.

The above is the only information which would reflect negatively on the liquor license of the Kum and Go this year. They have been very careful about responsible service of alcohol in the past and I am hopeful their good habits will continue.

As with other establishments, I submit the following abbreviated list for the Kum and Go and request their continued compliance.

1. Management, and all employees tasked with dispensing alcohol are to be TIPS trained/certified. The initial certification is to be provided to the police department as well as the Town Clerk, prior to the service of alcohol. TIPS classes are to then be repeated yearly with associated certification forwarded to the PD and Town Clerk.
2. A notebook is to be kept behind the service counter for the purpose of immediate employee documentation of any and all disturbances or incidents occurring on, or near the licensed premise. (names, description of subject, date, time, nature of incident, police called, etc.) This notebook is to be readily available to the police department upon request.
3. The applicant is responsible for the sidewalk adjacent to the establishment. All trash, cigarette butts or other waste should be cleaned from the sidewalk (and gutter) when necessary, and, at the end of the business day.
4. A telephone must be kept in working order at all times for employee use in an easily accessible location.
5. The occupancy load of the premise must be posted. The applicant will not allow the occupancy load to exceed the posted limit.

Respectfully submitted,

  
Chief Chris Sadler

**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 _____	_____
<b>Amount Due/Paid</b>	

KUM & GO #927  
 6400 WESTOWN PKWY  
 WEST DES MONIES IA 50266-7709

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 <b>KUM &amp; GO LC</b>		DBA <b>KUM &amp; GO #927</b>		
Liquor License # <b>12404240005</b>	License Type <b>3.2% Beer Off Premises (city)</b>	Sales Tax License # <b>12404240005</b>	Expiration Date <b>12/6/2013</b>	Due Date <b>10/22/2013</b>
Street Address <b>801 CASTLE VALLEY BLVD NEW CASTLE CO 81647-9441</b>				Phone Number <b>970 9849618</b>
Mailing Address <b>6400 WESTOWN PKWY WEST DES MONIES IA 50266-7709</b>				
Operating Manager <i>Bryan Ekman</i>	Date of Birth <i>6/1/74</i>	Home Address <i>12501 CHASE ST CO 81652</i>		Phone Number <i>366-4170</i>
<p>1. Do you have legal possession of the premises at the street address above? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO                  Is the premises owned or rented? <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Rented* *If rented, expiration date of lease _____</p> <p>2. 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. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO  <b>NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS:</b> 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.</p> <p>3. 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. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p>4. 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. <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <i>See attached</i></p> <p>5. 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. <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <i>See attached</i></p> <p>6. <b>SOLE PROPRIETORSHIPS, HUSBAND-WIFE PARTNERSHIPS AND PARTNERS IN GENERAL PARTNERSHIPS:</b> 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.</p>				

**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 <i>Craig Bergstrom</i>	Title <i>CFO</i>
Signature <i>Craig Bergstrom</i>	Date <i>10/03/2013</i>

**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

Kum & Go LC  
Alcohol Violations

Store #	Alcohol	1st	05/24/2013	1st	05/16/2011	\$200.00	Settlement Agreement and Payment sent 5/25/2011
658	Alcohol	1st	05/24/2013	1st	05/16/2011	\$200.00	Settlement Agreement and Payment sent 5/25/2011
663	Alcohol		05/24/2013				
902	Alcohol	05/03/2008	2nd				
903	Alcohol	05/03/2008	2nd				
906	Alcohol	09/29/2010	1st				
913	Alcohol	10/07/2010	1st				
914	Alcohol	5/10/2013	1st				
915	Alcohol	06/05/2011	1st				
915	Alcohol	1st	05/16/2011	1st	05/16/2011	\$200.00	Notified via e-mail from Kellie Wisbrock 6.6.13. Stipulation and agreement returned by MJC on 6.20.13.
919	Alcohol	09/27/2012	1st				
922	Alcohol	10/30/2010	1st				
927	Alcohol	10/29/2010	3rd				
927	Alcohol	06/15/2007	2nd				
927	Alcohol	06/25/2005	1st				

5 days abeyance commencing on 10/4/05; 40 hours service with Community Coalition; Failed to serve community Service - 2 days

suspension March 6 & 7, 2007

927	Alcohol	1st	07/01/2013		Notified via e-mail by Kellie Wisbrock 7.1.13.
928	Colorado	Alcohol	1/11/2013	1st	200 Stipulation and Agreement sent 3.14.13
928	Colorado	Alcohol	12/02/2011	3rd	10 day suspension
928	Colorado	Alcohol	06/15/2007	1st	
928	Colorado	Alcohol	12/21/2007	2nd	
928	Colorado	Alcohol	1/11/2013		200 Stipulation and agreement sent
930	Colorado	Alcohol	05/13/2009	1st	
933	Colorado	Alcohol	06/01/2012	1st	Rec'd notice of Show Cause Hearing 7/12/12. Hearing is on 9/20/12.
973	Colorado	Alcohol	10/07/2010	1st	\$200.00
973	Colorado	Alcohol	12/01/2012	2nd	Notified via e-mail by Portia Fehr 12.3.12. 15 day suspension (2.23-2.27), 5 active, 10 in abeyance for 1 year. Stipulation Agreement sent 1.24.13.
995	Alcohol	1st	06/27/2013		Notified via e-mail by Portia Fehr on 7.1.13.
4923	Colorado	Alcohol	07/26/2007	1st	
4924	Colorado	Alcohol	07/26/2007	1st	

