



DELTA CITY COUNCIL
REGULAR CITY COUNCIL MEETING

Thursday, May 19, 2016
Delta City Building Council Chambers
76 North 200 West
Delta, Utah

PRESENT

Mayor Gayle Bunker
Council Member Robert Banks
Council Member John Niles

Council Member Travis Keel
Council Member Betty Jo Western

ABSENT

Council Member Kiley Chase

ALSO PRESENT

Greg Schafer, City Recorder
Todd Anderson, City Attorney
Dent Kirkland, Public Works Director
Travis Stanworth, Asst. Public Works
Director
Sam Jacobson, Chronicle-Progress Reporter
Lynn Ashby, Fire Chief
Justin Ashby, City Employee
Randy Morris, City Employee
Monica Schafer, Delta Citizen

Brandon Smith, Delta Citizen
Dusty Smith, Delta Citizen
Linda Sorensen, Delta Citizen
Kurt Sorensen, Delta Citizen
Mike Steele, Delta Citizen
Michele Steele, Delta Citizen
Lacey Keel, Delta Citizen
Andy Nickle, Delta Citizen
Julie Hobson, Delta Citizen

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 conducted roll call. Council Member Niles gave the opening remarks then the Mayor led those in attendance in the Pledge of Allegiance.

MINUTES

The minutes of the Public Hearing held May 5, 2016 for the purpose of receiving public comment on the vacating of a road at approximately 820 E and 750 N in the Sand Ridge Subdivision were presented for approval. Council Member Banks MOVED to adopt the minutes of the Public Hearing held May 5, 2016 for the purpose of receiving public comment on the vacating of a road at approximately 820 E and 750 N in the Sand Ridge Subdivision. 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 was absent.

The minutes of the Public Hearing held May 5, 2016 to receive public comment on certain expenditures made by the city of municipal funds and whether those expenditures provide corporate purpose per Utah Code Annotated 10-8-2 were presented for approval. Council Member Keel MOVED to adopt the minutes of the Public Hearing held May 5, 2016 to receive public comment on certain expenditures made by the city of municipal funds and whether those expenditures provide corporate purpose per Utah Code Annotated 10-8-2. 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 was absent.

The minutes of the Council Meeting held May 5, 2016 were presented for approval. Council Member Niles MOVED to adopt the minutes of the Regular City Council Meeting held May 5, 2016. 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 was absent.

ACCOUNTS PAYABLE

The Council reviewed the accounts payables for the period ending May 19, 2016 in the amount of \$151,600.00. There were some transactions discussed by the Council. Council Member Banks MOVED to approve the accounts payables for May 19, 2016 in the amount of \$151,600.00. 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 was absent.

PUBLIC COMMENT PERIOD

There were no public comments

BUSINESS

Final Plat Approval Lyla Rae Morris (Trustee) Subdivision

Randy Morris asked that the subdivision be tabled. Council Member Banks MOVED to table the final plat approval of the Lyla Rae Morris (Trustee) Subdivision. 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 was absent.

Resolution 16-397 Use of Municipal Funds for Corporate Purpose

Mayor Bunker stated that there had been a public hearing regarding the resolution the previous meeting. Mayor Bunker stated that it came to a total of about \$65,000.00 and that it was value of services as well as monetary funds. There was a discussion regarding it and how it will be included in the budget and line items in the future. Recorder Schafer stated that all of the contributions included in the \$65,000.00 meet the requirements of the code. There was a discussion as to whether the resolution would impact future contributions to the community and it was noted that it would not. Council Member Keel MOVED to accept Resolution 16-397 Use of Municipal Funds for Corporate Purpose. 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 was absent.

Ordinance 16-269 Adopting Delta Municipal Airport Annexation

Council Member Western noted that there had been a public hearing held and while some people opted out of being annexed into the City, there hadn't been any opposition to the annexation taking place. Council Member Niles MOVED to adopt ordinance 16-269 adopting Delta City Municipal Airport Annexation, an ordinance annexing real property north east of existing Delta City, ranging from Highway 50 to Highway 6 to include the Delta City Municipal Airport and other parcels of Delta City property, but excluding various portions, including the Sunset View Golf Course, Sunset View Subdivision, and three other privately owned parcels fronting on U.S. Highway 50. The annexation will consist of approximately 2,489.79 acres. Council Member Banks 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 Member Banks, Council Member Keel, Council Member Niles, and Council Member Western in favor and Council Member Chase was absent.

