

CITY OF DELTA, UTAH
REGULAR CITY COUNCIL MEETING
JULY 7, 2005

PRESENT

Gayle Bunker	Mayor
Wesley Bloomfield	Council Member
Margaret Dutson	Council Member
Glen Swalberg	Council Member

ABSENT

Robert Banks	Council Member
Bruce Curtis	Council Member
Alan Riding	Public Works Director

ALSO PRESENT

Richard Waddingham	City Attorney
Ken Clark	Asst. Public Works Director
Gregory Jay Schafer	City Recorder
Lynn Ashby	Fire Chief
Robert & Sharry Harper	Delta Car Show

Mayor Bunker called the meeting to order at 7:00 p.m. He stated that notice of the meeting time, place and agenda 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. City Recorder Gregory Schafer acted as secretary.

Council Member Glen Swalberg offered opening remarks following which Mayor Bunker led those in attendance in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Regular City Council Meeting held June 16, 2005 were presented for consideration and approval. Council Member Wesley Bloomfield noted a typographical error on Page 5. Council Member Wesley Bloomfield MOVED to approve the minutes of the Regular City Council Meeting held June, 16, 2005, as corrected. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker 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 Public Hearing held June 22, 2005 were presented for consideration and approval. Following review, Council Member Wesley Bloomfield MOVED to approve the minutes of the Public Hearing held June 22, 2005, as presented. The motion was SECONDED by Council

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Member Glen Swalberg. Mayor Bunker 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 Special City Council Meeting held June 22, 2005 were presented for consideration and approval. Following review, Council Member Wesley Bloomfield MOVED to approve the minutes of the Special City Council Meeting held June 22, 2005, as presented. The motion was SECONDED by Council Member Margaret Dutson. Mayor Bunker 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 dated July 7, 2005, in the amount of \$69,402.68. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Bunker 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

There were no items of unfinished business on the agenda.

NEW BUSINESS

ROBERT AND SHARRY HARPER, DELTA CAR SHOW: DELTA CAR SHOW

Mr. Harper presented a check to the Council, in the amount of \$150.00, to be used for park beautification. Mr. Harper requested use of the City Park, along with the soccer field to the north of the City Park, from September 15 through September 18, 2005. The extension of time is requested due to the number of individuals who arrive early to participate in the car show. Following discussion of the time frame for motor home and camper parking around the park, it was determined that car show parking will be restricted from the park until after 5:00 p.m. on Thursday, September 15, 2005.

Following discussion, Council Member Wesley Bloomfield MOVED to approve use of the City Park for the Delta Car Show on September 16, 17 and 18, 2005 and that motor home and camper parking be allowed at the park after 5:00 p.m. on Thursday, September 15, 2005. The motion was SECONDED by Council Member Margaret Dutson. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

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Mr. Harper asked if it would be possible to hold radio-controlled car races at the skate park on Friday evening, September 16th from approximately 7:00 p.m. to 9:00 p.m. Council Members were not opposed to holding the races at the skate park, as long as notice is posted that the skate park will be closed during that time period.

FIRE CHIEF LYNN ASHBY: SELECTION OF WARNING SIREN FOR DELTA CITY

Mayor Bunker noted that Council Members had copies of a bid for purchase of a warning siren for Delta City. Fire Chief Lynn Ashby advised Council Members that the Fire Department has received an \$8,300 grant for purchase of a warning siren. One system is a siren, the other has a microphone which could be used for public announcements. The price of both types exceed the grant funds awarded for purchase of the warning siren. Fire Chief Lynn Ashby asked whether Delta City could pay the difference between the grant amount and the purchase price.

Following lengthy discussion, Council Member Glen Swalberg MOVED to postpone a decision on this matter until more bids are received. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR GAYLE BUNKER: RESOLUTION NO. 03-301, A RESOLUTION AMENDING MILLARD COUNTY LANDFILL ADMINISTRATION FEES

Council Members reviewed the following resolution:

RESOLUTION NO. 05-301

A RESOLUTION AMENDING RESOLUTION NO. 86-153 BY INCREASING THE
MILLARD COUNTY LANDFILL FEES AND INCREASING DELTA CITY'S
ADMINISTRATIVE FEES.