# Kum & Go LC

## Colorado Stores

Store #	Address	Address2	City	State	Zip	Phone
650	17970 Knollwood Dr		Monument	Colorado	80132	719-487-2696
657	2130 Vickers Dr.		Colorado Springs	Colorado	80918	719-219-0324
658	6125 Barnes Rd		Colorado Springs	Colorado	80922	719-219-0685
663	5771 N Carefree Circle		Colorado Springs	Colorado	80922	719-219-0086
665	1206 Interquest Pkwy		Colorado Springs	Colorado	80921	719-219-0697
667	7375 Duryea Rd		Colorado Springs	Colorado	80918	719-445-5041
669	6735 N Carefree Cr		Colorado Springs	CO	80922	(719-434-3869)
670	8050 Fountain Mesa Rd		Fountain	Colorado	80817	719-382-9018
672	3025 Hancock Expressway		Colorado Springs	Colorado	80916	719-473-8296
673	620 East Fullmore Street		Colorado Springs	Colorado	80907	719-219-0726
900	16065 Hwy PO Box 174		Yampa	Colorado	80483	970-638-4283
901	895 Yampa & 9Th		Craig	Colorado	81625	970-824-7325
902	1302 W Victory		Craig	Colorado	81625	970-824-2568
903	700 E Victory Way		Craig	Colorado	81625	970-824-2418
905	905 Main ; PO Box 242		Silt	Colorado	81652	970-876-0683
906	0010 Stone Quarry Road		Battlement Mesa	Colorado	81635	970-285-5637
907	101 Ruby   PO Box 2657		Silverthorne	Colorado	80498	970-468-0888
909	605 Park / PO Box 1599		Kremmling	Colorado	80459	970-724-1105
910	366 71st Ave		Greeley	Colorado	80634	970-353-1110
912	30393 Kings Valley Dr.		Conifer	Colorado	80433	303-816-0558
913	PO Box 6; 13799 Pacific Circle		Mead	Colorado	80504	970-535-4601
914	7027 20th St		Greeley	Colorado	80634	970-330-8552
915	300 Harrison Ave		Leadville	Colorado	80461	719-486-3175
916	203 Mt View Dr		Leadville	Colorado	80461	719-486-1221
919	317 E Main St		Rangely	Colorado	81648	970-675-2858
920	2032 Curv PO Box 880909		Steamboat Springs	Colorado	80477	970-871-3324
921	120 E 1st St.		Rifle	Colorado	81650	970-625-3806
922	120 E. 26th St.		Rifle	Colorado	81650	970-625-2274
927	801 Castle Valley Blvd.		New Castle	Colorado	81647	970-984-9618
928	80 Anglers P.O.Box #882139		Steamboat Springs	Colorado	80488	970-871-0753

929 59 Tamarisk Trail	Battlement Mesa	Colorado	81635	970-285-7381
930 2150 E. Bridge St.	Brighton	Colorado	80601	720-685-3161
931 2901 37th St	Evans	Colorado	80620	970-330-3206
933 115 Knobcone Dr.	Loveland	Colorado	80537	970-669-2889
934 8150 6th S.P.O. Box 1429	Wellington	Colorado	80549	970-568-3173
935 103 OakRi PO Box 1317	Gypsum	Colorado	81637	970-524-1833
937 4530 Hwy 6 & 24 Unit A	De Beque	Colorado	81630	970-283-8635
938 308 Agate PO Box 1907	Granby	Colorado	80446	970-887-3031
940 70 W Bridge	Brighton	Colorado	80601	303-659-9546
972 2375 Canyon Blvd	Boulder	Colorado	80302	303-440-1457
973 127 Laura Way	Dacono	Colorado	80514	303-833-3935
975 PO Box 3028	Idaho Springs	Colorado	80452	303-567-2385
978 PO BOX 5940	Eagle	Colorado	81631	970-328-0806
995 1600 E Eisenhower Blvd	Loveland	Colorado	80537	970-612-0112
2925 39065 Hw. P.O. Box #153	Meeker	Colorado	81641	970-878-5131
2926 2510 Gilstrap Ct.	Glenwood Springs	Colorado	81601	970-947-1469
4904 230 W. Je P.O. Box #817	Hayden	Colorado	81639	970-276-3625
4923 365 So. 7Th	Rifle	Colorado	81650	970-625-5045
4924 1248 Railroad Ave.	Rifle	Colorado	81650	970-625-4179
4951 105 6Th St	Glenwood Springs	Colorado	81601	970-945-7628