

DELTA CITY PLANNING & ZONING COMMISSION MEETING

Wednesday, July 09, 2025 at 7:00 PM
Delta City Municipal Complex Council Chambers*

AGENDA

CALL TO ORDER

MINUTES APPROVAL

1. Meeting Minutes approval: Planning & Zoning Commission Meeting 2025-05-14

BUSINESS – Any such business as may come before the Commission.

- Lisa Myers; Amended Subdivision Plat, Manzanita Subdivision Action: Discussion/Consideration for approval
- 3. Chairman Chad Droubay; Derek Curtis term renewal through February 2029 Action: Discussion/Consideration for approval
- Council Liaison Kelly Carter: Light Industrial Zone Action: Discussion only

ADJOURN

NOTICE: Be aware the Planning and Zoning Commission may conduct an Electronic Meeting so that a member of the Public Body may participate, pursuant to UCA §52-4-207, (1953), <u>as amended</u>. Agenda items are considered flexible and may be conducted sequentially different than illustrated herein to meet the needs of the Planning and Zoning Commission. Individuals and entities that have business before the Planning and Zoning Commission should be present at meeting commencement.

THE PUBLIC IS ENCOURAGED TO PARTICIPATE IN ALL CITY MEETINGS. In accordance with the Americans with Disabilities Act (ADA), we will make reasonable accommodations for those needing assistance to participate in our meetings. Requests for assistance can be made by contacting the City at 435.864.2759 at least twenty-four hours in advance of the meeting.

CERTIFICATE OF MAILING & DELIVERY

The below signed, duly appointed and acting City Recorder for Delta City, Utah hereby certifies that a copy of the foregoing Notice and Agenda was e-mailed to the Millard County Chronicle-Progress, LLC, chronpro@millardccp.com, published on the Delta City and Utah Public Notices websites and was personally provided to each member of the Planning & Zoning Commission, this <u>Tuesday</u>, July 8, 2025.

Sherri Westbrook, Recorder



DELTA CITY PLANNING & ZONING COMMISSION MEETING

Wednesday, May 14, 2025 at 7:00 PM
Delta City Municipal Complex Council Chambers*

MINUTES

2 3 4 5 6 7 8	PRESENT Chairman Chad Droubay Council Liaison Kelly Carter (arrived 7:14) Commission Member Dillon Pace Commission Member Tamara Stewart Commission Member Chris Christensen					
9 10 11 12	ABSENT Commission Member Derek Curtis Commission Member Don Smith Commission Member Lindsey Dutson					
13 14 15 16 17 18	ALSO PRESENT Brent Tolbert Danny Dutson Ron Larsen DeAnne Larsen	19 20 21 22	Lisa Myers Jessica Anderson Sherri Westbrook John Niles			
23 24	CALL TO ORDER					
25 26 27 28	Planning and Zoning Chairman Droubay called the meeting to order at 7:06 p.m. He stated that notice of the time, place, and agenda of the meeting had been posted at the City Municipal Complex, on the Utah Public Notice website, on the Delta City website, and had been provided to the Millard County Chronicle-Progress and each member of the Commission at least one day before the meeting.					
29 30	MINUTES APPROVAL 1. Meeting Minutes Approval: Planning & Zoning Commission Meeting 2025-03-12					
31 32 33 34	Commission Member Christensen MOVED to approve the minutes of the Planning and Zoning Commission Meeting held on 3/12/2025. The motion was SECONDED by Commission Member Stewart. Chairman Droubay asked if there were any questions or comments regarding the motion. There being none, he called for a vote.					
35 36 37 38	Motion made by Christensen, Seconded by Stewart. Voting Yea: Droubay, Pace, Stewart, Christensen Absent: Commission Members Curtis, Smith, and Dutson; Council Liaison Carter					
39	BUSINESS – Any such business as may come before the Commission.					
40	2. Lisa Myers; Myers Park Subdivision Preliminary Plan Renewal					

Action: Discussion/Consideration for approval

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Lisa Myers stated that the Preliminary Plan for the Myers Park Subdivision expires next month and she is requesting an extension for both lots for one more year. Commission Member Stewart asked if there had been any changes. Myers stated no, everything is exactly the same.

