



DELTA CITY COUNCIL
REGULAR CITY COUNCIL MEETING
Thursday, October 17, 2013
Delta City Building Council Chambers
76 North 200 West
Delta, Utah

PRESENT

Mayor Gayle Bunker

Council Member Betty Jo Western

Council Member John Niles

Council Member Steven Pratt

Council Member Robert Banks

ABSENT

Council Member Tom Stephenson

ALSO PRESENT

City Attorney Todd Anderson

City Recorder Greg Schafer

Asst. Public Works Director Ken Clark

Mylisa Jacobson, City resident

Chesley Jacobson, City resident

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.

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 the Regular City Council Meeting held October 3, 2013 were presented for approval. Following discussion, Council Member Betty Jo Western MOTIONED to adopt the minutes of the Regular City Council Meeting held October 3, 2013 as presented. The motion was SECONDED by Council Member John Niles. The motion passed with Council Members Betty Jo Western, John Niles, Steven Pratt, and Robert Banks voting in favor, and Council Member Tom Stephenson being absent.

ACCOUNTS PAYABLE

The Council reviewed the accounts payables of October 17, 2013 for \$285,949.65; copies of which had been provided to them at least two days prior to the meeting. Following a discussion, Council Member Betty Jo Western MOVED to approve the accounts payables for October 3, 2013 in the amount of \$285,949.65. The motion was SECONDED by Council Member Steven Pratt. 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 Members Betty Jo Western, John Niles, Steven Pratt, and Robert Banks voting in favor, and Council Member Tom Stephenson being absent.

PUBLIC COMMENT PERIOD

City residents Chesley Jacobson and his wife, Mylisa Jacobson, were concerned about sewage issues, including backup and slow drainage at their property located at approximately Third North and First East. They also inquired about the possibility of getting a sewer line installed at the property where they had just removed an old septic tank previously in service. Assistant Public Works Director Ken Clark gave specific clarification on the sewage issue in this area. He also discussed options to correct the problem, though none had been decided upon. City Attorney Todd Anderson suggested that perhaps a Special Service District might be set up to spread the cost among the affected properties. Mayor Bunker stated that he was aware of the problem and that he felt that in coordination with the Public Works Department, more thought would be given to find an affordable solution. There was a discussion by the Council on the problem and the number of homes in Delta City that this situation did affect.

UNFINISHED BUSINESS

Surplus Equipment Sale of '85 Ford F350 Dump Truck and '94 Case 580 Backhoe

Mayor Bunker presented for consideration the sale of surplus equipment, specifically, a 1985 Ford F350 Dump Truck and a 1994 Case 580 Backhoe to the Delta-Sutherland-Oasis Cemetery District, for \$17,800.00. Mayor Bunker said that City Attorney Todd Anderson had reviewed the proposed sale and did not see that the sale would be problematic. There was a discussion with the Council regarding the equipment's worth. Council Member Robert Banks MOTIONED to sell the surplus equipment, specifically, a 1985 Ford F350 Dump Truck and a 1994 Case 580 Backhoe to the Delta-Sutherland-Oasis-Cemetery District, for \$17,800.00. Council Member John Niles SECONDED the motion. 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 Members Betty Jo Western, John Niles, Steven Pratt, and Robert Banks voting in favor, and Council Member Tom Stephenson being absent. Council Member Betty Jo Western added for

the record that she would like to see surplus equipment go out for bid on the open market for fairness to the public in the future.

Additional Employee Compensation

Mayor Bunker proposed for the Council's consideration, a bonus for the full time and part time City employees in the total amount of \$23,375.00, as presented on the information sheet provided to each Council Member in advance of the meeting. Following a discussion, Council Member Betty Jo Western MOTIONED to compensate the full time and part time City employees with a bonus for the total amount of \$23,375.00 as suggested in the worksheet provided to each Council Member previously. Council Member John Niles SECONDED the motion. 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 Members Betty Jo Western, John Niles, Steven Pratt, and Robert Banks voting in favor and Council Member Tom Stephenson being absent.

