



DELTA CITY COUNCIL REGULAR CITY COUNCIL MEETING

Thursday, September 03, 2015
Delta City Building Council Chambers
76 North 200 West
Delta, Utah

PRESENT

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

Council Member Steven Pratt
Council Member Robert Banks

ABSENT

Council Member Kiley Chase
Gregory Schafer, Recorder

ALSO PRESENT

Dent Kirkland, Public Works Director
Todd Anderson, Delta City Attorney
Randy Morris, Public Works Employee
Jody Tasker, Treasurer

David Kirkland, Delta Citizen
Deborah Greathouse, Head Librarian
Doug Radunich, Chronicle-Progress
Reporter

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 and noted who was present and who was absent. Council Member Western gave the opening remarks following which, Mayor Bunker led those in attendance in the Pledge of Allegiance.

MINUTES

The minutes of the regular city council meeting held August 20 were presented for approval. There was a discussion. Mayor Bunker suggested that line 80 page 2 have "plots" changed to "plat", line 156 have meetings line 156 page 4 specified to League of Cities meetings. Council Member Niles MOVED to adopt the minutes of the regular city council meeting held August 20, 2015 with the noted corrections. The motion was SECONDED by Council Member Pratt. 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 Niles, Council Member Pratt, and Council Member Western in favor and Council Member Chase not being present.

ACCOUNTS PAYABLE

The Council reviewed the accounts payables for the period ending September 3, 2015 in the amount of \$202,253.10. There was a discussion regarding accounts payable. Council Member Western MOVED to approve the accounts payables and electronic transactions for September 3, 2015 in the amount of \$202,253.10. The motion was SECONDED by Council Member Pratt. 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 Niles, Council Member Pratt, and Council Member Western in favor and Council Member Chase not being present.

PUBLIC COMMENT PERIOD

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

BUSINESS

Animals in the Delta City Buildings Policy

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

Library Board Appointments

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

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 Niles, Council Member Pratt, and Council Member Western in favor and Council Member Chase not being present.

New Year's Eve

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

Public Works Update

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

OTHER BUSINESS

Mayor Bunker stated that Recorder Schafer was not in attendance as he was in the hospital. Mayor Bunker said that Recorder Schafer was working from the hospital on the computer. Council Member Western said that she had been having more people contacting her about the proposed location of the new fire station. Council Member Western talked about some of concerns that had been brought before her. Mayor Bunker stated that he was not in any way involved in the selection of the property. There was a discussion about the property and some of the considerations that went into its selection. Mayor Bunker stated that Judge Haveron asked that Judge Cindee Probert as the Judge Pro Tempore for the Delta City Justice Court and that it would be on the next agenda. Attorney Anderson asked that fines for the chicken permits be put in place on the next agenda. 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 Pratt 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 Niles, Council Member Pratt, and Council Member Western in favor and Council Member Chase not being present. The meeting was adjourned at 8:18 p.m.

GAYLE K. BUNKER, Mayor

Minutes Approved:

GREGORY JAY SCHAFFER, MMC City Recorder