Commission Member Stewart MOVED to approve the renewal of Myers Park Subdivision Preliminary Plan. The motion was <u>SECONDED</u> by Commission Member Christensen. Chairman Droubay asked if there were any questions or comments regarding the motion. There being none, he called for a vote.

Motion made by Stewart, Seconded by Christensen.

Voting Yea: Droubay, Pace, Stewart, Christensen

Absent: Commission Members Curtis, Smith, and Dutson; Council Liaison Carter

3. Dutson Supply: Height Restriction - approval per code Action: Discussion/Consideration for approval

Danny Dutson addressed the Commission and stated that as of May 1st, he, Brent Tolbert, and a couple other partners had taken over management of Dutson Supply. They are looking to construct a new batch plant west of Dutson Supply's current yard. Dutson said he spoke to Travis Stanworth, Fire Chief, about sidewall above 35 ft and he approved that. Application has not been submitted yet, due to the sidewalk requirements and curious about getting a possible variance due to zoning. Brent Tolbert said that the requirements state a need for sidewalks and curb with gutter. Dutson asked whether 1000 West is a county road or a city road. Tolbert said it is a city road. Commission Chairman Droubay asked if anything was being subdivided. Tolbert responded no. Attorney Anderson stated that sidewalks come into play with new construction. Tolbert explained that a batch plant is a piece of equipment, not construction of a building. There are no offices in it; it is a piece of equipment used to batch concrete. Attorney Anderson stated that sidewalks apply for new construction of a primary structure. Commission Chairman Droubay said that they are having a couple of discussions: 1) height of the batch plant, and 2) sidewalks. Dutson stated that the height would be approximately 80 ft.

Commission Chairman Droubay said that Council Liaison Carter wanted to discuss possible changes to sidewalk code in an industrial zone later in the meeting, so this discussion could be put to the side for a little later. Commission Chairman Droubay stated that everything should stick to code and not doing things haphazard.

*Council Liaison Carter arrived at 7:13 p.m.

Commission Chairman Droubay asked to focus on the height restriction; code states that in industrial zone, height restriction is 35 ft unless otherwise approved by Planning & Zoning Commission. Tolbert clarified that this is just a large steel silo; there will not be electrical or any other utilities that high, it is just a massive bin that stands up 80 ft. Dutson said that Larry Dutson currently owns 40 acres and that he will keep 20 acres and the plant will own to the ditch. He also stated that the batch plant will be back away from the road. Council Liaison Carter apologized for being late and said he could share the report from Fire Chief, Travis Stanworth. He stated that originally the reason for the 35 ft height restriction was concern that because the Fire Department doesn't have ladder trucks there wouldn't be a way to put out a structure fire above that height; Carter also said that Chief Stanworth was going to be at this meeting, but had another meeting he needed to attend and asked Carter to share that he had no issues with the height of this specific structure. Commission Member Christensen asked about electricity and wiring. Dutson stated that you do have to have water, electricity, and utilities for mixing concrete. Tolbert said nothing would be at the top of the silo. Commission Member Stewart questioned asked about fire suppression and if there is a fire hazard. She also asked about the nearest residential structures. Council Liaison Carter said that would be Antelope Valley RV Park. Attorney Anderson added that towers must be under 100 ft per code.

Commission Member Christensen MOVED to approve the code for Dutson Supply for height restriction. The motion was <u>SECONDED</u> by Commission Member Pace. Chairman Droubay asked if there were any questions or comments regarding the motion. There being none, he called for a vote.

Motion made by Christensen, Seconded by Pace.

