

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

Pledge of Allegiance

The Mayor led everyone present in the Pledge of Allegiance.

Changes to the Agenda

There were none.

Minutes

It was moved by Councilmember Penick and seconded by Councilmember Raley to approve the minutes of the October 2, 2012 regular meeting as submitted by the Clerk. All in favor, motion carried.

Citizen Comments

Denise Huff, 734 Antelope Street, commented on her water bill and also on how she was treated by staff when she came into the City office.

Club Liquor License Renewal; BPOE Lodge No 1235

The Clerk reported that BPOE Lodge No 1235 has submitted their club liquor license renewal. The application is complete and all fees have been paid. The Delta Police Department has recommended renewal.

It was moved by Councilmember Cooper and seconded by Councilmember Jurca to approve the club liquor license renewal for BPOE Lodge No 1235. All in favor, motion carried.

Retail Liquor Store License Renewal; Grand Valley Liquors

The Clerk stated that Grand Valley Liquors has submitted their retail liquor store license renewal. The application is complete and all fees have been paid. The Delta Police Department has recommended renewal.

It was moved by Councilmember Jurca and seconded by Councilmember Raley to approve the retail liquor store license renewal for Grand Valley Liquors. All in favor, motion carried.

Hotel and Restaurant Liquor License Renewal; Fiesta Vallarta

The Clerk stated that Fiesta Vallarta has submitted their hotel and restaurant liquor license renewal. The application is complete and all fees have been paid. The Delta Police Department has recommended renewal.

Regular Meeting, Delta City Council, October 16, 2012 (cont.)

Hotel and Restaurant Liquor License Renewal; Fiesta Vallarta (cont.)

It was moved by Councilmember Penick and seconded by Councilmember Raley to approve the hotel and restaurant liquor license for Fiesta Vallarta. All in favor, motion carried.

Report of Changes; House of Chin

The Clerk reported that House of Chin has had a change in corporate structure, therefore, submitted a report of changes on their liquor license. Zong Yong He purchased 80% of stock from Bobby Trinh who owned 100% of the stock. Mr. He did submit his fingerprints which have been forwarded to CBI for review. The Delta Police Department has also done a NCIC/CCIC check on Mr. He for outstanding warrants which was determined to be clear. Staff recommends approving the report of changes contingent upon receiving favorable results on the fingerprint submission from CBI.

It was moved by Councilmember Jurca and seconded by Councilmember Raley to approve the report of changes for House of Chin, Inc. contingent upon receiving favorable results from CBI for Zong Yong He. All in favor, motion carried.

CDOT Property Acquisition

Public Works Director Jim Hatheway stated that CDOT has completed the appraisal process for the drainage ditch property needed for the truck route. CDOT's appraiser determined the value to be between \$3898 and \$19,524 based on varying methods. Tim Woodmansee, CDOT Region 3 Right of Way Manager has used that information and assigned a value of \$4881. When approved by Council, CDOT will prepare a deed and deliver the deed upon receipt of the \$4881. The deed will then be recorded by the City.

It was moved by Councilmember Cooper and seconded by Councilmember Penick to approve the property acquisition from CDOT for \$4881 and authorize the City Manager to complete the transaction. All in favor, motion carried.

City Attorney Comments

City Attorney Michael Schottelkotte stated that the City received a refund in the amount of \$27,600 for the excess amount that was paid in to acquire possession of the Family Household Trust property. He also stated he has an amended Rule and Order that was issued in the Family Household Trust case. He explained that the Delta County Abstract Company issued an unsigned current commitment for title insurance on the trade corridor property that will go to the railroad. He then explained the process moving forward.

City Manager Comments

City Manager Justin Clifton addressed Ms. Huff's previous comment. He then asked Wilma Erven, Recreation Director, to update Council on a few items.

Ms. Erven commented that there was a concern earlier regarding the flowers that were promised to Maverick. She stated that a mural has also been promised. She did not know if Council was aware of that.

Regular Meeting, Delta City Council, October 16, 2012 (cont.)

City Manager Comments (cont.)

Council stated they were not.

Ms. Erven provided Council a little background on the request from Maverick. She then explained the process of getting a mural started. At this time she wanted to update Council and have it discussed at another time.

Councilmember Comments

Councilmember Cooper commented on the new golf course sign pointing in the wrong direction.

Councilmember Penick commented on the following items:

- The Daily Sentinel under the “who said it” column there was a comment complimenting the City of Delta on the flowers.
- He attended a Fore Alliance meeting and the City has received an invitation for DMEA's Business and Energy forum.
- The letter from the Olsen's concerning a code violation.
- He would like to propose a change in the way the Council meetings are conducted. He would like an opportunity to discuss the motion after it is made and before a call for a vote. He would also like a negative vote called after the affirmative is called.

There was discussion regarding Robert's Rules of Order.

The meeting was adjourned at 7:27 p.m.

Jolene E. Nelson, City Clerk