

REGULAR CITY COUNCIL MEETING  
DECEMBER 11, 2000

PRESENT

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

ABSENT

Bruce Curtis	Council Member
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ALSO PRESENT

Richard Waddingham	City Attorney
Gregory Jay Schafer	City Recorder
Mr. & Mrs. Frank Thomas	Delta High School Art Instructor
Robert & Jill Droubay	City Residents
Brad Christensen	Sugarloafers Motorcycle Club
Rita Byrd	City Employee
Tim Johnson	Poster Contest Winner
Jamie Anderson	Poster Contest Winner
Mark Mitchell	Poster Contest Winner
Amanda Schmidt	Poster Contest Winner
Adam Lovell	Poster Contest Winner
Josh Ashcraft	Poster Contest Winner
Lynda Ashcraft	City Resident

Mayor Roper called the meeting to order at 7:00 p.m. Gregory Jay Schafer, City Recorder, acted as secretary. Mayor Roper stated that notice of the meeting time, place, and agenda had been posted at the City Building, located at 76 North 200 West, and was provided to the Millard County Chronicle/Progress, KNAK Radio, and to each member of the City Council, at least two days prior to the meeting.

Council Member Wesley Bloomfield 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 November 13, 2000 were presented for consideration and approval. Following review, Council Member Glen Swalberg, MOVED to approve the minutes of the Public Hearing held November 13, 2000, as presented. The motion was SECONDED by

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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 November 13, 2000 were presented for consideration and approval. Council Members and City Attorney Waddingham requested that several typographical and clarification changes be made in the minutes. Following discussion, Council Member Gayle Bunker MOVED to approve the minutes of the Regular City Council Minutes held November 13, 2000, as corrected. 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.

#### ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a copy of which had been given to them two days prior to the meeting. Following review, Council Member Glen Swalberg MOVED to approve the accounts payable, in the amount of \$104,491.04. 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, Mayor Roper called for a vote. The motion passed unanimously.

#### UNFINISHED BUSINESS

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

City Attorney Richard Waddingham advised the Council that he had not been able to meet with Zoning Officer Neil Forster and requested that he be allowed to contact City Recorder Gregory Jay Schafer when the item is ready to be put on the agenda for discussion.

#### NEW BUSINESS

##### MAYOR R. DALE ROPER: AWARD CASH PRIZES TO CHRISTMAS LIGHT PARADE POSTER WINNERS

Mayor Roper noted that the posters winning cash prizes were on display at the front of the room. Mayor Roper complimented the students on the work done on the posters and congratulated them on the high quality posters provided this year. Mayor Roper and Delta High School Art Instructor Frank Thomas distributed the cash prizes to the following poster contest winners:

Honorable Mention (\$25.00)

Ryan Bird  
 Tim Johnson  
 Jamie Anderson  
 Debbie Rowlette  
 Nicolas Johnson  
 Mark Mitchell

Fourth Place (\$50.00)	Amanda Schmidt
Third Place (\$75.00)	Layne Carroll
Second Place (\$100.00)	Adam Lovell
First Place (\$150.00)	Josh Ashcraft

BRAD CHRISTENSEN: GRAND PRIX RACE FOR SUGARLOAFERS MOTORCYCLE CLUB

Brad Christensen approached the Council regarding the possibility of holding a grand prix race through a portion of Delta. The general area they are looking at would include the area near Delta High School and the Delta City Public Works yard, along 450 North Street east to 350 East Street and north to 700 North Street, across the canal to a dirt road along the canal, back across the canal and 700 North Street, then on a dirt road to the gravel pits. The date for the race will be set at a meeting of the Sugarloafers Motorcycle Club to be held on Wednesday, December 13<sup>th</sup>. The race would require that streets be closed during the race, for safety reasons, and traffic control would be done by the West Millard Sheriff's Posse. Mr. Christensen noted that the Club has liability insurance which would name Delta City as an additional insured for the race.

Mayor Roper expressed his concern for safety and making certain that all residents along the proposed route be advised of the planned activity well in advance so that their concerns can be addressed.