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Voting Yea: Droubay, Carter, Pace, Stewart, Christensen Absent: Commission Members Curtis, Smith, and Dutson

6. Council Liaison Kelly Carter; Change to current code for Industrial Zone Action: Discussion/Consideration for approval

Council Liaison Carter made the recommendation to take out requirements for sidewalks within industrial zones. Commission Member Stewart asked if there would still be curb and gutter required and Council Liaison Carter responded with yes that this is needed for proper draining, etc. Commission Member Christensen asked what the vision was for the requirement of sidewalks in the industrial zone. Commission Chairman Droubay stated that the reason for sidewalks was for beautification of the area and safety for children to walk.

Commission Chairman Droubay asked about fencing in an industrial zone. Attorney Anderson said that she was looking up the code. Chairman Droubay stated that sidewalk requirement was removed, but fencing had been required on storage units. Dutson Supply's current rock yard is not fenced. Attorney Anderson stated that nothing is in Delta City code in regards to fencing requirements. Council Liaison Carter read from another city's code about fencing. Full wall required when backed to a residential zone. Chairman Droubay stated that in this situation, it would be backed to county from the industrial zone. He then asked the Commission about removing sidewalk requirement from an industrial zone. Commission Member Christensen asked about intermingling zones. Council Liaison stated that there is only one industrial zone in Delta City. Commission Member Pace asked about the area along the railroad tracks. Council Liaison Carter stated that he stood corrected in that all along the railroad tracks is also an industrial zone and there is also a segment on the far east side of the city. Commission Member Pace asked about putting a stipulation in that if it butts up against a residential zone, and Liaison Carter added to also include if it meets up to a current sidewalk. Commission Member Stewart asked about a situation in the future if a current industrial property was to be repurposed as residential. Liaison Carter stated that everything would be redone as a residential zone; he stated that he understands that the point is to look at future growth, but the spot for Dutson's is not in jeopardy of being residential in the next 20+ years. Dutson stated that as long as the property is owned by Dutson's it will stay as industrial use. Commission Member Christensen asked if the original intent was to beautify and economic development, then we are going to run into this issue a lot; if an exception is made now with curb, gutter, and sidewalk we will run into the same request for exceptions again and again and again. Commission Member Stewart explained that the code would be changed so that would not be an issue. Liaison Carter explained that curb and gutter would have to remain; Commission Member Stewart added that this is necessary for drainage, as well. Commission Member Christensen would like to look more closely at fencing and adding that to City Code. Commission Chairman Droubay stated that he agreed that for the Industrial Zone only, removing the sidewalk requirement other than when it butts up to a Residential Zone, and with requirement of fencing. New construction would trigger fencing requirement, if added to code.

Commission Member Christensen would like to look more at fencing before making a decision on

^{*}Commission Chairman Droubay requested moving Item #6 up in the Agenda while Dutson and Tolbert were in attendance.*

changing current code. Commission Member Stewart would like to pull Provo City and other communities to look at their stipulations, rather than just dealing with sidewalk right now and fencing later, just do it all at once.

Council Liaison Carter would like to start with something as things never get done if they are just tabled. He asked about a set of objectives for what to have done by next meeting. Would like to move ahead and start with sidewalks. Commercial Zone, yes people are in and out and sidewalks make sense; Industrial Zone, do we want sidewalks and people walking around rock crushing, junk yards, heavy equipment coming in and out, etc. Open to fencing for safety.

Mayor Niles made a comment from the audience. Offices in industrial zone if people are going to be coming in and out. Council Liaison Carter stated that all businesses require hard surfaces parking.

Commission Chairman Droubay asked Dutson and Tolbert about the timeline on the batch plant. Dutson said as soon as possible; Tolbert said it was two weeks ago. Dutson asked about fencing all 40 acres. Tolbert explained that a batch plant is a piece of equipment; they are meant to be put up and taken down. Commission Member stated that a batch plant was put up out to IPP, used, and taken down and moved. Commission Chairman Droubay stated that a triggering event is not happening; no subdivision and no new construction of primary structure. So, only thing to prevent moving forward would be height restriction and that has already been approved. Commission Chairman Droubay asked for moving it to next month's agenda to use the 30 days to think it over, study code, and make an informed decision and to also consider if fencing should be required in that Industrial Zone.

