



DELTA CITY COUNCIL
REGULAR CITY COUNCIL MEETING

Thursday, February 2, 2017
Delta City Building Council Chambers
76 North 200 West
Delta, Utah

PRESENT

Gayle Bunker, Mayor
Robert Banks, Council Member
Kiley Chase, Council Member
Travis Keel, Council Member
Betty Jo Western, Council Member

ABSENT

John Niles, Council Member

ALSO PRESENT

Lora Fitch, Deputy Recorder	Lynn Ashby, Delta Fire Chief
Todd Anderson, City Attorney	Patty Ashby, Delta Resident
Dent Kirkland, Public Works Director	Mandi Kirkland, Delta Resident
Travis Stanworth, Asst. Public Works Director	Sam Jacobson, Chronicle-Progress
Randy Morris, City Employee	

Mayor Bunker called the meeting to order at 7:00 p.m. He stated that notice of the time, place, and the agenda of the meeting had been posted at the City Building, 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 led a role call. Council Member Keel 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 January 19, 2017 were presented for approval. There was a brief discussion about whether or not clarification was needed regarding the New Year's Celebration. Council Member Chase MOVED to adopt the minutes of the Regular City Council Meeting held January 19, 2017. The motion was SECONDED by Council Member Banks. 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 Chase, Council Member Keel, and Council Member Western in favor and Council Member Niles being absent.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable for the period ending February 2, 2017 in the amount of \$77,173.93. Council Member Keel MOVED to approve the accounts payable for February 2, 2017 in the amount of \$77,173.93 including electronic transactions and payroll. The motion was SECONDED by Council Member Chase. 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 Chase, Council Member Keel, and Council Member Western in favor and Council Member Niles being absent.

PUBLIC COMMENT PERIOD

There was no public comment.

BUSINESS

Fourth of July Theme

Mayor Bunker asked the Council if the suggested date of March 8, 2017 would work for the Miss Liberty Scholarship Contest. The Council agreed with the date. Mayor Bunker informed the Council that the date had been checked against Delta High School's calendar to make sure that it would not conflict with any of the school activities. He reminded the Council that the theme for the Fourth of July celebration needs to be selected to be able to go forward with the scholarship contest. Council Members discussed possible themes. Council Member Western MOVED to approve the theme of "All American" for the 2017 Fourth of July celebration. 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 Chase, Council Member Keel, and Council Member Western in favor and Council Member Niles being absent.

Mayor Bunker stated that the Council gave out frisbees during the Fourth of July celebration last year and asked if the Council had preferences for what they would like to give out this year. Mayor Bunker presented several items such as small bags, stress-balls, key rings, coin purses and the prices of what they would cost. The Council all agreed that they would like to hand out the stress-balls that cost \$0.56 each. Mayor Bunker informed the Council that the company that had provided inflatables for the New Year's celebration, Extreme Party Innovations LLC, had been contacted about being at the Fourth of July celebration. The quote from Extreme Party Innovations LLC was for a 25'foot slide, a turbo rush competition course, and a bounce house for \$1,290.00. Mayor Bunker reminded the Council that in years past, the City has charged for wrist bands for kids to get into the inflatables and split the proceeds with the cheerleaders as a fundraiser. Mayor Bunker asked if the Council wanted to do that again this year and marked that he was in favor of letting them be free. Council Member Western agreed that it would be

best to have it be free so that no children are left out. Council Member Chase MOVED to approve the purchase of stress-balls to hand out at the parade and the rental of the inflatables for the park without charge to the public. The motion was SECONDED by Council Member Banks. 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 Chase, Council Member Keel, and Council Member Western in favor and Council Member Niles being absent.

Mayor Bunker asked the Council to think about who they would recommend for the Grand Marshal for the parade.

Ordinance 17-273 Regarding Solar Energy Systems and Permitted Placement of Solar Panels within Delta City Proper

Mayor Bunker asked if the Council had any questions or comments regarding Ordinance 17-273 that had been tabled at the previous City Council meeting for further review. Council Member Chase noted that he thought the Planning and Zoning Commission had done a great job with it and put a lot of work into it. Council Member Keel MOVED to adopt Ordinance 17-273 regarding solar energy systems and permitted placement on solar panels within Delta city proper. 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 roll call. The motion passed with Council Member Banks, Council Member Chase, Council Member Keel, and Council Member Western in favor and Council Member Niles being absent.