Mayor Roper requested that Mr. Christensen determine the date and the route for the race and return to the Council at that time to discuss approval for City streets being used for the race.

Council Member Gayle Bunker MOVED to give tentative approval to the Sugarloafers Motorcycle Club for a Grand Prix race, using a portion of Delta City streets, sometime around April, 2001, provided that they name Delta City as an additional insured on their liability insurance and meet all other requirements which Delta City might add at a later date. 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.

MAYOR R. DALE ROPER: ADOPTION OF ORDINANCE APPROVING DROUBAY/BUNKER ANNEXATION

Mayor Roper reported that, prior to this meeting, a public hearing was held regarding the proposed Droubay/Bunker Annexation of, and zone classification for, undeveloped land located north and west of the Delta City Cemetery. There were no negative comments received at the public hearing.

## ORDINANCE NO. 00-191

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DELTA, UTAH PROVIDING FOR ANNEXATION OF CERTAIN TERRITORY INTO THE CORPORATE LIMITS OF DELTA CITY AND ESTABLISHING THE ZONE DISTRICT CLASSIFICATIONS FOR THE ANNEXED TERRITORY IDENTIFIED AS THE "DROUBAY/BUNKER ANNEXATION."

Following discussion, Council Member Wesley Bloomfield MOVED to adopt Ordinance No. 00-191, an ordinance of the City Council of the City of Delta, Utah providing for annexation of certain territory into the corporate limits of Delta City and establishing the zone district classifications for the annexed territory identified as the "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 one of the petitioners in this annexation. Mayor Roper then called for a roll call vote. The voting was as follows:

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

The motion passed.

MAYOR R. DALE ROPER: RESOLUTION TO AMEND CABLE TELEVISION FRANCHISE AGREEMENT

Mayor Roper advised the Council that Mallard Cablevision, L.L.C. had contacted City Recorder Gregory Jay Schafer and advised him that they were unable to comply with all the terms of the cable television franchise transfer by December 31, 2000 and requested an extension of time. City Attorney Richard Waddingham advised Mallard Cablevision that Delta City would not grant an open ended extension, but would allow an extension to March 31, 2001.

## RESOLUTION 00-271

A RESOLUTION OF THE CITY OF DELTA, UTAH AMENDING RESOLUTION NO. 00-269 AND 00-270 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 OF RESOLUTION NO. 00-269, AS AMENDED BY RESOLUTION NO. 00-270, EXTENDING THE PERIOD OF TIME IN WHICH MALLARD CABLEVISION, L.L.C. MUST COMPLY WITH THE CONDITIONAL PROVISIONS CONTAINED THEREIN TO MARCH 31, 2001.

Following discussion, Council Member Wesley Bloomfield **MOVED** to adopt Resolution No. 00-271, a resolution of the City of Delta, Utah amending Resolution No. 00-269 and No. 00-270 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 of Resolution No. 00-269, as amended by Resolution No. 00-270, extending the period of time in which Mallard Cablevision, L.L.C. must comply with the conditional provisions contained therein to March 31, 2001. The motion was **SECONDED** by Council Member Glen Swalberg. 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	Absent
Robert Dekker	Yes
Glen Swalberg	Yes

The motion passed.

#### OTHER BUSINESS

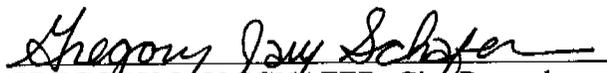
Mayor Roper advised the Council that he has received an invitation for Local Officials Day at the Utah State Legislature on January 17, 2001. If any Council Members are interested in participating in this event, please notify City Recorder Gregory Jay Schafer within the next few days so that registration can be mailed.

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Mayor Roper asked if there were any comments, questions, or other items to be discussed. There being none, Council Member Gayle Bunker **MOVED** to adjourn the meeting. The motion was **SECONDED** by Council Member Wesley Bloomfield. 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 7:35 p.m.

  
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 R. DALE ROPER, Mayor

  
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 GREGORY JAY SCHAFFER, City Recorder