

REGULAR CITY COUNCIL MEETING  
SEPTEMBER 25, 2000

PRESENT

R. Dale Roper	Mayor
Wesley Bloomfield	Council Member
Gayle Bunker	Council Member
Bruce Curtis	Council Member
Robert Dekker	Council Member
Glen Swalberg	Council Member

ABSENT

Neil Forster	Public Works Director
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ALSO PRESENT

Richard Waddingham	City Attorney
Gregory Jay Schafer	City Recorder
Judy Baker	City Treasurer

Mayor Roper called the meeting to order at 7:00 p.m. He stated that notice of the meeting time, place, and agenda was posted at the principal office of the governing body, located at 76 North 200 West, and was provided to the Millard County Chronicle/Progress, to KNAK Radio, and to each member of the City Council at least two days prior to the meeting.

Council Member Bruce Curtis offered an invocation, after which Mayor Roper led those in attendance in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Public Hearing held September 11, 2000 were presented for consideration and approval. Following brief discussion, Council Member Wesley Bloomfield MOVED to approve the minutes of the Public Hearing held September 11, 2000, as presented. The motion was SECONDED by Council Member Gayle Bunker. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of a Regular City Council Meeting held September 11, 2000 were presented for consideration and approval. Council Member Bloomfield noted an error at the top of Page 2 where the vote on approval of the minutes was left out of the minutes. Following discussion, Council Member Glen Swalberg MOVED to approve the minutes of the Regular City Council Meeting held September 11, 2000, as corrected. The motion was SECONDED by Council Member

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Bruce Curtis. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

#### ACCOUNTS PAYABLE

The Council reviewed the Accounts Payable, a copy of which had been given to them two days prior to the meeting. Following discussion, Council Member Wesley Bloomfield MOVED to approve the accounts payable, dated Sept. 22, 2000, in the amount of \$146,643.60. The motion was SECONDED by Council Member Gayle Bunker. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

#### UNFINISHED BUSINESS

##### CITY ATTORNEY RICHARD WADDINGHAM: ADOPTION OF NEW ANNEXATION POLICY

Mayor Roper reported that City Attorney Richard Waddingham has not completed drafting of a new Annexation Policy so this item will remain tabled until the next meeting of the City Council.

#### NEW BUSINESS

##### CITY ATTORNEY RICHARD WADDINGHAM: CERTIFICATION OF DROUBAY/BUNKER PETITION FOR ANNEXATION

City Attorney Waddingham stated that he has prepared a Certification of Annexation Petition for Mayor Roper and Recorder Schafer to sign. The Certification essentially certifies that the annexation petition meets the requirements of state law and gives notice to the Delta City Council, the Contact Sponsor and the Millard County Commission that the Petition for Annexation meets those requirements.

Council Member Wesley Bloomfield MOVED to accept the Certification of Petition for Annexation for the proposed Droubay/Bunker Annexation. The motion was SECONDED by Council Member Glen Swalberg. Mayor Roper asked if there were any comments or questions regarding the motion. Council Member Gayle Bunker stated, for the record, that he is a petitioner in the proposed Droubay/Bunker Annexation and therefore has a conflict of interest in this matter. Mayor Roper then called for a vote. The motion passed unanimously.

##### MAYOR R. DALE ROPER: AMENDMENT OF RESOLUTION NO. 00-269 REGARDING TRANSFER OF CABLE TELEVISION FRANCHISE

City Attorney Waddingham distributed copies of a proposed resolution amending Resolution No. 00-269 and noted that the only change is an extension of time, to December 30, 2000, for completion of the transfer.