BUSINESS

New Year's Eve Celebration

Mayor Bunker asked, regarding the New Year's Eve celebration if Council Member Betty Jo Western would give an update. Member Betty Jo Western stated that Charlie Jenkins would be coming for the entertainment for Delta City's New Year's Eve celebration. Council Member Betty Jo Western is still in the process of attaining the rest of the evening's entertainment. Member Betty Jo Western stated that she was working to stay within the budget for the evening. The Charlie Jenkins Band will perform a concert from 8:00 p.m. to 9:00 p.m., Member Betty Jo Western continued, and then the other form of entertainment will fill the time between 9:00 p.m. and 10:00 p.m. At this point of the evening there will be dancing to Charlie Jenkins' performance until midnight. Council Member Betty Jo Western said that Marva Jean Anderson will again organize the game "Deal or No Deal," and that Marva Jean Anderson has a committee willing to assist her. Mayor Bunker reminded the Council that someone still needed to make sure that the fireworks were in place for the event. Recorder Greg Schafer indicated that he would follow up with Fire Chief Lynn Ashby to order them. Mayor Bunker also commented that he had spoken to the High School Principal and the Superintendent regarding using the new gym for the inflatables, and they both gave permission for the use of the new gyms. Mayor Bunker stated that help would be needed to set up, tear down and then to clean up the pavilion. Council Member Betty Jo Western volunteered to check the athletic program schedule to see if any events would conflict with the setup and cleanup of the facility. Council Member Betty Jo Western asked that the City get prices from both Quality Market and Delta Jubilee for the meat and cheese trays that would be served at the New Year's Eve party. There was a brief discussion by the Council regarding the Light Parade and the possibility of awarding

a cash award for float participants to encourage involvement. Permission was granted to award three \$50.00 cash awards to promote the participation in the Light Parade.

Old Equipment and Cleaning Up of Properties

Assistant Public Works Director Ken Clark reported that he had received a complaint that the Public Works department felt needed valid attention and direction from the Council given the sensitivity of the subject. The property in question is Robert Lister's, Mr. Clark stated. The complaint came from a neighbor who stated that the perceived junk in this property lowers the values of the homes in the area. The complainant wanted to know what could be done by the City to address his concerns. Mr. Clark reported that he had driven by the property in question and that the area was clean and well maintained, but that there was old equipment being stored there. Mr. Clark said that there is other property with the same issue around the city and Mr. Clark wanted to know if the Council desired the Public Works to make a list of these properties so that some kind of enforcement could take place. Council Member Betty Jo Western commented that she felt that the Council should be proactive in this endeavor, not reactive. Mr. Clark agreed and said that a letter could be sent to all such property owners so that no one would be singled out. The Council had a discussion regarding cleaning up the City and then on "at what point to draw the line" regarding private property rights. It was suggested that a letter be sent out before City Clean Up to encourage the cleanup of properties, using the contrivance of the Delta Clean Up week end, after which, specific problem areas could be targeted for further efforts. Mr. Clark wanted to know how the Council wished him to respond to the complainant. Mayor Bunker asked if the property in question is really a nuisance or safety hazard, or if it was just an eye sore. City Attorney Todd Anderson stated that if he were to draw the line somewhere, it would be if the property was indeed a public safety issue. Mr. Clark stated that he did not feel the property in question was a public safety issue. Council Member Steven Pratt asked Mr. Clark who made the determination on such matters. Mr. Clark answered that Alan Riding, Public Works Director made the determination and Mr. Clark as his assistant. Mr. Clark realizes that because of the sensitivity of the issue, that of personal property, the problem must be handled carefully. Mr. Clark stated that he would visit with the complainant to let him know that the city does not see the property as a nuisance. Mr. Clark also said that if the complainant wanted to pursue this, Mr. Clark would refer him to the Council or to City Attorney Todd Anderson.

Public Works Update

Assistant Public Works Director Ken Clark reported that the "D" Station was now back up and running. The slurry seal project at the airport is now complete, said Mr. Clark, and the Sherwood Water Project is finalized. Mayor Bunker and Mr. Clark both asserted that they had heard no negative comments regarding the Sherwood Water System.

Fall 2014 Utah League of Cities and Town Lodging

Mr. Greg Schafer, City Recorder, asked the Council what they would like to do regarding lodging for the upcoming 2014 Utah League of Cities and Towns conference. Member Betty Jo Western said that the Crystal Inn had worked well in the past with clean rooms and nice breakfasts, but that this year she had felt apprehensive because of individuals asking her for money in the hotel parking lot. There was a discussion regarding insecurity issues, and theft issues at the hotel during this year's conference. The Council discussed if the difficulty was with the specific area in the city, or if it was the hotel property that was problematic. Mr. Schafer said that he would look into lodging with secure parking if the Council was willing to commute. Mayor Bunker commented that he had liked the convenience of the Crystal Inn in the past.

