



DELTA CITY COUNCIL
REGULAR CITY COUNCIL MEETING

Thursday, December 7, 2017
Delta City Municipal Complex Council Chambers
76 North 200 West
Delta, Utah 84624-9440

PRESENT

Gayle K. Bunker, Mayor
Robert W. Banks, Council Member
J. Travis Keel, Council Member

John W. Niles, Council Member
Betty Jo Western, Council Member

ABSENT

Kiley J. Chase, Council Member

ADDITIONALLY PRESENT

Gregory J. Schafer, Admin. Officer/Recorder
Todd F. Anderson, City Attorney
Dent R. Kirkland, Public Works Director
Travis L. Stanworth, Asst. Public Works Dir.
Randy C. Morris, Parks Maint. Supervisor
Lynn B. Ashby, Fire Chief

Sam Jacobson, Chronicle-Progress, LLC
Abe Johnson, Old Capitol Arts & Living History Festival
Annette Johnson, Old Capitol Arts & Living History Festival
Amanda Nielson, Resident
Michelle Melville, Resident

Mayor Bunker called the meeting to order at 7:00 p.m. He stated that notice of the time, place, and agenda of the meeting had been posted at the City Municipal Complex, on the Utah Public Notice website, the Delta City website and had been provided to the Millard County Chronicle-Progress and to each member of the City Council at least two days prior to the meeting. Mayor Bunker conducted roll call and offered the opening remarks. Mayor Bunker led those in attendance in the Pledge of Allegiance.

MINUTES

The minutes of the Regular City Council Meeting held November 2, 2017 were presented for approval. Council Member Niles MOVED to adopt the minutes of the Regular City Council Meeting held November 2, 2017 as presented. The motion was SECONDED by Council Member Keel. Mayor Bunker asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed with Council Member Banks, Council Member Keel, Council Member Niles, and Council Member Western in favor and Council Member Chase absent.

The minutes of the Special City Council Meeting held November 21, 2017 were presented for approval. Council Member Banks MOVED to adopt the minutes of the Special City Council Meeting held November 21, 2017 as presented. The motion was SECONDED by Council Member Western. Mayor Bunker asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed with Council Member Banks, Council Member Keel, Council Member Niles, and Council Member Western in favor and Council Member Chase absent.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, payroll and electronic transactions for the period ending December 7, 2017 in the amount of \$439,561.13. There was an inquiry about an accounts payable expenditure. Council Member Keel MOVED to approve the payments disbursed dated December 7, 2017 in the amount of \$439,561.13. The motion was SECONDED by Council Member Niles. Mayor Bunker asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed with Council Member Banks, Council Member Keel, Council Member Niles, and Council Member Western in favor and Council Member Chase absent.

PUBLIC COMMENT PERIOD

There were no public comments.

BUSINESS

Local Consent of City Council to Purchase and Operate Curley's Lounge

Amanda Nielson came before the City Council to ask for local consent to operate Curley's Lounge, should she purchase the establishment from James Robson, so that she can apply for a liquor license from the State. There was a discussion about what would be required of Ms. Nielson to obtain a liquor license from the State of Utah. Council Member Keel MOVED to authorize the Mayor to sign a Department of Alcoholic Beverage Control (DABC) form of local consent for the possible issuance of a liquor license to Ms. Nielson. The motion was SECONDED by Council Member Niles. Mayor Bunker asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed with Council Member Banks, Council Member Keel, Council Member Niles, and Council Member Western in favor and Council Member Chase absent.

Old Capitol Arts & Living History Festival, Request for Funding

Abe Johnson, Co-Chair of the Old Capitol Arts & Living History Festival, informed the Council that since he last addressed them on November 2, 2017, he had the opportunity to address the Great Basin Historical Society Board and that their organization approved donating \$18,500.00 to the festival. Mr. Johnson reiterated his request that the City consider contributing \$1,000.00 for the Old Capitol Arts & Living History Story-Telling Festival being held March 22-26, 2018. Mr. Johnson stated that Scott Bassett would act as the local contact in the Delta area for the Old Capitol Arts & Living History Festival. Council Member Niles MOVED to approve donating \$1,000.00 to the

Friends of the Territorial State House & Museum Old Capitol Arts Story-Telling Festival. The motion was SECONDED by Council Member Western. Mayor Bunker asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed with Council Member Banks, Council Member Keel, Council Member Niles, and Council Member Western in favor and Council Member Chase absent.

Fiscal Year 2017 Audited Financial Statements

Administrative Officer/Recorder Schafer informed the Council that our auditor, Todd E. Holt, CPA, was not able to make it to this meeting. Mr. Schafer then gave the Council an update on the current progress on the year being audited, noted that he and Mr. Holt were working jointly on this endeavor. The completed financial statements will be presented to the Council for approval in January 2018.

