

CITY OF DELTA, UTAH  
REGULAR CITY COUNCIL MEETING  
SEPTEMBER 6, 2012

PRESENT

Gayle Bunker  
John Niles  
Steven Pratt  
Betty Jo Western

Mayor  
Council Member  
Council Member  
Council Member

ABSENT

Robert Banks  
Tom Stephenson  
Alan Riding

Council Member  
Council Member  
Public Works Director

ALSO PRESENT

Gregory Jay Schafer  
Todd Anderson  
Jim Robson  
Tom Herbert  
Steve Lester  
Scott Johnson

City Recorder  
City Attorney  
Curley's Lounge  
Delta Pilots Club  
Delta Pilots Club  
Delta Pilots Club

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 Building and on the Utah Public Notice website and provided to the Millard County Chronicle/Progress and to each member of the City Council at least two days prior to the meeting.

Council Member Betty Jo Western provided opening remarks, following which Mayor Bunker led those in attendance in the Pledge of Allegiance.

MINUTES

The minutes of a Regular City Council meeting held August 16, 2012 were presented for consideration and approval. Following review, Council Member Betty Jo Western MOVED to adopt the minutes of the Regular City Council meeting held August 16, 2012, as presented. The motion was SECONDED by Council Member Steven Pratt. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed with Council Members John Niles, Steven Pratt, and Betty Jo Western voting in favor and Council Members Robert Banks and Tom Stephenson being absent.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a copy of which had been provided to them at least two days prior to the meeting. Following review and discussion, Council Member John Niles MOVED to approve the accounts payable, dated September 6, 2012, in the amount of \$247,116.59. The motion was SECONDED by Council Member Betty Jo Western. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed with Council Members John Niles, Steven Pratt, and Betty Jo Western voting in favor and Council Members Robert Banks and Tom Stephenson being absent.

PUBLIC COMMENT PERIOD

There were no comments from the public.

Mayor Bunker requested a motion to adjourn City Council meeting and convene at the Local Building Authority. Council Member Steven Pratt MOVED to adjourn City Council meeting and convene as the Local Building Authority. The motion was SECONDED by Council Member John Niles. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed with Council Members John Niles, Steven Pratt and Betty Jo Western voting in favor and Council Members Robert Banks and Tom Stephenson being absent.

Following adjournment of the Local Building Authority meeting, the Council reconvened City Council meeting.

NEW BUSINESS

JAMES ROBSON, CURLEY'S LOUNGE: REQUEST TO ALLOW EVENING HORSESHOE TOURNAMENTS ON PROPERTY LOCATED AT APPROXIMATELY 50 NORTH 300 WEST

Jim Robson advised Council Members that he would like to hold horseshoe tournaments on property located at approximately 50 North 300 West. He has discussed this proposal with neighbors and none of them were against his plan. He has looked into obtaining barrier walls which would deaden the sound and will be doing a test this weekend to see if the barriers will adequately deaden the sound. They will also be testing lighting to be installed on the property. The lights will be shining to the south and away from neighboring residences. Mr. Robson would like to begin the tournaments at about 8:00 p.m. on Saturday and run until noon on Sunday, with a barbecue on Saturday evening or breakfast on Sunday morning. Mr. Robson stated that surrounding businesses were not against his proposed plan. Mr. Robson would like to close off 50 North Street between 200 West and 300 West, during tournament events, so patrons could walk back and forth between the horseshoe tournament and Curley's Lounge.

Mayor Bunker advised Mr. Robson that the property is zoned Residential 4 (R-4), which allows single and multiple family housing. Light commercial businesses are allowed with a conditional use permit. Mayor Bunker advised Mr. Robson that he will need to meet with the Planning & Zoning Commission to request issuance of a Conditional Use Permit. Mayor Bunker also noted that we need to know what activities will be taking place during the tournaments so that it does not become a nuisance for neighbors. There are also questions regarding outdoor alcohol consumption. City Attorney Anderson expressed concern regarding the zoning issues, such as fence placement, but his greatest concern was how Mr. Robson would keep alcohol consumption on the private property and off of public property. City Attorney Anderson's concern was not only for the City but for patrons who would be subject to being cited for public intoxication while walking from Curley's Lounge to the horseshoe area. Mr. Robson noted that the only public property is 50 North Street and that is why he is requesting approval to close 50 North Street to vehicle traffic during the tournaments. Mr. Robson also noted that all adjacent businesses will be closed during the tournaments. Mr. Robson is uncertain how often he would be holding tournaments; at present, he just wants to see if there is adequate interest to hold the tournaments in Delta.

Mr. Robson was advised to come to the City Office and make application for a Conditional Use Permit. Mr. Robson said he may not start until next spring because the weather will be turning cold in the near future.

Following discussion, Council Member Betty Jo Western MOVED to refer Mr. Robson's request to allow evening horseshoe tournaments on property located at approximately 50 North 300 West to the Planning & Zoning Commission for consideration of a Conditional Use Permit. The motion was SECONDED by Council Member John Niles. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed with Council Members John Niles, Steven Pratt and Betty Jo Western voting in favor and Council Members Robert Banks and Tom Stephenson being absent.

