

CITY OF DELTA, UTAH  
REGULAR CITY COUNCIL MEETING  
FEBRUARY 7, 2013

PRESENT

Gayle Bunker	Mayor
John Niles	Council Member
Steven Pratt	Council Member
Betty Jo Western	Council Member

ABSENT

Robert Banks	Council Member
Tom Stephenson	Council Member
Alan Riding	Public Works Director

ALSO PRESENT

Gregory Jay Schafer	City Recorder
Ken Clark	Assistant Public Works Director
Todd Anderson	City Attorney
Lynn Ashby	Fire Chief
Jim Withers	Millard County Commission
Glen & Peggy Bryner	Sherwood Shores Resident
Clint Curtis	Boy Scout Leader
Tandon Oman	Boy Scout
Cole Curtis	Boy Scout
Vance & Annette Bishop	City Residents

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, 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.

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

MINUTES

The proposed minutes of a Regular City Council Meeting held January 3, 2013 were presented for consideration and approval. Council Member Steven Pratt noted that on page 4 he had made a motion and the name of the Council Member who seconded the motion needed to be added to the minutes. Council Member Betty Jo Western MOVED to adopt the minutes of the Regular City Council Meeting held January 3, 2013, as corrected. The motion was SECONDED by Council

Member John Niles. The motion passed with Council Members John Niles, Steven Pratt and Betty Jo Western voting in favor and Council Members Robert Banks and Tom Stephenson 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 Betty Jo Western MOVED to approve the accounts payable, dated February 7, 2013, in the amount of \$153,274.92. 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 John Niles, Steven Pratt, and Betty Jo Western voting in favor and Council Members Robert Banks and Tom Stephenson being absent.

#### PUBLIC COMMENT PERIOD

Mayor Bunker requested that Vance Bishop come to the front of the room. Mr. Bishop has served on the Planning & Zoning Commission for approximately eleven years, has done an excellent job, and recently resigned his position. Mayor Bunker thanked Mr. Bishop for his service and presented him with a plaque recognizing his years of service to the community.

Mayor Bunker invited Millard County Commissioner Jim Withers to address the Council. Commissioner Withers stated that Commissioners had received public input regarding a request to keep the two high school gymnasiums, that are scheduled for demolition, for community use. Mr. Withers noted that Commissioners were inquiring whether Delta City and Fillmore City would be willing to create a joint venture with Millard County to maintain the buildings as recreational facilities for the communities. At this point, they have no information as to the cost involved but Commissioners are requesting input from local governments as to whether they would be interested in pursuing a group effort to keep and maintain the buildings. Commissioners are on the School Board Meeting Agenda next Thursday, February 14<sup>th</sup>, at 3:00 p.m. to discuss the matter. Commissioner Withers asked for input from Council Members. Council Members were concerned about the cost of maintaining the buildings for public use. Commissioner Withers will update Council Members when he has more information.

#### BUSINESS

##### FIRE CHIEF LYNN ASHBY: FIRE DEPARTMENT ANNUAL REPORT

Fire Chief Ashby reported that the Fire Department is doing well. They held their February meeting last evening and voted in a new fire fighter who had completed his probationary period. They also have a new probationary fire fighter in the department, putting their membership at twenty-nine. Fire Chief Ashby felt that morale in the department has improved and thanked Council Members and the

City Attorney for working with him in solving problems and taking care of his responsibilities.

Officers for the coming year are:

Chief: Lynn Ashby  
Assistant Chief: Travis Stanworth  
Captain: Patrick Stefanoff  
Lieutenant: Ben Johnson  
Secretary: Rick Bublitz

Mayor Bunker expressed appreciation to all of the volunteer fire fighters and the work they do for the community.

Council Member Betty Jo Western MOVED to accept the Fire Department officers of Fire Chief Lynn Ashby, Assistant Chief Travis Stanworth, Captain Patrick Stefanoff, Lieutenant Ben Johnson and Secretary Rick Bublitz, with twenty-nine active members. 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 John Niles, Steven Pratt and Betty Jo Western voting in favor and Council Members Robert Banks and Tom Stephenson being absent.

MAYOR GAYLE BUNKER: RESOLUTION NO. 13-356 APPOINTING MAYOR PRO TEMPORE

Mayor Bunker introduced the following resolution:

RESOLUTION NO. 13-356  
A RESOLUTION OF THE COUNCIL OF THE CITY OF DELTA, STATE OF UTAH,  
ELECTING A COUNCIL MEMBER TO SERVE AS MAYOR PRO TEMPORE FOR THE  
YEAR 2013

Mayor Bunker recommended that Council Member Robert Banks be elected as Mayor Pro Tempore for the year 2013.

