

CITY OF DELTA, UTAH
REGULAR CITY COUNCIL MEETING
DECEMBER 20, 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
Ken Clark	Assistant Public Works Director
Todd Anderson	City Attorney
Todd Holt	Todd E. Holt, CPA
Hailee Holt	Todd E. Holt, CPA

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.

Council Member Robert Banks provided opening remarks, following which Mayor Bunker led those in attendance in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Public Hearing held December 6, 2012 were presented for consideration and approval. Following review, Council Member Tom Stephenson MOVED to approve the minutes of the Public Hearing held December 6, 2012, as presented. 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, and Tom Stephenson voting in favor and Council Members Steven Pratt and Betty Jo Western being absent.

The proposed minutes of a Regular City Council Meeting held December 6, 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 December 6, 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, Tom Stephenson and Betty Jo Western voting in favor and Council Member Steven Pratt 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 discussion, Council Member Robert Banks MOVED to approve the accounts payable, dated December 6, 2012, in the amount of \$50,083.07. 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, Tom Stephenson and Betty Jo Western voting in favor and Council Member Steven Pratt being absent.

PUBLIC COMMENT PERIOD

There were no comments from the public.

BUSINESS

MAYOR GAYLE BUNKER: REVISIONS TO DELTA CITY PURCHASING POLICY

Mayor Bunker called attention to a memorandum he had provided to Council Members indicating his concerns regarding the five percent local bidder preference that had been discussed at a previous meeting. Because of those concerns, we have not prepared the purchasing policy for approval at this time. Mayor Bunker felt that, for the long term, it is not the proper action to take, even though he would like to do so. Council Members noted that local vendors would have some advantages, such as not needing to relocate equipment and not paying per diem allowances to employees, but they may have some disadvantage in not having the purchasing power that some of the larger vendors may have. There was extensive discussion about the pros and cons of providing preference to local vendors versus the responsibility of getting the best service or goods for taxpayer dollars. Mayor Bunker felt that we need to inform local contractors of the requirements of state statute so they have advance notice they will be competing against out-of-town contractors for work on the community center. City Attorney Anderson noted that we could provide notice, when requesting bids, that Delta City has a local preference statement included in its purchasing policy, which is available for review at Delta City. This way, everyone who submits a bid is put on notice that the preference is in place. It is important that everyone be treated equally in that they are all aware that this is our policy.

City Attorney Anderson will prepare a revised draft of the proposed purchasing policy and provide it to Council Members prior to the next meeting.

MAYOR GAYLE BUNKER: RESOLUTION NO. 12-354, A RESOLUTION ADOPTING A MODERATE INCOME HOUSING PLAN

Mayor Bunker advised Council Members that we have completed our Moderate Income Housing Plan, as required by state law. The law was passed by the legislature in 1996 and, this year, we received a letter from the Department of Community and Culture indicating that we did not have our plan on file. We have taken a model provided by the Six County Association of Governments and inserted information pertaining to our municipality. The purpose of the Moderate Income Housing Plan is to recognize that individuals of all economic and social levels need housing and to have a plan to address those needs and not price anyone out of the market for housing. Many of the numbers used in the plan are just best guesses because it is a projection of expectations.

Following discussion, Council Member John Niles MOVED to adopt Resolution No. 12-354, a resolution adopting a moderate income housing plan for Delta City. 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 roll call vote. The vote was as follows:

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

The motion passed unanimously.

TODD HOLT, TODD E. HOLT, CPA: DELTA CITY AUDIT FOR THE FISCAL YEAR ENDING JUNE 30, 2012

Mr. Holt advised Council Members that the audit has been completed and noted that there had been a problem this year with assets, which turned out to be good, because the problem has now been addressed and remedied. The problem was the result of the upgrade to our operating software program rather than a staff error. Overall, the audit was very good; the problem with fixed assets will probably be the only "finding" in the audit this year. Mr. Holt provided Council Members with a summary of the revenues, charges for services, grants and contributions, the various expenditure categories and proprietary funds. There were no major concerns and the fund balance is within the parameters required by state law. Mr. Holt stated that, in his opinion, the Delta City financial statements are materially correct. Mr. Holt interviewed several staff members who felt very comfortable with the manner in which funds are being handled and accounted for. Mr. Holt expressed appreciation for the ease of working with city staff members.

