

REGULAR CITY COUNCIL MEETING  
APRIL 9, 1990

PRESENT

Don Dafoe	Mayor
Gayle Bunker	Council Member
Robert Dekker	Council Member
Robert Droubay	Council Member
Rex T. Harris	Council Member

ABSENT

Wesley J. Bloomfield	Council Member
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OTHERS PRESENT

Dorothy Jeffery	City Recorder
Richard Waddingham	City Attorney
Pete Shields	Utah National Guard
John Watson	Utah National Guard
Ruth Hansen	Library Board
Deborah Greathouse	Librarian
Paul Fowles	Scout Master
Jane Knight	Justin Knight

Mayor Dafoe called the meeting to order at 7:00 p.m. Dorothy Jeffery, City Recorder, acted as secretary. Mayor Dafoe stated that notice of the meeting time, place and agenda was posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle/Progress, the local radio station, KNAK, and to each member of the City Council by personal delivery two days prior to the meeting.

MINUTES

The proposed minutes of a Regular City Council Meeting held March 26, 1990, were presented for consideration and approval. The Council reviewed the minutes briefly and proposed corrections. Council Member Robert Droubay MOVED that the minutes be approved as corrected. The motion was SECONDED by Council Member Robert Dekker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

There were no accounts payable presented at this meeting.

OLD BUSINESSATTORNEY RICHARD WADDINGHAM: DELTA CITY PERSONNEL POLICY

Mayor Dafoe asked Attorney Richard Waddingham to present a draft of the Delta City Personnel Policy.

Mr. Waddingham presented a proposed section of the Delta City Personnel Policy entitled:

ANNUAL LEAVE

Attorney Waddingham asked the Council to review the proposed draft and bring it back for discussion at the next Regular City Council Meeting.

ATTORNEY RICHARD WADDINGHAM: INTERLOCAL AGREEMENT REGARDING CDBG GRANT-CITY PARK RESTROOM FACILITY

Mayor Dafoe asked Attorney Richard Waddingham to present an Interlocal Agreement regarding a CDBG Grant to build a restroom facility in the Delta City Park.

Mr. Waddingham said that he has not received any information from Robyn Pearson, Millard County Administrator, or Scott King, Fillmore City Attorney, regarding an Interlocal Agreement. He said that he advised Mr. Pearson that he was not going to take any action until Mr. Pearson or Attorney King contacted him regarding the Interlocal Agreement.

ATTORNEY RICHARD WADDINGHAM: PROPOSED ORDINANCE AMENDING SECTION 9-426 OF THE REVISED ORDINANCES OF DELTA CITY (1981 EDITION) AS AMENDED, REGARDING THE QUALIFICATIONS OF AN APPLICANT FOR A BEER LICENSE BY REFUSING A BEER LICENSE TO ANY APPLICANT CONVICTED OF ANY FELONY OR ANY CLASS A MISDEMEANOR, ALCOHOL RELATED; AND BY REFUSING A BEER LICENSE TO ANY APPLICANT CONVICTED OF ANY CLASS A MISDEMEANOR, NON-ALCOHOL RELATED OR CLASS B OR CLASS C MISDEMEANOR, ALCOHOL RELATED, WITHIN THREE YEARS OF SAID CONVICTION.

Mayor Dafoe asked Attorney Richard Waddingham to present a proposed ordinance regarding the qualifications of an applicant for a beer license.

Attorney Waddingham presented the following ordinance entitled:

ORDINANCE NO. 90-127

AN ORDINANCE AMENDING SECTION 9-426 OF THE REVISED ORDINANCES OF DELTA CITY 91981 EDITION), AS AMENDED, REGARDING THE QUALIFICATIONS OF AN APPLICANT FOR A BEER LICENSE BY REFUSING A BEER LICENSE TO ANY APPLICANT CONVICTED OF ANY FELONY OR ANY CLASS A MISDEMEANOR, ALCOHOL RELATED; AND BY REFUSING A BEER LICENSE TO ANY APPLICANT CONVICTED OF ANY CLASS A MISDEMEANOR, NON-ALCOHOL RELATED OR CLASS B OR C MISDEMEANOR, ALCOHOL RELATED, WITHIN THREE YEARS OF SAID CONVICTION.

Following discussion, Council Member Gayle Bunker MOVED to adopt Ordinance No. 90-127 as presented. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Wesley Bloomfield	Absent
Council Member Gayle Bunker	Yes
Council Member Robert Dekker	Yes
Council Member Robert Droubay	Yes
Council Member Rex Harris	Yes

Mayor Dafoe then signed the ordinance; attested by City Recorder Dorothy Jeffery.