OTHER BUSINESS

City Recorder Greg Schafer reported that due to not being able to schedule a caterer on Friday, December 6, 2013, the Delta City Annual Christmas dinner would be Wednesday, December 4th. Mr. Schafer also stated that next year the City would schedule earlier and go back to the first Friday in December.

City Recorder Greg Schafer also brought to the Council's attention a memo that he had added to their packets regarding Mr. Bret Peterson submitting an application to bring a Pawn and Titles and Loan business to Delta City. Mr. Schafer reviewed the business ordinance for Pawn businesses. Part of this process included a recommendation from the Millard County Sheriff's Office, and Mr. Schafer explained that the ordinance is old and that he would recommend that this part of the process be eliminated. City Attorney Todd Anderson explained that prior to the present date where Pawn businesses must submit all items to a data base to help prevent the resale of stolen goods, the Sheriff's Office had been involved in this process by approving the application. But due to stringent state ordinances regarding Pawn businesses, this is no longer necessary. Council Member Steven Pratt made a MOTION to waive the contrary sections of Ordinance 9-334 and 9-335 of the Delta Municipal City Code. Council Member John Niles SECONDED the motion. 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 Members Betty Jo Western, John Niles, Steven Pratt, and Robert Banks voting in favor, and Council Member Tom Stephenson being absent. Council Member Steven Pratt asked about the status of zoning compliance for the business location in question, and if it might be a good time to require that the zoning ordinances be enforced. A discussion ensued about enforcing these zoning issues or grandfathering the business at the present time. Mr. Schafer noted that at the business licensing process, the first inspection would be with the zoning officer so that these

ordinances could be enforced before the process continues. Mr. Clark recommended giving the business involved a grace period to bring the zoning to date.

Mayor Bunker acknowledged that E. Hale Jeffery, active community member and Fire Department volunteer for over 47 years, had passed away. Council Member Betty Jo Western suggested having a pin or coin made in his memory to give to the family with the Council's condolences. Mayor Bunker agreed and it will be presented to his family posthumously.

City Attorney Todd Anderson suggested that the city reserve one of the pavilions at the park two Saturdays a month in the fall for a Farmer's Market with only home grown or homemade items. Mr. Anderson asked that business licensing be waived for the event. Council Member Betty Jo Western brought up the matter of offering a community garden area. The Council agreed to think about both projects.

Council Member Betty Jo Western mentioned that she would like to see a new Fire Department location be determined for the future, and that she would like for the Council to be considering this. There was a brief discussion on where this may be built and grants that might help with the building expenses.

MAYOR GAYLE BUNKER: REQUEST TO ADJOURN TO EXECUTIVE SESSION

Mayor Bunker requested that Council Members adjourn to Executive Session to discuss the character, professional competence, or physical or mental health of individuals. Mayor Bunker asked if there were any comment, questions, or other items to be discussed. There being none, Council Member Robert Banks MOVED to adjourn the regular City Council meeting and adjourn to Executive Session. 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 passes with Council Members Betty Jo Western, John Niles, Steven Pratt, and Robert Banks voting in favor, and Council Member Tom Stephenson being absent. The council adjourned into Executive Session at 9:07 p.m.

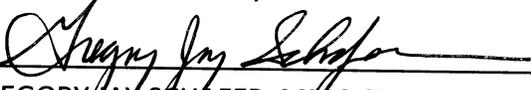
The council returned into regular City Council meeting at 9:23 p.m. Mayor Bunker recommended that Delta City hire a new receptionist / secretary to replace a retiring employee. Member Steven Pratt MOTIONED for Delta City to hire a new receptionist / secretary to replace a retiring employee. Member Betty Jo Western SECONDED the motion. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passes with Council Members Betty Jo Western, John Niles, Steven Pratt, and Robert Banks voting in favor, and Council Member Tom Stephenson being absent.

Mayor Bunker asked if there were any comment, questions, or other items to be discussed. There being none, Council Member Robert Banks 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 passes with Council Members Betty Jo Western, John Niles, Steven Pratt, and Robert Banks voting in favor, and Council Member Tom Stephenson being absent.

Mayor Bunker declared the meeting adjourned at 9:25 p.m.



GAYLE K. BUNKER, Mayor



GREGORY JAY SCHAFFER, MMC City Recorder

Minutes Approved: