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DELTA CITY COUNCIL
REGULAR CITY COUNCIL MEETING
Thursday, September 03, 2015
Delta City Building Council Chambers
76 North 200 West
Delta, Utah

3 **PRESENT**

- | | |
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| 4 Mayor Gayle Bunker | 6 Council Member Steven Pratt |
| 5 Council Member John Niles | |
| 7 Council Member Betty Jo Western | 8 Council Member Robert Banks |

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10 **ABSENT**

- 11 Council Member Kiley Chase
12 Gregory Schafer, Recorder

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14 **ALSO PRESENT**

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|---|---------------------------------------|
| 15 Dent Kirkland, Public Works Director | 19 David Kirkland, Delta Citizen |
| 16 Todd Anderson, Delta City Attorney | 20 Deborah Greathouse, Head Librarian |
| 17 Randy Morris, Public Works Employee | 21 Doug Radunich, Chronicle-Progress |
| 18 Jody Tasker, Treasurer | 22 Reporter |

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24 Mayor Bunker called the meeting to order at 7:00 p.m. He stated that notice of the time, place,
25 and the agenda of the meeting had been posted at the City Building, on the Utah Public Notice
26 website, the Delta City website, and had been provided to the Millard County Chronicle-
27 Progress and to each member of the City Council at least two days prior to the meeting. Mayor
28 Bunker conducted role call and noted who was present and who was absent. Council Member
29 Western gave the opening remarks following which, Mayor Bunker led those in attendance in
30 the Pledge of Allegiance.

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32 **MINUTES**

33 The minutes of the regular city council meeting held August 20 were presented for approval.
34 There was a discussion. Mayor Bunker suggested that line 80 page 2 have "plots" changed to
35 "plat", line 156 have meetings line 156 page 4 specified to League of Cities meetings. Council
36 Member Niles MOVED to adopt the minutes of the regular city council meeting held August 20,
37 2015 with the noted corrections. The motion was SECONDED by Council Member Pratt. Mayor
38 Bunker asked if there were any questions or comments regarding the motion. There being
39 none, he called for a vote. The motion passed with Council Member Banks, Council Member
40 Niles, Council Member Pratt, and Council Member Western in favor and Council Member Chase
41 not being present.

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43 **ACCOUNTS PAYABLE**

44 The Council reviewed the accounts payables for the period ending September 3, 2015 in the
45 amount of \$202,253.10. There was a discussion regarding accounts payable. Council Member
46 Western MOVED to approve the accounts payables and electronic transactions for September
47 3, 2015 in the amount of \$202,253.10. The motion was SECONDED by Council Member Pratt.
48 Mayor Bunker asked if there were any questions or comments regarding the motion. There
49 being none, he called for a vote. The motion passed with Council Member Banks, Council
50 Member Niles, Council Member Pratt, and Council Member Western in favor and Council
51 Member Chase not being present.

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53 **PUBLIC COMMENT PERIOD**

54 Delta Citizen David Kirkland asked if the Meet the Candidates Night had been arranged. Mayor
55 Bunker stated that it had not been arranged yet.

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57 **BUSINESS**

58 Animals in the Delta City Buildings Policy

59 Head Librarian Greathouse stated that there was a man in the library that asked if service
60 animals were allowed in the library and was told by another librarian that there weren't any
61 animals allowed in the library and the fact that service animals were protected by federal law
62 was brought up. Head Librarian Greathouse wanted to know what the policy regarding animals
63 was and would like it in writing. Council Members discussed the situation and Council Members
64 Pratt and Western stated that they had heard from him and that it was a seizure dog. Head
65 Librarian Greathouse stated that she was concerned about animals in the library when there
66 are a lot of children in the library. Attorney Anderson stated that under the ADA, American
67 Disability Act, Service Laws service animals must be leashed or tethered unless it would
68 interfere with the service animals work and that legally a person can only ask if the dog is a
69 service animal required because of a disability and what work does the dog perform, any other
70 disability questions are not legally allowed under the ADA. There was a following discussion.
71 Treasurer Tasker pointed out that in the city offices we have a lot of dogs come and go as we
72 handle the dog licensing and there are some elderly customers that bring their dogs with them.
73 Treasurer Tasker noted that there has never been a problem with the dogs being in the office
74 side of the building. Attorney Anderson wanted to know if Head Librarian Greathouse wanted
75 an official policy, an unofficial policy, and/or training about service animals and the laws
76 regarding them. It was decided that Head Librarian Greathouse will continue to have the
77 unofficial policy regarding dogs in the library, excluding service dogs, and that the library staff
78 would receive training regarding service animal regulations.