Resolution 17-405: Addition of "RV Lot Space" Business Licensing Sub Category and Setting of Annual Rate

Mayor Bunker reviewed that the purpose of the resolution was to change the business licensing fees regarding RV rental spaces and rental property spaces to a rate of \$2.00 per recreational vehicle parking space (Only includes those lot spaces that do not contain any other structure, rented for parking recreational vehicles for a temporary time.) and \$10.00 per rental property (Apartments; Commercial Space; Duplexes; Hotels and Motels; Mobile Home Space U.C.A. § 57-16-3(6); Any other rental unit or space not temporary in nature, use, or construction.) in addition to the base categorical licensing rate per year. Mayor Bunker stated that he was in favor of having a \$2.00 rate for both to make less of an issue out of monitoring. Council Member Western stated that she was concerned about consistency between licensing for temporary and fixed rentals and that she thinks that they should be licensed separately. Council Member Keel stated that he thought it would be fair to do the \$2.00 rate for the RV spaces and \$10.00 for the rental properties and that he thought that the fixed units were like the hotels. Council Member Chase noted that if the fixed units are intended for long term rentals, then they should be treated as rental properties. Council Members discussed whether or not policing them to keep them licensed properly would be an issue. Deputy Recorder Fitch noted that there are some rental units with water meters and have a set number of units. City Attorney Anderson asked the Council if they are trying to draw a line between what counts as an RV and what is not. Council Member Western MOVED to adopt

Resolution 17-405 regarding the addition of recreational vehicle and rental property lot space rates as a business licensing sub category and setting the annual rates. 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 roll call. The motion passed with Council Member Banks, Council Member Keel, and Council Member Western in favor, Council Member Chase not in favor, and Council Member Niles being absent.

Approval for Fire Department Officers for 2017

Chief Lynn Ashby informed the Council that he had been voted in as Fire Chief, Travis Stanworth had been voted in as Assistant Fire Chief, Bryan Christensen as Captain, Jared Poulsen as Lieutenant, and Richard Bublitz as their Secretary. Chief Ashby informed the Council that there are presently twenty-eight members in the fire department and he then reviewed the duties of the officers of the fire department for the benefit of the Council. The Mayor and Council commended the Fire Chief for the work that the fire department does. Council Member Western MOVED to approve Lynn Ashby as Fire Chief, Travis Stanworth as Assistant Fire Chief, Bryan Christensen as Captain, Jared Poulsen as Lieutenant, and Richard Bublitz as their secretary. The motion was SECONDED by Council Member Banks. 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 Chase, Council Member Keel, and Council Member Western in favor and Council Member Niles being absent.

Subdivision Requirements for West of Railroad Tracks

Public Works Director Dent Kirkland came before the Council to seek their advice on how to handle a reoccurring issue regarding the subdivision of property within Delta City proper. He reminded the Council that in the current subdivision ordinance, if a lot is being subdivided to make two or more lots it is a subdivision and will require all improvements. Public Works Director Kirkland stated that the problem is that there are many areas in town where people can subdivide to make one or two more lots, but they will not because it is not justifiable with the requirement of all improvements. He continued that he has a current issue where a property owner desires to divide a family lot in town, but he would need to spend a lot of money to do all improvements including extending the road. Council Member Chase stated that he would be in favor of the creation of an exemption in the subdivision ordinance that would not require all improvements for one lot subdividing. Public Works Director Kirkland brought up the issue that if an exemption is made for one-lot subdividing, then there could be a lot that is subdivided one piece at a time until there is a large area without any improvements. The possibility of tying the one-lot exception to the entire lot plat map was discussed and the concerns of keeping track of it was discussed. Council Member Western stated that she thought that postponing the improvements until a lot is subdivided more than once is postponing the problem and making it an issue for a subsequent owner. There was a discussion about the lots in the middle of town that are empty because no one wants to subdivide and put in all of the improvements. Public Works Director Kirkland stated that he has discussed the issue with an employee that used to work for Santaquin City and that he was told that approximately ten years ago they

