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DELTA CITY COUNCIL
REGULAR CITY COUNCIL MEETING

Thursday, May 19, 2016
Delta City Building Council Chambers
76 North 200 West
Delta, Utah

2

3 **PRESENT**

- | | |
|------------------------------|-----------------------------------|
| 4 Mayor Gayle Bunker | 6 Council Member Travis Keel |
| 5 Council Member Kiley Chase | 7 Council Member Betty Jo Western |
| 8 Council Member John Niles | |

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10 **ABSENT**

- 11 Council Member Robert Banks

12

13 **ALSO PRESENT**

- | | |
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| 14 Greg Schafer, City Recorder | 24 Brandon Smith, Delta Citizen |
| 15 Todd Anderson, City Attorney | 25 Dusty Smith, Delta Citizen |
| 16 Dent Kirkland, Public Works Director | 26 Linda Sorensen, Delta Citizen |
| 17 Travis Stanworth, Asst. Public Works | 27 Kurt Sorensen, Delta Citizen |
| 18 Director | 28 Mike Steele, Delta Citizen |
| 19 Sam Jacobson, Chronicle-Progress Reporter | 29 Michele Steele, Delta Citizen |
| 20 Lynn Ashby, Fire Chief | 30 Lacey Keel, Delta Citizen |
| 21 Justin Ashby, City Employee | 31 Andy Nickle, Delta Citizen |
| 22 Randy Morris, City Employee | 32 Julie Hobson, Delta Citizen |
| 23 Monica Schafer, Delta Citizen | |

33

34 Mayor Bunker called the meeting to order at 7:00 p.m. He stated that notice of the time, place,
35 and the agenda of the meeting had been posted at the City Building, on the Utah Public Notice
36 website, the Delta City website, and had been provided to the Millard County Chronicle-Progress
37 and to each member of the City Council at least two days prior to the meeting. Mayor Bunker
38 conducted roll call. Council Member Niles gave the opening remarks then the Mayor led those in
39 attendance in the Pledge of Allegiance.

40

41 **MINUTES**

42 The minutes of the Public Hearing held May 5, 2016 for the purpose of receiving public comment
43 on the vacating of a road at approximately 820 E and 750 N in the Sand Ridge Subdivision were
44 presented for approval. Council Member Banks MOVED to adopt the minutes of the Public
45 Hearing held May 5, 2016 for the purpose of receiving public comment on the vacating of a road
46 at approximately 820 E and 750 N in the Sand Ridge Subdivision. The motion was SECONDED by
47 Council Member Western. Mayor Bunker asked if there were any questions or comments

48 regarding the motion. There being none, he called for a vote. The motion passed with Council
49 Member Banks, Council Member Keel, Council Member Niles, and Council Member Western in
50 favor and Council Member Chase was absent.

51
52 The minutes of the Public Hearing held May 5, 2016 to receive public comment on certain
53 expenditures made by the city of municipal funds and whether those expenditures provide
54 corporate purpose per Utah Code Annotated 10-8-2 were presented for approval. Council
55 Member Keel MOVED to adopt the minutes of the Public Hearing held May 5, 2016 to receive
56 public comment on certain expenditures made by the city of municipal funds and whether those
57 expenditures provide corporate purpose per Utah Code Annotated 10-8-2. The motion was
58 SECONDED by Council Member Niles. Mayor Bunker asked if there were any questions or
59 comments regarding the motion. There being none, he called for a vote. The motion passed with
60 Council Member Banks, Council Member Keel, Council Member Niles, and Council Member
61 Western in favor and Council Member Chase was absent.

62
63 The minutes of the Council Meeting held May 5, 2016 were presented for approval. Council
64 Member Niles MOVED to adopt the minutes of the Regular City Council Meeting held May 5,
65 2016. The motion was SECONDED by Council Member Keel. Mayor Bunker asked if there were
66 any questions or comments regarding the motion. There being none, he called for a vote. The
67 motion passed with Council Member Chase, Council Member Keel, and Council Member Western
68 in favor and Council Member Banks and Council Member Niles absent.

69
70 **ACCOUNTS PAYABLE**

71 The Council reviewed the accounts payables for the period ending May 19, 2016 in the amount
72 of \$151,600.00. There were some transactions discussed by the Council. Council Member Banks
73 MOVED to approve the accounts payables for May 19, 2016 in the amount of \$151,600.00. The
74 motion was SECONDED by Council Member Western. Mayor Bunker asked if there were any
75 questions or comments regarding the motion. There being none, he called for a vote. The motion
76 passed with Council Member Banks, Council Member Keel, Council Member Niles, and Council
77 Member Western in favor and Council Member Chase was absent.

78
79 **PUBLIC COMMENT PERIOD**

80 There were no public comments

81

82 **BUSINESS**

83 Final Plat Approval Lyla Rae Morris (Trustee) Subdivision

84 Randy Morris asked that the subdivision be tabled. Council Member Banks MOVED to table the
85 final plat approval of the Lyla Rae Morris (Trustee) Subdivision. The motion was SECONDED by
86 Council Member Niles. Mayor Bunker asked if there were any questions or comments regarding
87 the motion. There being none, he called for a vote. The motion passed with Council Member
88 Banks, Council Member Keel, Council Member Niles, and Council Member Western in favor and
89 Council Member Chase was absent.

90 Resolution 16-397 Use of Municipal Funds for Corporate Purpose

91 Mayor Bunker stated that there had been a public hearing regarding the resolution the previous
92 meeting. Mayor Bunker stated that it came to a total of about \$65,000.00 and that it was value
93 of services as well as monetary funds. There was a discussion regarding it and how it will be
94 included in the budget and line items in the future. Recorder Schafer stated that all of the
95 contributions included in the \$65,000.00 meet the requirements of the code. There was a
96 discussion as to whether the resolution would impact future contributions to the community and
97 it was noted that it would not. Council Member Keel MOVED to accept Resolution 16-397 Use of
98 Municipal Funds for Corporate Purpose. The motion was SECONDED by Council Member Niles.
99 Mayor Bunker asked if there were any questions or comments regarding the motion. There being
100 none, he called for a vote. The motion passed with Council Member Banks, Council Member Keel,
101 Council Member Niles, and Council Member Western in favor and Council Member Chase was
102 absent.

103
104 Ordinance 16-269 Adopting Delta Municipal Airport Annexation

105 Council Member Western noted that there had been a public hearing held and while some people
106 opted out of being annexed into the City, there hadn't been any opposition to the annexation
107 taking place. Council Member Niles MOVED to adopt ordinance 16-269 adopting Delta City
108 Municipal Airport Annexation, an ordinance annexing real property north east of existing Delta
109 City, ranging from Highway 50 to Highway 6 to include the Delta City Municipal Airport and other
110 parcels of Delta City property, but excluding various portions, including the Sunset View Golf
111 Course, Sunset View Subdivision, and three other privately owned parcels fronting on U.S.
112 Highway 50. The annexation will consist of approximately 2,489.79 acres. Council Member Banks
113 SECONDED the motion. Mayor Bunker asked if there were any questions or comments regarding
114 the motion. There being none, he called for a vote. The motion passed with Council Member
115 Banks, Council Member Keel, Council Member Niles, and Council Member Western in favor and
116 Council Member Chase was absent.

117
118 Certification of Designation of Depositories

119 City Recorder Schafer presented the certificate of depositories and stated that it is required by
120 insurance companies every few years, particularly on the Ridge Top Well Bond. Recorder Schafer
121 stated that it was to confirm that Zion's Bank and Utah Public Treasurers Investment Fund are
122 indefinitely Delta City's depositories of choice. City Attorney Anderson asked if it would need a
123 Resolution. Recorder Schafer stated that it did not. Council Member Banks MOVED to have on
124 file the certificate of designation of depositories of Zions Bank and Utah Public Treasures
125 Investment Fund. The motion was SECONDED by Council Member Western. Mayor Bunker asked
126 if there were any questions or comments regarding the motion. There being none, he called for
127 a vote. The motion passed with Council Member Banks, Council Member Keel, Council Member
128 Niles, and Council Member Western in favor and Council Member Chase was absent.

132 July 4th Activities Including Changing the Children's Parade Route to 100 W from 350 N to the City
133 Park

134 Mayor Bunker stated that it has been getting increasingly difficult to get approval for the
135 Children's' Parade on the state highway and there has been some concern for the safety of the
136 children. Mayor Bunker informed the Council that it has been much discussed at the City and the
137 rout that has been suggested is to start at the high school parking lot, head down 100 W to the
138 park. Cars would be able to park perpendicular on both sides of the street and still have plenty
139 of room for the parade. Council Member Western stated that it is a less-traveled road and that it
140 would be safer for the children. There was a discussion regarding the issues that have occurred
141 starting the parade in the grocery store parking lot in the past and parking. Mayor Bunker stated
142 that he had been in contact with the school district and that they didn't think that there would
143 be a problem with starting in their parking lot. There was a discussion about possible routes.
144 Mayor Bunker stated that UDOT is required that all children have waivers signed by their parents
145 before being in that parade and that is one of the issues that are pushing for a change of parade
146 route. City Attorney Anderson gave the background story as to why UDOT has been having
147 stricter requirements to get a permit. It was decided that the new route would be tried this year
148 and will be evaluated to see what will be done next year. There was a discussion about bounce
149 houses and insurance and it was noted that the insurance would need to be looked into. Activities
150 that children could do were discussed. The Mayor informed the Delta Citizens in attendance that
151 the city would not be doing a fish catch this year instead there will be diving for money. The
152 Council discussed scheduling for the 4th of July and when to have the talent program. Mayor
153 Bunker stated that Boyd Bunker has accepted to be the grand marshal of the 4th of July. Council
154 Member Western MOVED to approve the change of the Children's Parade route to run from the
155 north parking lot at the high school to the City Park. The motion was SECONDED by Council
156 Member Banks. Mayor Bunker asked if there were any questions or comments regarding the
157 motion. There being none, he called for a vote. The motion passed with Council Member Banks,
158 Council Member Keel, Council Member Niles, and Council Member Western in favor and Council
159 Member Chase was absent.