Mayor Bunker noted that this resolution increases the Millard County landfill fees for residential and commercial establishments and Delta City's administrative fee for collection and remittance of county landfill fees from 30 cents to 40 cents on each dwelling, business and other establishment which has been assessed a Millard County landfill fee.

Following review, Council Member Wesley Bloomfield MOVED to adopt Resolution No. 86-301, a resolution amending resolution No. 86-153 by increasing the Millard County landfill fees and increasing Delta City's administrative fee. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The vote was as follows:

Robert Banks	Absent
Wesley Bloomfield	Yes
Bruce Curtis:	Absent
Margaret Dutson	Yes
Glen Swalberg	Yes

The motion passed unanimously.

ASSISTANT PUBLIC WORKS DIRECTOR KEN CLARK: LEASE OF NEW BACK HOE

Assistant Public Works Director Ken Clark has found that Wheeler Machinery has a program whereby they can lease Caterpillar equipment to municipalities and government groups for \$8,000 per year on a three year lease. Maintenance of the equipment is included in the \$8,000 per year lease fee. When the equipment needs service, the company is contacted and they schedule and complete the service. Assistant Public Works Director Clark requested approval to enter into a three year lease for a Caterpillar back hoe. The back hoe currently being used is over twenty years old and needs to be replaced.

City Attorney Waddingham questioned the constitutionality of entering into such a lease when the City Council has not budgeted funds beyond the current fiscal year. He stated that such contracts need a specific provision that the city's obligation to pay under the terms of the contract, beyond the current fiscal year, is conditioned upon or subject to the City Council budgeting the necessary funds in its future annual budgets.

Following review, Council Member Wesley Bloomfield MOVED to approve entering into a three year lease for a new Caterpillar back hoe at a rate of \$8,000 per year, subject to the special language which City Attorney Waddingham requires in the lease agreement. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ASSISTANT PUBLIC WORKS DIRECTOR KEN CLARK: DECLARATION OF SURPLUS PROPERTY FOR 680 BACK HOE AND TORO LAWN MOWER

Assistant Public Works Director Ken Clark requested a declaration of surplus property on the Case 680 back hoe and the old Toro lawn mower so the items can be publicized for bid at public auction.

Council Member Wesley Bloomfield MOVED to declare the 680 back hoe and Toro lawn mower as surplus property to be advertised for bid at public auction. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

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MAYOR GAYLE BUNKER: FOURTH OF JULY CELEBRATION ACTIVITIES

Mayor Bunker asked Council Members to report any comments they had received or observations they had made regarding the recent celebration activities. Council Members reported that they had seen a lack of sufficient trash receptacles. Council Members discussed the the problem of parking vehicles along Main Street on the days leading up to the parade. Council Member Dutson reported both children and adults out in the center of the street picking up candy and causing a hazardous situation for those driving in the parade. Some other cities are solving the problem by not allowing candy to be thrown from floats or moving vehicles but require that any candy be handed out by individuals walking alongside moving vehicles. Assistant Public Works Director Clark noted the amount of garbage that was left along the parade route by spectators. Mayor Bunker mentioned that the vendors at the celebration fill up the trash containers with the boxes in which they transport their supplies. It was suggested that the vendors be required to haul their own trash out and, perhaps, even request a deposit prior to the event which is refundable after their location has been adequately cleaned after the event. Council Members agreed that the deposit would work well in encouraging vendors to clean up after themselves. Mayor Bunker suggested that some of the smaller vendors be charged \$50, with the larger vendors being charged \$100.

Mayor Bunker also noted that many cities and towns do not allow parking along the parade route during the parade but require that everyone sit on chairs or blankets. This may be something for the Council to think about and discuss as a possibility for the future.

Council Members felt that, over all, the entire celebration was very successful.