79

80 Library Board Appointments

81 Librarian Greathouse said that the Library Board would like for Lance Atkinson to be
82 reappointed for another three years and Karen Chandler to replace Tammy Bean for a three
83 year term. There was a discussion about Library Board Appointments and term lengths. Council
84 Member Banks MOVED to approve Lance Atkinson and Karen Chandler for the Library Board.

85 The motion was SECONDED by Council Member Western. Mayor Bunker asked if there were
86 any questions or comments regarding the motion. There being none, he called for a vote. The
87 motion passed with Council Member Banks, Council Member Niles, Council Member Pratt, and
88 Council Member Western in favor and Council Member Chase not being present.

89
90 New Year's Eve
91 Council Member Western stated that she couldn't reserve the Charlie Jenkins Band and was
92 wondering what kind of music. There were a number of different bands and entertainers
93 discussed. Council Member Western said that she was still working on getting prices and
94 looking into various entertainers. The Witness Protection Band was highly recommended. Other
95 New Year's Eve entertainment was discussed. Mayor Bunker asked if people wanted to change
96 the council float for the light parade as it was a very old float. There was a discussion about the
97 Light Parade and what needed to be updated on the float.

98
99 Public Works Update
100 Public Works Director Dent Kirkland stated that the last couple weeks had been largely
101 dedicated to working on removing the drive approach on the west side of the library so it has a
102 longer slope and removing rock walkway in front of the library entrance so that it can be
103 replaced with stamped concrete. There was work done on the fence around the public works
104 yard so that an automatic gate can be put in and curb and gutter had been poured. The Public
105 Works department was shorthanded as there were members up in Layton at a conference and
106 getting tested to be recertified for sewers. Carpet had been finished in the airport. There was
107 discussion following regarding the airport and the improvements that had been made over the
108 last few months. Security for the airport and its computers were discussed and whether it
109 needed to be more secure. Council Member Western asked if Rob Droubay would still be
110 annexing land to the city and Public Works Director Kirkland confirmed that he has and that he
111 was working with engineers on the plans. Council Member Western pointed out that there
112 were some mail boxes going up in the city and asked if they had been approved or noticed by
113 the city. Public Works Director Kirkland stated that they had been noticed and that they had not
114 sought out the proper approval. City ordinances for mailboxes was discussed. Attorney Todd
115 Anderson stated that there was an RV in town that had been there for multiple years with
116 people living in it and it isn't licensed and that it wasn't meeting the ordinances and that even
117 had it had a permit it had far exceed the legal time allotted for an RV to be in that zone.
118 Attorney Anderson stated that the city had tried to address the situation with the owners of the
119 RV multiple times over the past couple years and the owner had not done anything about it
120 until recently. The owner had applied for a permit and didn't attend the Planning and Zoning
121 meeting and that addressed the issue and so the permit had been denied. The owner of the RV
122 is in the process of appealing the denial of the permit. Attorney Anderson stated that it isn't
123 being brought before the council yet, but it is an issue that may be coming before the council
124 soon. There was a discussion about similar issues that have been addressed in the past. Council
125 Member Pratt stated that due to the history of the case and the situations surrounding it, he
126 would prefer that the appeal be handled by Attorney Lawrence Hunt rather than the City
127 Council. There was more discussion about the appeal.

128
129 **OTHER BUSINESS**
130 Mayor Bunker stated that Recorder Schafer was not in attendance as he was in the hospital.
131 Mayor Bunker said that Recorder Schafer was working from the hospital on the computer.
132 Council Member Western said that she had been having more people contacting her about the
133 proposed location of the new fire station. Council Member Western talked about some of
134 concerns that had been brought before her. Mayor Bunker stated that he was not in any way
135 involved in the selection of the property. There was a discussion about the property and some
136 of the considerations that went into its selection. Mayor Bunker stated that Judge Haveron
137 asked that Judge Cindee Probert as the Judge Pro Tempore for the Delta City Justice Court and
138 that it would be on the next agenda. Attorney Anderson asked that fines for the chicken
139 permits be put in place on the next agenda. Mayor Bunker asked if there were any comments,
140 questions, or other items to be discussed, there were none. Council Member Western MOVED
141 to adjourn the regular City meeting. Council Member Pratt SECONDED the motion. Mayor
142 Bunker asked if there were any questions or comments regarding the motion. There being
143 none, he called for a vote. The motion passed with Council Member Banks, Council Member
144 Niles, Council Member Pratt, and Council Member Western in favor and Council Member Chase
145 not being present. The meeting was adjourned at 8:18 p.m.

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GAYLE K. BUNKER, Mayor

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153 **Minutes Approved:** _____
GREGORY JAY SCHAFFER, MMC City Recorder