160

161 Public Works Update

162 Public Works Director Kirkland stated that the Public Works Department had been installing a
163 ceiling and lights in the pavilion at the Neighborhood Park. Public Works Director Kirkland stated
164 that there had been a malfunction with the fuel system at the airport but that they are working
165 on it. Public Works Director Kirkland stated that both Shopko and the Nelson's have received
166 their building permits and that Planning and Zoning had given Delta Fit a temporary conditional
167 use permit that will last for 9 months. Public Works Director Kirkland stated that the concern with
168 the conditional use permit had been lack of parking and then gave an overview of the Planning
169 and Zoning meeting. Public Works Director stated that Planning and Zoning is reviewing the rural
170 residential zoning to allow half acre lots that will not include animals and cost sharing had been
171 discussed. City Attorney Anderson reviewed what the pros and cons of keeping cost sharing in
172 the code were, including Planning and Zoning not being authorized to spend Delta City Funds,
173 and asked the Council what they would like to do with it. There was a discussion and it was
174 suggested by City Attorney Anderson that cost sharing can be kept, but made as a separate policy

175 and not kept in the Planning and Zoning Ordinance. The Council decided to look more into the
176 issue and that the funding for it would be discussed at the budget work session.

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179 **OTHER BUSINESS**

180 Council Member Western asked if the City would be having many kids come help at the park for
181 the school's community service projects. Public Works Director Kirkland stated that there would
182 be some helping in the park and some would be painting curb around the high school. There was
183 a discussion about City Clean Up that had been postponed due to rain.

184

185 Mayor Bunker informed the council that the local piano teachers were wondering if they could
186 move their piano from the M. E. Bird Center over to the Community Center. Mayor Bunker stated
187 that the piano teachers were wanting to have free use of the building for their recitals if they
188 provide the piano. The Council had no problems with the piano teachers using the Community
189 Center.

190

191 Mayor Bunker suggested to go into closed session to discuss the purchase of property and
192 strategy of litigation. Council Member Banks MOVED to leave regular session at 8:09 p.m. The
193 motion was SECONDED by Council Member Niles. Mayor Bunker asked if there were any
194 questions or comments regarding the motion. There being none, he called for a vote. The motion
195 passed with Council Member Banks, Council Member Keel, Council Member Niles, and Council
196 Member Western in favor and Council Member Chase was absent.

197

198 Council Member Western MOVED to go into executive session to discuss acquisition strategy and
199 potential impending litigation at 8:10 p.m. The motion was SECONDED by Council Member Niles.
200 Mayor Bunker asked if there were any questions or comments regarding the motion. There being
201 none, he called for a vote. The motion passed with Council Member Banks, Council Member Keel,
202 Council Member Niles, and Council Member Western in favor and Council Member Chase was
203 absent.

204

205 Council Member Banks MOVED to leave executive session at 8:28 p.m. The motion was
206 SECONDED by Council Member Western. Mayor Bunker asked if there were any questions or
207 comments regarding the motion. There being none, he called for a vote. The motion passed with
208 Council Member Banks, Council Member Keel, Council Member Niles, and Council Member
209 Western in favor and Council Member Chase was absent.

210

211 Mayor Bunker asked if there were any comments, questions, or other items to be discussed,
212 there were none. Council Member Western MOVED to adjourn the Regular City Meeting. Council
213 Member Niles SECONDED the motion. Mayor Bunker asked if there were any questions or
214 comments regarding the motion. There being none, he called for a vote. The motion passed with
215 Council Member Chase, Council Member Keel, and Council Member Western in favor and Council
216 Member Banks and Council Member Niles absent.

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219 The Meeting was adjourned at 8:30 p.m.

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GAYLE K. BUNKER, Mayor

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227 **Minutes Approved:**

GREGORY JAY SCHAFER, MMC City Recorder

Unapproved