Certification of Designation of Depositories

City Recorder Schafer presented the certificate of depositories and stated that it is required by insurance companies every few years, particularly on the Ridge Top Well Bond. Recorder Schafer stated that it was to confirm that Zion's Bank and Utah Public Treasurers Investment Fund are indefinitely Delta City's depositories of choice. City Attorney Anderson asked if it would need a Resolution. Recorder Schafer stated that it did not. Council Member Banks MOVED to have on file the certificate of designation of depositories of Zions Bank and Utah Public Treasurers Investment Fund. 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 was absent.

July 4th Activities Including Changing the Children's Parade Route to 100 W from 350 N to the City Park

Mayor Bunker stated that it has been getting increasingly difficult to get approval for the Children's Parade on the state highway and there has been some concern for the safety of the children. Mayor Bunker informed the Council that it has been much discussed at the City and the route that has been suggested is to start at the high school parking lot, head down 100 W to the park. Cars would be able to park perpendicular on both sides of the street and still have plenty of room for the parade. Council Member Western stated that it is a less-traveled road and that it would be safer for the children. There was a discussion regarding the issues that have occurred starting the parade in the grocery store parking lot in the past and parking. Mayor Bunker stated that he had been in contact with the school district and that they didn't think that there would be a problem with starting in their parking lot. There was a discussion about possible routes. Mayor Bunker stated that UDOT is required that all children have waivers signed by their parents before being in that parade and that is one of the issues that are pushing for a change of parade route. City Attorney Anderson gave the background story as to why UDOT has been having stricter requirements to get a permit. It was decided that the new route would be tried this year and will be evaluated to see what will be done next year. There was a discussion about bounce houses and insurance and it was noted that the insurance would need to be looked into. Activities that children could do were discussed. The Mayor informed the Delta Citizens in attendance that the city would not be doing a fish catch this year instead there will be diving for money. The Council discussed scheduling for the 4th of July and when to have the talent program. Mayor Bunker stated that Boyd Bunker has accepted to be the grand marshal of the 4th of July. Council Member Western MOVED to approve the change of the Children's Parade route to run from the north parking lot at the high school to the City Park. 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 Keel, Council Member Niles, and Council Member Western in favor and Council Member Chase was absent.

Public Works Update

Public Works Director Kirkland stated that the Public Works Department had been installing a ceiling and lights in the pavilion at the Neighborhood Park. Public Works Director Kirkland stated that there had been a malfunction with the fuel system at the airport but that they are working on it. Public Works Director Kirkland stated that both Shopko and the Nelson's have received their building permits and that Planning and Zoning had given Delta Fit a temporary conditional use permit that will last for 9 months. Public Works Director Kirkland stated that the concern with the conditional use permit had been lack of parking and then gave an overview of the Planning and Zoning meeting. Public Works Director stated that Planning and Zoning is reviewing the rural residential zoning to allow half acre lots that will not include animals and cost sharing had been discussed. City Attorney Anderson reviewed what the pros and cons of keeping cost sharing in the code were, including Planning and Zoning not being authorized to spend Delta City Funds, and asked the Council what they would like to do with it. There was a discussion and it was suggested by City Attorney Anderson that cost sharing can be kept, but made as a separate policy

and not kept in the Planning and Zoning Ordinance. The Council decided to look more into the issue and that the funding for it would be discussed at the budget work session.

OTHER BUSINESS

Council Member Western asked if the City would be having many kids come help at the park for the school's community service projects. Public Works Director Kirkland stated that there would be some helping in the park and some would be painting curb around the high school. There was a discussion about City Clean Up that had been postponed due to rain.

Mayor Bunker informed the council that the local piano teachers were wondering if they could move their piano from the M. E. Bird Center over to the Community Center. Mayor Bunker stated that the piano teachers were wanting to have free use of the building for their recitals if they provide the piano. The Council had no problems with the piano teachers using the Community Center.

Mayor Bunker suggested to go into closed session to discuss the purchase of property and strategy of litigation. Council Member Banks MOVED to leave regular session at 8:09 p.m. 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 was absent.

Council Member Western MOVED to go into executive session to discuss acquisition strategy and potential impending litigation at 8:10 p.m. 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 was absent.

Council Member Banks MOVED to leave executive session at 8:28 p.m. 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 was absent.

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 Regular City Meeting. Council Member 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 Member Banks, Council Member Keel, Council Member Niles and Council Member Western in favor and Council Member Chase was absent.

The Meeting was adjourned at 8:30 p.m.

GAYLE K. BUNKER, Mayor

Minutes Approved:

GREGORY JAY SCHAFER, MMC City Recorder