Resolution 17-415 Adopting Delta City Civil Rights Policies for CDBG Funding Programs

Administrative Officer/Recorder Schafer informed the Council that he and City Attorney Anderson had discussed the fact that we could save time and effort by incorporating these proposed civil rights policies into our proposed Personnel Policies and Procedures Manual at the time of its adoption. The impetus to adopt these civil rights policies come as a recommendation by the State of Utah Community Development Block Grant (CDBG) program that is administered under the U.S. Department of Housing and Urban Development (HUD). There are a multitude of federal regulations that are in place which requires substantive compliance with to be eligible to receive federal grant funds of this nature. Therefore, Schafer requested that the Council motion to table this proposed resolution. Council Member Western MOVED to table Resolution 17-415 adopting Delta City's Civil Rights Policies for CDBG Funding Programs. The motion was SECONDED by Council Member Keel. Mayor Bunker asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed with Council Member Banks, Council Member Keel, Council Member Niles, and Council Member Western in favor and Council Member Chase absent.

PEHP Health Insurance Underutilization Refund Usage

Mayor Bunker told the Council that his feeling as to the usage of the PEHP refund was that he would be favorable to the monies being paid out to the employees of the City since they did not utilize their health insurance to the full extent. Council Members discussed several possible uses for the refund including ear-tagging the funds toward the insurance premium for the ensuing new fiscal year, paying it out to the thirteen full-time benefited employees who are on the insurance program as an encouragement to continue being healthy, or simply placing the money back into the General Fund coffers. Council Member Banks MOVED to pay the money to the thirteen full-time employees in the form of a \$500.00 bonus and wait until the new fiscal year to see how the health insurance premiums will affect the City. The motion was SECONDED by Council Member Niles. Mayor Bunker asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed with Council Member Banks, Council Member Niles, and Council Member Western in favor and Council Member Keel against and Council Member Chase absent.

Lighted Christmas Parade Review

Council Members noted that the Lighted Christmas Parade was well received by our area citizens and that there had been a lot more participation this occasion than was the case in previous years.

Public Works Activities

Public Works Director Kirkland stated that since the last Council meeting on November 2, the Public Works Department had been installing Christmas lights and decorations throughout the community and assisted in setting up the facilities in advance of the scheduled time for our area children to visit with Santa Claus at the R. J. Law Community Center. The crew also finished up their current scheduled work upon the Gardner Well. They also worked with the employees of Val Kotter & Sons, Inc., having successfully completed the re-lining of the designated sections of sewer lines along our Main Street. Mr. Kirkland advised the Council that he may need to have an additional contractor come in on the final segment of the sewer lining project in the spring given the City has a sewer line on the east side of 200 East Street adjacent to the Wash Time Car Wash, that lies approximately fifteen feet beneath the ground surface and doubts our trackhoe would have the capability to excavate that deeply to reach the line. The Council asked Director Kirkland if he happened to have any historical reference to the general age of our oldest sewer lines within the system. Mr. Kirkland indicated he found a reference in Council Meeting minutes from circa 1920s that mentioned sewer line installations being made. Additionally, he noted that the public works crew had been chip sealing and crack sealing roads throughout the community where needed. Public Works Director Kirkland stated that he had received a cost revision estimate from Sunrise Engineering, Inc., of approximately \$53,000.00 related to the consideration of modifying the vehicular traffic bridge, as well as relocating the foot bridge on 450 South Road where it crosses the canal at approximately 625 E 450 S. He sought direction from the Council and they asked that he look to other options we might have. Public Works Director Kirkland told the Council that the crew built their own version of the "Elf on the Shelf," which originated from a children's picture book published in 2005. The City has been moving this elf to various locations in the City Park, the Fire Station, etc. He further indicated that we will try to get area businesses involved next year and move the elf around the business community too. This has turned into a Christmas feature that has already received many calls of interest and excitement from our area residents. Kirkland also apprised the Council that there have been some letters sent to several property owners about nuisances upon their properties. Kirkland also sought some guidance from the Council about what direction they would like him to go with the many older, abandoned and/or dilapidated homes around our City. The Council held discussion on this topic. Additionally, Attorney Anderson suggested that the formation of clearer language within Delta City's Municipal Code would make it easier to make a determination on how to deal with such properties.

Other Business

Mayor Bunker suggested to the Council that it would be beneficial for City Attorney Anderson to draft an agreement or contract between the City and the Topaz Museum Board. The ongoing

maintenance and care of the parking stalls and the asphalted roadway that runs between the R. J. Law Community Center and the Topaz Museum should be clearly documented in the interest of both entities. Mayor Bunker, as an example, stated that the Topaz Museum paid for the paving of some of the parking stalls behind their museum and others that are upon City property. Attorney Anderson was asked to work on addressing an agreement.

Mayor Bunker asked if there were any comments, questions or other items to be discussed, there were none. Council Member Keel MOVED to adjourn the City Council meeting. The motion was SECONDED by Council Member Western. Mayor Bunker asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed with Council Member Banks, Council Member Keel, Council Member Niles, and Council Member Western in favor and Council Member Chase absent.

The meeting was adjourned at 8:10 p.m.



GAYLE K. BUNKER
MAYOR

GREGORY J. SCHAFER, MMC
ADMINISTRATIVE OFFICER/RECORDER

MINUTES APPROVED: 01/04/2018