Council Liaison Carter <u>MOVED</u> to table sidewalk agenda item with further research for removing sidewalk and adding fencing in Industrial Zone. The motion was <u>SECONDED</u> by Commission Member Christensen. Chairman Droubay asked if there were any questions or comments regarding the motion. There being none, he called for a vote.

Motion made to table by Carter, Seconded by Christensen.

Voting Yea: Droubay, Carter, Pace, Stewart, Christensen

Absent: Commission Members Curtis, Smith, and Dutson

Tolbert asked if Dutson's Supply would need a building permit. Council Liaison Carter and Commission Member Pace stated yes, a permit would be needed for electricity and water.

Commission Chairman Droubay requested moving Item #7 up in the Agenda.

7. Council Liaison Kelly Carter; Light Industrial zone creation Action: Discussion/Consideration for approval

Council Liaison Carter has been working on creating a Light Industrial Zone. He shared Ephraim City's Industrial Zone with commission members as an example of what other communities are doing. Commission Chairman Droubay agreed that with the possibilities of annexation and as city grows it will need areas such as this. Commission Member Christensen pointed out that there are definitions for Industrial light and Industrial Medium in Delta City Title 9 Chapter 2 from 2019. Council Liaison Carter stated that those are no longer active. Attorney Anderson stated that online does not have anything on this. Mayor Niles commented from audience that when Municode was adopted, everything was revamped and written new. Commission discussed how Lyman Row residential is an unicorn (outlier). Commission Member Christensen stated that first step would be to identify that a Light Industrial Zone

181 would be put in as code and the next step would be to identify an area where to put it into use. 182 Commission Chairman Droubay stated that all along the railroad would be good for light industrial; he 183 said Recorder Sherri Westbrook has a good point if we have something in place and its available in 184 case someone wants to annex it or rezone. 185 Commission Member Christensen MOVED to create a Light Industrial Zone. The motion was 186 SECONDED by Commission Member Stewart. Commission Chairman Droubay stated that before 187 voting, language would need to be created. Attorney Anderson stated that it could be moved forward 188 and then language would follow; would create a Light Industrial Zone subject to further restrictions. 189 Commission Chairman Droubay asked if there were any further questions or comments regarding the 190 motion. There being none, he called for a vote. 191 Motion made by Christensen, Seconded by Stewart. 192 Voting Yea: Droubay, Carter, Pace, Stewart, Christensen 193 Absent: Commission Members Curtis, Smith, and Dutson 194 195 Chairman Chad Droubay; Commission Member Derek Curtis term renewal Action: Discussion/Consideration for approval 196 197 Commission would like to have Commission Member Derek Curtis in attendance to discuss and 198 consider his term renewal for approval. Commission Member Christensen suggested tabling this until 199 next meeting. 200 Council Liaison Carter MOVED to table this agenda item until next meeting when Derek Curtis could be 201 in attendance. The motion was <u>SECONDED</u> by <u>Commission Member</u> Christensen. Commission 202 Chairman Droubay asked if there were any further questions or comments regarding the motion. There being none, he called for a vote. 203 204 Motion made by Carter, Seconded by Christensen. Voting Yea: Droubay, Carter, Pace, Stewart, Christensen 205 206 Absent: Commission Members Curtis, Smith, and Dutson 207 208 Chairman Chad Droubay: Suggestion of Alternate Commission Member, Darlene Webb 209 Action: Discussion/Consideration for approval 210 Commission Chairman Droubay stated that Mayor Niles had called him with a suggestion of an Alternate Commission Member, Darlene Webb. She is willing to serve as an alternate for the Planning 211 212 & Zoning Commission. Mayor Niles said that she would love to help on Planning and Zoning Commission if needed. Commission Chairman Droubay asked if there were any concerns; none were 213 214 spoken. 215 Commission Member Christensen MOVED to accept Darlene Webb as an Alternate Commission 216 Member. The motion was SECONDED by Commission Member Stewart. Commission Chairman 217 Droubay asked if there were any further questions or comments regarding the motion. There being 218 none, he called for a vote. 219 Motion made by Christensen, Seconded by Stewart. 220 Voting Yea: Droubay, Carter, Pace, Stewart, Christensen 221 Absent: Commission Members Curtis, Smith, and Dutson 222