#### TOM HERBERT, DELTA PILOTS CLUB: AIRPORT HANGAR POLICY

Mr. Herbert advised Council Members that he was here to see if Council Members had reviewed the suggested airport hangar policy he had provided and to find out whether they are agreeable to amending the current airport hangar policy. Mayor Bunker advised Mr. Herbert that this is the first time the Council has met since Mr. Herbert provided the suggested policy so there has not been much discussion. Mayor Bunker has reviewed the suggested policy and felt that some of the suggestions were good. Mayor Bunker asked if Council Members had any comments regarding the suggested policy Mr. Herbert had provided. Council Member Steven Pratt stated he had read the suggested policy and felt that there were some good suggestions and we need to discuss amending some of our current policies regarding hangar rental. Mayor Bunker asked Mr. Herbert if he was planning to build a hangar at the airport. Mr. Herbert explained that he will probably want to build a hangar eventually but, one of the other matters they wanted to discuss is, there is a group that has purchased an airplane and they wanted to rent a space in the main hangar to store the plane. Mayor

Bunker advised Mr. Herbert that he would need to contact Alan Riding, our airport manager, to discuss renting space in the main hangar.

City Attorney Anderson advised Mr. Herbert that he had reviewed the proposed hangar policy and had discussed it with Alan Riding. They felt the policy was fine but implementation would take some planning.

Mr. Herbert also suggested that Council Members consider forming an airport board, consisting of representatives of the City and pilots, to discuss airport operations and make suggestions to the Council on airport matters. Mayor Bunker agreed that we need input from pilots to assist with airport operations and advised Mr. Herbert that we will continue working on airport policies.

MAYOR GAYLE BUNKER: RESOLUTION NO. 12-350, A RESOLUTION APPOINTING AND PUBLICLY IDENTIFYING A PUBLIC RECORDS OFFICER

Mayor Bunker introduced the following Resolution:

RESOLUTION NO. 12-350

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DELTA, STATE OF UTAH, APPOINTING AND PUBLICLY IDENTIFYING A PUBLIC RECORDS OFFICER TO SERVE AS THE POINT OF CONTACT FOR MEMBERS OF THE PUBLIC IN REQUESTING DISCLOSURE OF PUBLIC RECORDS AND TO OVERSEE THE CITY'S COMPLIANCE WITH THE PUBLIC RECORDS MANAGEMENT ACT AND THE GOVERNMENT RECORDS ACCESS MANAGEMENT ACT.

City Recorder Gregory Schafer informed Council Members that there is new legislation requiring that each governmental entity have one or more records officers specifically appointed and that the records officers receive training. This resolution appoints the Delta City Recorder as the Public Records Officer.

Following discussion, Council Member Betty Jo Western MOVED to adopt Resolution No. 12-350, a resolution appointing and publicly identifying a Public Records Officer for Delta City. The motion was SECONDED by Council Member John Niles. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The vote was as follows:

Robert Banks	Absent
John Niles	Yes
Steven Pratt	Yes
Tom Stephenson	Absent
Betty Jo Western	Yes

The motion passed unanimously.

PUBLIC WORKS DIRECTOR ALAN RIDING: UPDATE ON PUBLIC WORKS PROJECTS

In the absence of Public Works Director Alan Riding, Mayor Bunker reported that he and Public Works Director Riding had discussed when to turn off water to the splash pad for the winter. There is less use now that school has started and the days are getting cooler. Council Member John Niles said he had been asked when the splash pad would be shut down. Mayor Bunker felt that, when daytime temperatures are below 80 degrees, the splash pad should be shut down. Council Members felt that it should be shut down within the next two weeks. It was determined that the splash pad will be left on until the week of September 24<sup>th</sup>, contingent upon daytime temperatures being above 80 degrees.

Mayor Bunker reported that several public works employees had attended training last week and remaining employees were cleaning up piles of weeds and preparing for the annual car show. They still need to do some asphalt patches and expect asphalt to be available in the next week or so.

OTHER BUSINESS

Mayor Bunker reported that he had met with Linda Gillmor, of Millard County Economic Development, regarding enterprise zones and identified areas of the City which they felt met the criteria. Ms. Gillmor will map out those zones and provide a map for Council Members' review. Ms. Gillmor reported someone had advised Millard County about a request for an area to house wild burros from the west desert and allow people to come see the animals. The area being considered is near the airport along Highway 6. The federal government is attempting to contract with a private party to provide the facility. Mayor Bunker is unsure how far along the process is at this time but felt that Council Members should oppose the facility being located at the location near the airport and near Delta City boundaries.

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Council Member Betty Jo Western had a question about the security deposit required for city utilities. She noticed that security deposits are refunded to property owners but the application does not state that deposits will be refunded to non-property owners. She had discussed the matter with City Recorder Gregory Schafer and was told that we have refunded security deposits to renters. Mayor Bunker stated that he believes we do refund security deposits for renters but we need to discuss those refunds with Rita Byrd, our utility billing clerk, who is out of the office for the next two weeks. Council Member Western felt we should not penalize renters who pay their utility bills in a timely manner. Mayor Bunker pointed out that renters must pay security deposits to landlords and do not receive those deposits until they move from the premises. Mayor Bunker explained that we need to wait to discuss this matter when Mrs. Byrd is in the office.

Mayor Bunker asked if there were any comments, questions or other items to be discussed. There being none, Council Member Steven Pratt MOVED to adjourn the meeting. The motion was SECONDED by Council Member John Niles. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed with Council Members John Niles, Steven Pratt and Betty Jo Western voting in favor and Council Members Robert Banks and Tom Stephenson being absent.

Mayor Bunker declared the meeting adjourned at 8:26 p.m.

  
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GAYLE BUNKER, Mayor

  
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GREGORY JAY SCHAFER, MMC, City Recorder

MINUTES APPROVED: RCCM 09-06-12