## RESOLUTION NO. 00-270

A RESOLUTION OF THE CITY OF DELTA, UTAH AMENDING RESOLUTION NO. 00-269 WHICH CONDITIONALLY APPROVED THE TRANSFER OF AN EXISTING CABLE TELEVISION FRANCHISE, "FRANCHISE", HERETOFORE GRANTED BY DELTA CITY TO TCI OF INDIANA, INC., AND SETTING FORTH TERMS AND CONDITIONS FOR APPROVING SUCH TRANSFER OF SAID FRANCHISE FROM TCI OF INDIANA, INC. TO MALLARD CABLEVISION, L.L.C., BY AMENDING SECTION 2 THEREOF EXTENDING THE PERIOD OF TIME IN WHICH MALLARD CABLEVISION, L.L.C. MUST COMPLY WITH THE CONDITIONAL PROVISIONS CONTAINED THEREIN TO DECEMBER 30, 2000.

Council Member Glen Swalberg MOVED to approve Resolution No. 00-270, amending Resolution 00-269 which conditionally approved the transfer of an existing cable television franchise, heretofore granted by Delta City to TCI of Indiana, Inc., and setting forth terms and conditions for approving such transfer of said franchise from TCI of Indiana, Inc. to Mallard Cablevision, L.L.C., by amending Section 2 thereof extending the period of time in which Mallard Cablevision, L.L.C. must comply with the conditional provisions contained therein to December 30, 2000. The motion was SECONDED by Council Member Gayle Bunker. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Wesley Bloomfield	Yes
Gayle Bunker	Yes
Bruce Curtis	Yes
Robert Dekker	Yes
Glen Swalberg	Yes

MAYOR R. DALE ROPER: SUBDIVISION PLAT CHECK FEES

Council Members renewed their discussion from the meeting held September 11, 2000 wherein there was discussion regarding increasing fees for annexations and subdivisions and the problem of making certain that, after approval of the annexations and subdivisions, the plats are properly filed in the County Recorder's office. Currently the petitioner is responsible for filing the plats, but Delta City does not have a procedure in place to follow up and make certain that the plats are filed. Council Member Dekker and Council Member Bunker felt that it should be the responsibility of the petitioner to make certain the subdivision plat is properly filed.

Following discussion, it was determined that the Council will instruct the Planning & Zoning Commission, along with Zoning Officer Neil Forster, to make a checklist, to be given to anyone applying for a subdivision, which will outline all steps necessary to complete the subdivision

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process.

MAYOR R. DALE ROPER: ADMINISTRATIVE FEE FOR PROCESSING DELINQUENT WATER/SEWER ACCOUNT NOTICES

Mayor Roper reported that it currently costs Delta City \$2.98 each to send out delinquent notices by certified mail; the total averages approximately 60 per month. Delta City currently assesses a \$2.00 late fee for all accounts showing an outstanding balance when the monthly water/sewer bills are printed. The Public Works Department suggested that, in order to avoid creating billing problems, the late fee could be adjusted up to reflect the increased cost of sending out notices.

Following discussion, Council Member Wesley Bloomfield MOVED to amend Resolution No. 84-110 to reflect an increase of the late fee for delinquent water/sewer accounts from \$2.00 to \$5.00. The motion was seconded by Council Member Robert Dekker. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

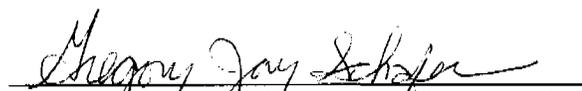
OTHER BUSINESS

City Attorney Richard Waddingham noted that, at the last meeting, a question was raised regarding drug testing of new employees holding a Commercial Driver License. City Attorney Waddingham advised the Council that a drug testing policy was adopted, by Resolution, in 1996.

Mayor Roper asked if there were any comments, questions, or other items to be discussed. There being none, Council Member Robert Dekker MOVED to adjourn. The motion was SECONDED by Council Member Gayle Bunker. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Roper declared the meeting adjourned at 7:34 p.m.

  
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R. DALE ROPER, Mayor

  
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GREGORY JAY SCHAFFER, City Recorder

MINUTES APPROVED: RCCM 10-23-00