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224 225 226	Council Liaison Carter MOVED to adjourn the meeting. Commission Member Pace <u>SECONDED</u> the motion. Chairman Droubay asked if there were any questions or comments regarding the motion. There being none, he called for a vote.
227 228 229	Motion made by Curtis, Seconded by Stewart. Voting Yea: Droubay, Carter, Stewart, Curtis Absent: Commission Members Curtis, Smith, and Dutson
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231	The meeting was adjourned at 8:06 p.m.
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235 236	Sherri Westbrook, Recorder



Delta City76 N 200 W
Delta, UT 84624
435-864-2759, social@delta.utah.gov

Application to Appear

APPLICANT INFORMATION							
Applicant Name Lesse Bloomfield, Lenny Harward, Lisa Myers							
Contact Name Lisa Myers							
Contact Number 435 - 864 - 7862							
Contact Email /132. myers@millard K12. orgs							
Mailing Address 80 S. Locust Ave							
City, State, Zip Selfa, UT 84654							
APPEARANCE INFORMATION							
Request to appear before: City Council Planning & Zoning Other:							
Date you wish to appear: Next available or: Quly 9, 2025							
Subject Summary: Approval for Amended lots							
Subject Detail: Be as specific as possible, with as much detail as possible. Include any documents, maps, etc. We are requesting approval for the amended Manzantha Subdivision, Phase 3, Lot 1 and Phase 1, Lot 3, Lines were adjusted to make straight bound asy lines to squase up the Lots, Bloomfields south bound by was moved to the math. Action Requested: Action Requested: Approval of Amended Plats							
Applicant Signature Date Date Date Date Date Application, applicable fees and ALL necessary documents must be received at least (8) eight days prior to the scheduled meeting that you wish to attend.							
Received by: Date: Initial Transaction Log #: Fees: Paid Stamp:							