Following discussion, Council Member Betty Jo Western MOVED to adopt Resolution No. 13-356, a resolution of the Council of the City of Delta, State of Utah, electing Council Member Robert Banks to serve as Mayor Pro Tempore for the year 2013. The motion was SECONDED by Council Member John Niles. 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	Absent
John Niles	Yes
Steven Pratt	Yes

Tom Stephenson	Absent
Betty Jo Western	Yes

MAYOR GAYLE BUNKER: APPOINTMENT OF MEMBERS TO THE PLANNING & ZONING COMMISSION

Mayor Bunker indicated that the term of Roger Zeeman has expired and he has agreed to being appointed to an additional four year term. Chairman Vance Bishop has resigned with one year remaining in his term. Mayor Bunker has talked with Richard Jones, who is willing to serve on the Planning & Zoning Commission to fill the remaining year on Mr. Bishop's term. Mayor Bunker recommended that Mr. Zeeman be reappointed to a four year term, ending February, 2017, and that Mr. Jones be appointed to fill the remainder of Mr. Bishop's term, ending February, 2014.

Following discussion, Council Member Steven Pratt MOVED to appoint Richard Jones to fill the unexpired term of Vance Bishop, to expire February, 2014, and to reappoint Roger Zeeman to an additional four year term, to expire February, 2017. 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 John Niles, Steven Pratt and Betty Jo Western voting in favor and Council Members Robert Banks and Tom Stephenson being absent.

MAYOR GAYLE BUNKER: RESOLUTION NO. 13-357 ADOPTING AMENDMENTS TO THE DELTA CITY PURCHASING POLICY

Mayor Bunker introduced the following resolution:

RESOLUTION NO. 13-357  
A RESOLUTION OF THE COUNCIL OF THE CITY OF DELTA, STATE OF UTAH,  
AMENDING/ESTABLISHING PURCHASING POLICIES AND PROCEDURES OF DELTA  
CITY AS SET OUT IN "DELTA CITY PURCHASING POLICY AND PROCEDURES  
DATED: FEBRUARY 7, 2013."

Council Members discussed amendments that had been made to the proposed purchasing policy. Following discussion, Council Member Steven Pratt MOVED to adopt Resolution No. 13-357, a resolution of the City Council of the City of Delta, State of Utah, amending/establishing purchasing policies and procedures of Delta City as set out in "Delta City Purchasing Policy and Procedures Dated: February 7, 2013." The motion was SECONDED by Council Member John Niles. 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 John Niles, Steven Pratt, and Betty Jo Western voting in favor and Council Members Robert Banks and Tom Stephenson being absent.

MAYOR GAYLE BUNKER: APPOINTMENT OF COUNCIL MEMBER TO SHOOTING

RANGE BOARD

Mayor Bunker advised Council Members that he had discussed this appointment with Council Member John Niles, who has agreed to serve on the Shooting Range Board. Mayor Bunker recommended that Council Member Niles be appointed.

Council Member Betty Jo Western MOVED to appoint Council Member John Niles as a member of the Shooting Range Board. 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 John Niles, Steven Pratt and Betty Jo Western voting in favor and Council Members Robert Banks and Tom Stephenson being absent.

City Attorney Anderson noted that he will have a list of individuals to be appointed to the Shooting Range Board at the next City Council meeting. City Attorney Anderson advised Council Members that he has been asked whether these boards; i.e., the Airport Board and Shooting Range Board, are subject to the Open and Public Meetings Act. City Attorney Anderson's research indicates that, as long as the board has no authority to expend city funds and are advisory in nature, they should be having open and public meetings but we will not be recording and maintaining minutes. They should, however, be holding open meetings, where anyone can attend the meeting. The meeting should be held on regular recurring days and the meeting schedule could be published once at the first of each year.

MAYOR GAYLE BUNKER: THEME FOR 2013 FOURTH OF JULY CELEBRATION

Mayor Bunker stated that it is time to begin preparations for the Fourth of July Celebration. Council Members were provided with a list of previous themes that had been used and noted we have a Community Choir that will be performing five numbers for the program on the Fourth of July. Council Members were also advised of the music to be performed by the choir. Mayor Bunker noted that we need to establish a theme so we can begin planning the Miss Liberty pageant.

Tom Stephenson provided Mayor Bunker with the following suggestions for a theme: Proud to be an American, Together we Stand, and Our Wonderful Land. Following discussion of several possible themes, Council Member John Niles MOVED to adopt "Our America" as the theme for our 2013 Fourth of July Celebration. 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 John Niles, Steven Pratt and Betty Jo Western voting in favor and Council Members Robert Banks and Tom Stephenson being absent.

Mayor Bunker suggested we find a person who has never been "in the limelight" but has always been around assisting and doing whatever they can in the community, without looking for recognition.

Mayor Bunker would like Council Members to think about individuals who would fit this description to be honored as grand marshal for our celebration this year.

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

Assistant Public Works Director Ken Clark reported that the snow and ice have melted sufficiently that more of the Christmas decorations were able to be removed. They were able to remove lights from the roof of the City Building and the electrical cords that had been buried in snow and ice. There are still a few decorations that will be removed as melting continues.

Public Works employees have been working on small projects such as pump upgrades and hauling lime fines from Graymont. Graymont provides them without charge to Delta City if we will do the hauling, which works out to a cost of about \$3.00 per ton. Some of the lime fines will be placed at the shooting range and Graymont has said they will give us as much as we need for the shooting range. The lime fines will be placed at the shooting range when the ground dries sufficiently to drive the trucks on the road to the range.

