

CITY OF DELTA, UTAH
REGULAR CITY COUNCIL MEETING
NOVEMBER 1, 2012

PRESENT

Gayle Bunker	Mayor
Robert Banks	Council Member
John Niles	Council Member
Steven Pratt	Council Member
Tom Stephenson	Council Member
Betty Jo Western	Council Member

ABSENT

Alan Riding	Public Works Director
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ALSO PRESENT

Gregory Jay Schafer	City Recorder
Todd Anderson	City Attorney
Ken Clark	Assistant Public Works Director
Jane Beckwith	Topaz Museum Board
Scott Bassett	Topaz Museum Board

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 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.

Opening remarks were provided by Council Member John Niles, following which Mayor Bunker led those in attendance in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Regular City Council Meeting held October 18, 2012 were presented for consideration and approval. Following review, Council Member Robert Banks MOVED to approve the minutes of the Regular City Council Meeting held October 18, 2012, as presented. The motion was SECONDED by Council Member Tom Stephenson. 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 Robert Banks, John Niles, Steven Pratt, Tom Stephenson and Betty Jo Western voting in favor and no one voting against.

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 discussion, Council Member Betty Jo Western MOVED to approve the accounts payable, dated November 1, 2012, in the amount of \$52,736.90. 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 Robert Banks, John Niles, Steven Pratt, Tom Stephenson and Betty Jo Western voting in favor and no one voting against.

PUBLIC COMMENT PERIOD

There were no comments from the public.

UNFINISHED BUSINESS

MAYOR GAYLE BUNKER: AMENDMENT OF DELTA CITY PURCHASING POLICY

Mayor Bunker requested that City Attorney Todd Anderson address the proposed changes to the Delta City Purchasing Policy. City Attorney Anderson noted that the general intent of the amendment is an attempt to provide preference for local vendors. Utah State Code requires a public entity to accept the lowest bid because, theoretically, that is cheapest for the public. There are two ways to provide preference for local vendors; one is to make certain the policy provides tight guidelines as to the acceptable percentage of difference between the lowest bid and the local vendor bid; the best option is to state that, if a local vendor is within a given percent and will match the lowest bid, they will be given preference.

City Attorney Anderson wrote the proposed policy to state that, if a bid from a non-local bidder is lowest but there is a local bidder who is within five percent of the lowest bid, the local bidder will be given the opportunity to match the lowest bid. City Attorney Anderson advised Council Members that he wrote the policy in order to provide a better case if there is opposition to which bid is accepted. City Attorney Anderson requested input from Council Members as to which option they wanted to use in amending the purchasing policy. In addition, City Attorney Anderson requested approval of the definition of "local business or bidder" reading "a business having a commercial office, store, distribution center, or other place of business located within the boundaries of Millard County and with intent to remain, have a Delta City or Millard County business license, and at least one employee physically present at the local business outlet."

Council Member Western suggested that we take care to make certain bidders are providing bids on like products. City Attorney Anderson noted that sometimes we do not know what we asking for so we request proposals rather than bids. A decision is made based on what we think is best, not necessarily what is cheapest. When we request a bid, we need to make every effort to provide

adequate detail so that prospective offerors know exactly what the City is asking for. City Attorney Anderson also noted that, when we adopt the purchasing policy, a purchasing officer should be appointed and asked if this is possible, given the current staff. If this is not possible, we need to adjust the policy to reflect what is actually being done. We need to make certain that the policy and the procedure are the same. It was felt that the Mayor is ultimately the purchasing officer because he signs off on all purchases. Council Members felt that proposed purchases of \$10,000 and over should be approved by Council Members.

Following discussion, Council Member Robert Banks MOVED to table further discussion of this matter until the next meeting when City Attorney Anderson has a resolution prepared for adoption. 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 Robert Banks, John Niles, Steven Pratt, Tom Stephenson and Betty Jo Western voting in favor and no one voting against.

MAYOR GAYLE BUNKER: RENTAL OF CITY FACILITIES TO PRIVATE ENTERPRISES

Council Members reviewed a copy of the proposed rental agreement and use policy for rental of the Council Chamber by private enterprise. Council Members were in agreement with the proposed rental agreement and use policy.