ACCEPTANCE BY LEGISLATIVE BODY THE DELTA CITY COUNCIL, OF MILLARD COUNTY, STATE OF UTAH, APPROVES THIS SUBDIVISION AND HERBBY ACCEPTS THE DEDICATION OF ALL STREETS, EASEMENTS, AND OTHER PARCELS OF LAND INTENDED FOR PUBLIC PURPOSES FOR THE PERPETUAL USE OF THE PUBLIC THIS DAY OF ATTEST: CLERK/RECORDER DELTA CITY PUBLIC WORKS DIRECTOR DELTA CITY PUBLIC WORKS DIRECTOR DELTA CITY PUBLIC WORKS DIRECTOR	THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ARROGATION OR WAIVER OF ANY EXISTING RECHTS, OBJUGATIONS OR LUBLUTES INCLUDING PRESCRIPTINE RIGHTS AND OTHER RIGHTS. OBJUGATIONS OR LUBLUTES INCLUDING PRESCRIPTINE RIGHTS AND OTHER RIGHTS. OBJUGATIONS OR LUBBUTTES PROVIDED BY LAW OR EQUITY. THIS APPROVAL OR ACKNOMED BY LAW OR EQUITY. THIS APPROVAL OR ACKNOMED IN THE PLAT, INCLUDING THOSE SET FOR FURTHER INFORMATION, INCLUDING INFORMATION RELATED TO ALLOWED ACTIVITIES AND DES NOT CONSTITUTE A DEPARTMENT. 1 COMPANY SIGNATURE DATE DATE SIGNATURE DATE DATE SIGNATURE DATE DATE TITLE TITLE TITLE DATE	NOTES 1. THE CITY OF DELTA, COUNTY OF MILLARD, STATE OF UTAM, HAS AN ORDINANCE WHICH RESTRICTS THE OCCUPANCY OF BULDINGS WHIN THIS SUBDIVISION, ACCORDINGLY IT IS UNLAWFUL TO OCCUPY A BULDING WHIN THIS SUBDIVISION WHICH FREST OBFAVING A CERTIFICATE OF OCCUPANCY ISSUED BY THE BULDING INSPECTOR. 2. DELTA CITY SHALL BE HELD HARMLESS FOR ANY DRAINAGE ISSUE, JESSE BLOCKAPELD WILL BE RESPONSIBLE FOR THE CONSTRUCTION AND MAINTENANCE OF SAND DRAINAGE FOR 5 YEARS FIRON THE CONSTRUCTION AND MAINTENANCE OF SAND DRAINAGE FOR 5 YEARS FIRON THE CONSTRUCTION AND DRAINAGE FOR SEASIABLY IS ONLY THE CONSTRUCTION WHICH AND WITHOUT THE BURDING UTILITY EXPINES. AND THE RIGHT TO REQUIRE RELOVAL OF ANY OBSTRUCTION THE LOT OWNER'S EXPENSE, AT NO THE SHALL MAY BE PLACED WHITH THE PLE THE LOT OWNER'S EXPENSE, AT NO THE SHALL MAY PERHAMENT STRUCTURES AT THE LOT OWNER'S EXPENSE, AT NO THE SHALL MAY PERHAMENT STRUCTURES AT THE LOT OWNER'S EXPENSE, AT NO THE SHALL MAY PERHAMENT STRUCTURES AT THE LOT OWNER'S EXPENSE, AT NO THE SHALL MAY PERHAMENT STRUCTURES AT THE LOT OWNER'S EXPENSE, AT NO THE SHALL MAY PERHAMENT STRUCTURES AT THE LOT OWNER'S EXPENSE, AT NO THE SHALL MAY PERHAMENT STRUCTURES AT THE LOT OWNER'S EXPENSE, AT NO THE SHALL MAY PERHAMENT STRUCTURES AT THE PLUE OF THE PUBLIC	SCALE IN FEET ** SECTION MOT SET ** SECTION NOT SET O NOT SET
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STATE OF UTAH) S.S. COUNTY OF MILLARD) ON THIS THE DAY OF 20 PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY OF MILLARD, IN THE STATE OF UTAH, THE SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED. NOTARY PUBLIC NOTARY PUBLIC STATES.	VALURIE HARWARD VALURIE HARWARD VALURIE HARWARD VALURIE HARWARD F UTAH) F UTAH) S.S. OF MILLARD) THE DAY OF UNDERSONED NOTWAY PUBLIC PUBLIC METHAL THEY S D PUBLIC EXPIRES MISSION EXPIRES OWLEDGEMENT	AT A POINT PROW THE EAST CONTROL TO THE EAST CONTROL THE EAST CONTROL THE EDUCATE THE EDUC	SURVEYOR'S CERTIFICATE 1. BRADLEY N. RHODES, PROFESSIONAL UTAH LAND SURVEYOR NO. 288645, HOLD A LUCENCE NI ACCORDANCE NITH TILE SA, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYOR NO. CERTIFY THAT THIS MAD REPRESENTS A SURVEY MADE UNDER MY DIRECTION OF MYERS PARK SUBDIVISION PHASE 4 LOT 1, A RESIDENTIAL SUBDIVISION PHASE 4 LOT 1, A RESIDENTIAL MADULUMENTS WILL BE PLACED AS REPRESENTED ON THIS PLAT. THE LEGAL DESCRIPTION AND PLAT ARE TRUE AND CORRECT. BRADLEY N. RHODES P.L.S. NO. 288645 PHASE 1, LOT 3 O.651 ACRES!
THE CHAIN IN THE CHROSED IN	MANZANITA SUB./AMENDED PHASE 3, LOT 1, PHASE 1, LOT 3 BLOOMFIELD AND HARWARD	BROWNIDGE LAND SURVEYING, LLC 90 NORTH 800 WEST, SUITE B CEDAR CITY, UTAH 19721 (409 592-352 BRAD @BROWNIDGELAND.COM	REVESIONS DESCRIPTION BY APPROVED DATE

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