Assistant Public Works Director Clark asked if the Snow Goose Festival can reserve the shooting range for their skeet shoot on February 23<sup>rd</sup>. They had problems with individuals, who were not involved in the skeet shoot last year, coming to the range causing problems with the event. Council Members were in agreement with allowing the Snow Goose Festival Skeet Shoot reserving the entire shooting range for their skeet shoot on Saturday, February 23<sup>rd</sup>. Mayor Bunker said there had been some discussion regarding moving the skeet shoot to the City yard by the gravel pits next year.

Assistant Public Works Director Clark advised Council Members that the Chamber of Commerce would like to have Delta City purchase another tent, for use at the Snow Goose Festival, with the Chamber of Commerce paying one-half of the cost. The price of the tent is \$3,746 and it would be available for the Fourth of July Celebration and any other events for which a tent is needed. We have previously made our tents available for use by other community groups and for the Millard County Fair.

Assistant Public Works Director Clark stated that he has been attempting to find the trees we want to plant in place of trees that need to be removed from the park. Assistant Public Works Director Clark said he had talked with the individual who transplanted the pine tree in the park. The individual has said he is willing to bring three cottonless cottonwood trees, approximately 25 feet tall, to transplant in the City Park for \$3,400. However, our park manager is not in favor of planting cottonless cottonwoods in the park because they are weak, they have runners that run along the ground, and they do not have a long life span. Our parks people will be attending a seminar on park care and they will do some research about what would be the best trees to replace the ones we need to remove. This is a good time to remove the existing trees and Public Works employees would like authorization to get the trees removed now. We have a proposed article to publish in the local

newspaper to explain the purpose for removing the trees. Council Members wanted to wait until fall or until next spring to remove the trees.

Assistant Public Works Director Clark noted that all the Siberian Elms have been trimmed as far as our bucket truck will reach. However, there is approximately another twenty feet that we cannot reach and dead branches need to be trimmed out. Assistant Public Works Director Clark asked for Council approval to hire someone to come and trim the dead wood out of the tops of the trees. Council Members requested that Assistant Public Works Director Clark obtain some bids for the tree trimming before giving approval for the work.

Council Member Western asked if we could get the street sweeper out before the Snow Goose Festival. Assistant Public Works Director Clark responded that, if the weather warms up, we can do street sweeping but there are a number of 1/4 inch and 3/8 inch water lines and fittings which freeze very quickly in cold weather.

Council Member Western asked why Public Works Director Riding has not been around for a while. Assistant Public Works Director Clark reported that he has not been given medical clearance to return to work following his surgery. He does come to the office for a couple of hours each day but is not cleared to work full time. He returns to the doctor next week and is hoping he will be cleared to begin physical therapy in anticipation of returning to work.

Council Member Steven Pratt asked what would be involved in repairing the AWOS. Assistant Public Works Director Clark responded that the AWOS is owned and operated by the State of Utah. Delta City furnishes the property, the pad and power to the system. When it stopped working, the State was called and they sent a repair person two weeks later who did not have the correct part to make the repair and said he would return when the part was received. We have the part in the office and the repairs should be completed this coming Wednesday. In addition, we have received other telephone calls regarding issues with the AWOS but our hands are tied. Repairs are contracted and paid by the State of Utah and we are waiting for them to complete the repairs.

#### OTHER BUSINESS

Mayor Bunker stated that he had neglected to have acceptance of the Sherwood Shores Water Project Environmental Study put on the agenda for this meeting. He requested a motion to accept the study at this time and we will put it on the agenda for ratification at the next meeting. Council Member Steven Pratt MOVED to accept the Sherwood Shores Water Project Environmental Study, as presented this evening. The motion was SECONDED by Council Member John Niles. 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 John Niles, Steven Pratt and Betty Jo Western voting in favor and Council Members Robert Banks and Tom Stephenson being absent.

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Mayor Bunker reported that Donald Brown, of Hinckley Lions Club, has requested that Delta City assist with the Demolition Derby by providing some prize funds. He will probably come to the next Council Meeting to make a formal request.

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Mayor Bunker said he had been thinking of how to provide some shade at the splash pad and asked Council Members to give some thought to the problem. It will be discussed at a future meeting.

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Mayor Bunker advised Council Members that we need to schedule a public hearing on Thursday, February 21<sup>st</sup> to receive public comment regarding the proposed amended budget. The public hearing will begin at 6:45 p.m.

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Mayor Bunker reported that he had met with Beth Johnson, of Sherwood Water Company, and negotiations are progressing with plans to take over the system after the water line from Delta to Sherwood Shores is installed.

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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 John Niles, Steven Pratt and Betty Jo Western voting in favor and Council Members Robert Banks and Tom Stephenson being absent.

Mayor Bunker declared the meeting adjourned at 8:55 p.m.

  
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GAYLE BUNKER, Mayor

  
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GREGORY JAY SCHAFFER, MMC, City Recorder

MINUTES APPROVED: RCCM 02-21-13