Council Member Tom Stephenson MOVED to approve the Delta City Council Chamber User Agreement and Council Chamber Use Policy, as written, with the exception that the capacity of the room be set at 75 people. The motion was SECONDED by Council Member Robert Banks. 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 Robert Banks, John Niles, Steven Pratt, Tom Stephenson and Betty Jo Western voting in favor and no one voting against.

NEW BUSINESS

MAYOR GAYLE BUNKER: NEW YEARS EVE CELEBRATION

Mayor Bunker asked Council Member Western for an update on plans for the celebration. Council Member Western reported that the entertainment is confirmed, with a one hour show by Local Grown, followed by a comedian, then Local Grown will come back and entertain until about 11:45 p.m. The inflatable devices have been scheduled. We will be able to access the Palladium and the old gym on Monday, December 31st to set up for the celebration. We need to get someone to take care of the children's games in the old gym and we will be doing Deal or No Deal. Council Member Western requested that we get cookies rather than donuts this year. Mayor Bunker said we will be having the fireworks again this year.

PUBLIC WORKS DIRECTOR ALAN RIDING: UPDATE ON PUBLIC WORKS PROJECTS

In the absence of Public Works Director Alan Riding, Assistant Public Works Director Ken Clark advised Council Members that public works employees have been completing various small projects and preparing to get Christmas decorations put up. All of the decorations appear to be in good working order. Public Works employees will be doing city clean up on Friday and Saturday this week.

Assistant Public Works Director Clark reported on the initial Airport Board Meeting held last week. The board worked on putting together by-laws. (Could not hear the report - he was apparently not using the microphone)

Council Members discussed a meeting to be held Wednesday, November 14th regarding repair and maintenance of the shooting range. They also discussed ways to make repairs more durable. Mayor Bunker encouraged Council Members to attend the meeting on November 14th. The meeting will begin at 7:00 p.m. and will be held in the Council Chamber.

Council Member Robert Banks MOVED to adjourn the meeting and convene as Board of Trustees of the Local Building Authority of Delta City. The motion was SECONDED by Council Member Tom Stephenson. 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 Robert Banks, John Niles, Steven Pratt, Tom Stephenson and Betty Jo Western voting in favor and no one voting against. Mayor Bunker declared the meeting adjourned at 8:05 p.m.

The Council reconvened City Council meeting at 8:59 p.m.

OTHER BUSINESS

Council Member Betty Jo Western asked if the Light Parade and Tree Festival are being held on Friday, November 23rd. Mayor Bunker responded that the events are scheduled on Friday, November 23rd. Council Member Western asked if she was supposed to find entertainment for the program. Mayor Bunker requested that she obtain entertainment for the gathering at the Fair Building following the parade. Council Member Western suggested that Kelly Ball be contacted to provide students to help with Santa.

Council Member John Niles said he had been contacted by Rob Jeffery, who requested that appreciation be expressed to the Mayor and Council for using Sunrise Engineering for building inspection services. Mr. Jeffery stated that Sunrise personnel were wonderful to work with and (unable to hear). Mayor Bunker agreed that Matt Ziegler is very accommodating and Mayor Bunker has not heard any complaints about the service from Sunrise Engineering. Council Member Steven

Pratt said the only complaint he had was that contractors had been told that the change to Sunrise Engineering would mean the building inspector would be more accessible but Council Member Pratt felt that the building inspector is not more accessible. Council Member Pratt indicated that inspection services are supposed to be available within twenty-four hours but the inspector is in another area of the State two or three days each week. Mr. Ziegler puts a lot of miles on his vehicle trying to come back to Delta and be as accommodating as possible but there are some days that he cannot do all of the inspections required in other areas and return to do inspections in Delta. Council Member Pratt reiterated that Mr Ziegler is doing a great job and has been a pleasure to work with.

Mayor Bunker advised Council Members that the Delta City Christmas Party will be held Friday, December 7th beginning at 6:30 p.m.

Mayor Bunker asked if there were any comments, questions, or other items to be discussed. There being none, Council Member John Niles MOVED to adjourn the meeting. 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 Robert Banks, John Niles, Steven Pratt, Tom Stephenson and Betty Jo Western voting in favor and no one voting against.

Mayor Bunker declared the meeting adjourned at 9:03 p.m.



GAYLE BUNKER, Mayor



GREGORY JAY SCHAFFER, MMC, City Recorder

MINUTES APPROVED: SCCM 11-15-12