Following review and discussion, Council Member Betty Jo Western MOVED to approve the Delta City audit for the fiscal year ending June 30, 2012, as presented by Mr. Holt. 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.

MAYOR GAYLE BUNKER: SUNRISE ENGINEERING CONTRACT FOR SERVICES RELATING TO SHERWOOD SHORES WATER PROJECT

Mayor Bunker reminded Council Members that they had approved signing this contract at the previous meeting but, since it was not an agenda item, the action needs to be ratified at this time.

Following review, Council Member Robert Banks MOVED to ratify approval of Mayor Bunker signing the Sunrise Engineering Contract for services relating to Sherwood Shores Water Project, in the amount of \$195,000. 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 GAYLE BUNKER: NEW YEARS EVE CELEBRATION

Mayor Bunker asked how we are going to let people know the best way to access the Palladium since the regular parking lot is filled with construction. It was felt the best route is to park on the west or north side of the building and use either the annex in the high school or the walkway between the high school and the Palladium. Assistant Public Works Director Ken Clark indicated that Delta City public works employees will help school employees lay down the protective floor in the Palladium on Friday, December 28th and will assist in removal on Wednesday, January 2nd. Mayor Bunker indicated that we need help on Monday, December 31st, beginning at 7:30 a.m. to set up for the celebration. We will also need assistance throughout the evening with the food area. We ordered more cookies and fewer donuts for the celebration and added a little more meat and cheese. Council Member Banks indicated that the children's games will begin at 6:00 p.m. and end at 7:30 p.m. so that the youth who help with the games can attend the entertainment scheduled to begin at 8:00 p.m.

ASSISTANT PUBLIC WORKS DIRECTOR KEN CLARK: UPDATE ON PUBLIC WORKS PROJECTS

Assistant Public Works Director Clark advised Council Members that Public Works employees have done some snow removal and, for the most part, residents are pretty good about keeping their vehicles off of streets during snow storms. They have been working on repairs at the shooting range. They have placed armor plate on the target stands so the stands are bulletproof. We believe this will help keep the target stands in good repair so they can be used for some time. Mayor Bunker advised Council Members that Public Works employees will be assisting with delivery for the Sub for Santa program on Monday, December 24th.

OTHER BUSINESS

Mayor Bunker requested that Council Member Steven Pratt report on the Planning & Zoning Commission meeting held December 13th. Council Member Pratt reported that Mr. Dix, of Reptile Rescue Service, did not attend the meeting. He called the City Office at about 5:00 p.m. and said he was not going to attend the meeting but requested the Planning Commission be advised he planned to close his business in Delta at the end of December, 2012. Planning Commissioners took action to deny renewal of Mr. Dix's conditional use permit. City Attorney Anderson noted that we need to provide notice to Mr. Dix that his conditional use permit has not been renewed. City Attorney Anderson will take care of providing notice to Mr. Dix.

There was discussion regarding the need to provide requirements for businesses such as hot dog carts, snow shacks, and the recently opened drive-thru coffee vendor. We need to look at what problems are generated as a result of these businesses so we know what requirements need to be set out for regulating them.

Mayor Bunker noted we have received nine responses to our request for architects to provide RFPs for the community center. The RFPs are due on January 9th.

Mayor Bunker asked if there were any comments, 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 passed with Council Member 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 8:34 p.m.



GAYLE BUNKER, Mayor



GREGORY JAY SCHAFFER, MMC, CITY RECORDER

MINUTES APPROVED: RCCM 01-03-13