ATTORNEY RICHARD WADDINGHAM: PENDRAY SUBDIVISION-PLAT N REGARDING IMPROVEMENT OF PROPERTY AND UPGRADING OF ROAD

Mayor Dafoe asked Attorney Richard Waddingham to report on the status of property improvement and road upgrade in the Pendray Subdivision - Plat N.

Attorney Waddingham reminded the Council that in December of 1989 Robert Pendray met with the Council and requested an extension of time in order to make improvements in the Pendray Subdivision as requested by the Council, i.e., curb, gutter, drainage, paving, weed control, and basement enclosure. At that time, the Council granted Mr. Pendray an extension of time provided that a full circle road be graded through the subdivision and proper drainage be provided for that road also.

Following brief discussion, Council Member Robert Dekker MOVED to table discussion of this item to allow for review of previous minutes regarding the Pendray Subidivision requirements. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ATTORNEY RICHARD WADDINGHAM: PROPOSED STOP SIGN AT RAILROAD CROSSING

Mayor Dafoe asked Attorney Richard Waddingham to discuss the installation of a proposed Stop sign at railroad crossings within Delta City.

Attorney Waddingham said that Delta City has the right to regulate the installation of Yield and Stop signs on streets within Delta City. He then asked the Council for their recommendation.

The consensus of the City Council was to not install a Stop sign at the railroad crossing at this time. This item is to be taken off the agenda.

NEW BUSINESSRUTH HANSEN, LIBRARY BOARD MEMBER: LIBRARY BOARD UPDATE AND REQUEST FOR CHANGES

Mayor Dafoe asked Ruth Hansen, Library Board Member, to address the Council regarding a request for changes and to give a report of the Library Board.

Ruth Hansen explained Delta City Library and Library Board Activities after which she reviewed with the Council Title 37. Libraries, Chapter 2. of the U.C.A., entitled City Libraries, and requested Council's approval to allow the Delta City Library to operate under Title 37, Section 37-2-1 through Section 37-2-10.

Ms. Hansen requested that the Council take the necessary action to authorize the Library to function under Title 37, Section 2, Utah Code Annotated. Ms. Hansen also requested a monthly library revenue report, which would indicate the percentage of taxes and the amount of revenue received from Millard County Property Taxes.

Following discussion, Council Member Robert Dekker MOVED to continue as is with the Library Board remaining under the direction of the City Council. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

PETE SHIELDS, UTAH NATIONAL GUARD: REQUEST TO PARK NATIONAL GUARD TRUCK IN CITY MAINTENANCE YARD

Mayor Dafoe asked Pete Shield, Utah National Guard, to address the Council regarding the use of the City Maintenance Yard.

Mr. Shields requested Council's permission to park Utah National Guard equipment in the City Maintenance Yard.

Discussion was held regarding liability on the part of Delta City and the Utah National Guard, and the Council requested a letter from Mr. Shields stating that Delta City would not be liable for National Guard property that becomes damaged while in the City Maintenance Yard.

Following further discussion, Council Member Gayle Bunker MOVED to approve the parking of National Guard equipment in the City yard subject to Public Work Director Neil Forster's approval and subject to receiving a letter from the National Guard stating that in the event there is property damage to National Guard equipment, the National Guard will not hold Delta City liable. The motion was SECONDED by Council Member Robert Dekker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

#### OTHER BUSINESS

Delta City Personnel Salaries were briefly discussed. However, it was decided that in preparation of the 1990-1991 Budget, department heads should adjust all employee's salaries with a one step increase.

Sheriff Ed Phillips has taken certain items previously used by the Delta City Police Department and has submitted a list of those items and their estimated value, which is a total of approximately \$1500. The Council agreed to the sale of the listed items with the total being deducted from Delta City's quarterly payment for contract law.

Mayor Dafoe reported that a recent sales tax payment of \$52,779.66 was received, and that the payment for the same quarter in 1989 was \$50,867.18.

Mayor Dafoe reminded the Council of the Chamber of Commerce luncheon to be held wherein Governor Bangertter will be present.

Irrigation Fees for 1990 were briefly discussed. This item is to be on the next agenda.

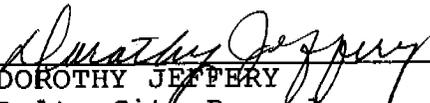
Council Member Rex Harris shared information regarding recent changes in the Liquor Laws.

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A Restaurant Liquor License request from the Rancher Cafe was briefly discussed. This item is to be on the next agenda.

Mayor Dafoe asked if there were any comments, questions or items to be discussed. There being none, Council Member Robert Droubay MOVED to adjourn. The motion was SECONDED by Council Member Rex Harris. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously. Mayor Dafoe declared the meeting adjourned at 8:55 p.m.

  
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DON DAFOE, Mayor

  
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DOROTHY JEFFERY  
Delta City Recorder

MINUTES APPROVED: RCCM 4-23-90