had done away with single lot subdivisions to prevent problems from happening with subdividing a large portion of land one piece at a time to avoid making improvements. Public Works Director Kirkland proposed the possibility of a core zone of the city where sidewalk is required, but curb, gutter, and road extension are not. The problem of people who want to know why the person across the street does not need the improvements and they do and where the boundaries of a core zone could be was discussed. City Attorney Anderson stated that the map would not be changeable once it was in place. Special improvement districts (SIDs) were discussed. Council Member Western stated that she still has concerns with passing the problem of improvements onto someone else and being consistent with who is required to make improvements. Western continued that the core of the City is the place that should have curb and gutter, rather than the place where it is not required. Other pros and cons regarding the improvements or not were discussed. Recourse from the developers who have had to put in developments on the outer edges in town was discussed. Council Member Chase MOVED to table subdivision requirements and send the subject to the Planning and Zoning Commission for further discussion. 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 Chase, Council Member Keel, and Council Member Western in favor and Council Member Niles being absent.

Public Works Update

Public Works Director Kirkland stated that in the interim time since the last Council meeting the public works department had drained the Ridge Top Well water storage tank and has been cleared of the accumulated sand from within it. Kirkland continued that there have been some water leaks in the city that have needed repair. The cause of one was unknown, but the other had been caused by bolts rotting off and the hydrant size was upgraded to the required size. Public Works Director Kirkland informed the Council that he and the Mayor had had a conference call with the Federal Aviation Administration (FAA) and their engineers regarding the Delta municipal airport. Public Works Director Kirkland explained that an environmental study would be done this year and the continued airport design in 2018. He reviewed that a hump needed to be removed, the ends of the runway needed to be redone to be the correct angle, and taxiway B needed some reconstruction. Construction is planned to occur in 2019. There was a discussion about the costs. There was a discussion about how long the airport would be completely shut down and that the FAA estimated it to be two months time. Public Works Director informed the Council that the City and the fire department were planning on sending out a request for proposal (RFP) for a security system for the City and fire department and that they were wanting to do a pre-bid meeting so that everyone could be aware of what the City and fire department are seeking in a security system. Mayor Bunker informed the Council that the timing was so that the fire department could get the security system included in their building funds.

OTHER BUSINESS

Mayor Bunker informed the Council that he had been in touch with the Daughters of Utah Pioneers (DUP), regarding the McCullough log cabin in the City park. The DUP has decided that they are no longer wanting to move the cabin from its existing location. The local organization is currently looking into museum grants. The DUP is wanting to know if the City can help place ventilation into the cabin and help do some cosmetic repairs on the outside and replace the door. Mayor Bunker asked the Council to think about whether they were interested in having the City help with the cabin. City employee Randy Morris suggested getting an estimate on how much the repairs cost.

Mayor Bunker asked that the Council go into Executive Session to discuss potential litigation strategy. Council Member Banks MOVED to go into Executive Session to discuss potential litigation. The motion was SECONDED by Council Member Chase. 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 Chase, Council Member Keel, and Council Member Western in favor, and Council Member Niles absent. The Council went into Executive Session at 8:40 p.m.

Council Member Chase MOVED to go into Regular Session. The motion was SECONDED by Council Member Banks. 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 Chase, Council Member Keel, and Council Member Western in favor and Council Member Niles absent. The Council returned to Regular Session at 9:13 p.m.

Mayor Bunker informed the Council that he had been in contact with a representative of the Church of Jesus Christ of Latter-Day Saints who is owner of the property of the former Deseret Industries outlet just north of the new fire station on 100 West Street and that the representative had received a formal offer from the City and that the representative would be discussing it with the church.

Mayor Bunker asked if there were any comments, questions, or other items to be discussed, there were none. Council Member Western MOVED to adjourn the City Council meeting. The motion was SECONDED by Council Member Banks. 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 Chase, Council Member Keel, and Council Member Western in favor and Council Member Niles absent.

The meeting was adjourned at 9:14 p.m.

GAYLE K. BUNKER, Mayor

Minutes Approved:

LORA ARIANNE FITCH, Deputy Recorder