MAYOR GAYLE BUNKER: GREAT BASIN FESTIVAL

Mayor Bunker requested that this item be tabled until the next meeting.

Council Member Wesley Bloomfield MOVED to table discussion of this matter until the next meeting of the City Council. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR GAYLE BUNKER: CONSTITUTION WEEK

Mayor Bunker noted that Council Members had received a copy of information he received regarding Constitution Week. Mayor Bunker felt that it is important to recognize Constitution Week and educate both children and adults of the importance of the Constitution.

Following review, Council Member Wesley Bloomfield MOVED to authorize the Mayor to issue a proclamation recognizing national Constitution Week September 19-23, 2005. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion

passed unanimously.

MAYOR GAYLE BUNKER: EMPLOYEE SUMMER PARTY

Mayor Bunker stated that we waited too long last year to set a date for a summer party. He requested that employees discuss and suggest a date for a summer party at the next Council meeting.

Council Member Glen Swalberg MOVED to table discussion of this matter until the next meeting of the City Council. The motion was SECONDED by Council Member Margaret Dutson. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

PUBLIC WORKS DIRECTOR ALAN RIDING: UPDATE ON PUBLIC WORKS PROJECTS

In the absence of Public Works Director Alan Riding, Asst. Public Works Director Clark stated that he doesn't have a lot to report at this time inasmuch as the Fourth of July celebration preparations and clean up have been the main priority for the last couple of weeks, except for an eight inch water main break. Cable installers for the cable television system hit the water main and spiral fractured approximately six feet of the main line. The break drained the water system before it could be shut down. Repairs have been made and everything is back to normal operations.

The motor on the Gardner Well failed the day before the water main break and it had been put back on-line just prior to the break. The original motor had been in use for approximately thirty years, perhaps more, and the replacement motor cost \$5,500, including installation.

At present, all public works employees are attempting to catch up on items which were set aside while the Fourth of July celebration preparation and clean up were taking place. More asphalt work is planned for next week. It is hoped that one more day of chip sealing roads can be done on the north side of town.

MAYOR GAYLE BUNKER: PROPOSED REAL ESTATE TRANSACTION

Mayor Bunker reported that the appraisal has been received for the property on which he has been negotiating and was considerably less than the property owner expected. The property owner was not pleased with the amount of the appraisal but the title company is currently preparing deeds for transfer of the property. The purchase should be completed within approximately two weeks. Mayor Bunker has discussed financing the property purchase with City Recorder Gregory Schafer and Public Works Director Alan Riding. They have discussed borrowing the funds from the water reserve account with a three year payback. Council Members agreed with the funding arrangement and instructed City Attorney Waddingham to draft a resolution authorizing the transfer of funds.

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OTHER BUSINESS

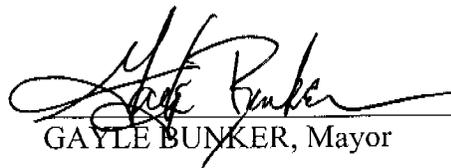
City Attorney Richard Waddingham requested that Council Members approve execution of a Memorandum of Understanding with the Utah State Division of Forestry, Fire and State Lands on behalf of the Fire Department and to set the matter for ratification at the next meeting of the City Council. Council Member Wesley Bloomfield MOVED to authorize Mayor Bunker to execute a Memorandum of Understanding with the Utah State Division of Forestry, Fire and State Lands. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Bunker requested that the float which was built for Council Members to ride in the Fourth of July celebration be used for the parade in Hineckley on July 24th. Mayor Bunker suggested that Great Basin Museum use the float in the Hineckley parade and requested that Council Member Swalberg contact the museum board.

Council Member Glen Swalberg reported that the Committee for Local Government needs to replace a member, due to the passing of Leona Riding, and suggested that Nola Bunker be contacted to fill that position. Mayor Bunker requested that the matter be placed on the agenda for the next meeting.

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

Mayor Bunker declared the meeting adjourned at 8:47 p.m.



GAYLE BUNKER, Mayor



GREGORY JAY SCHAFER, City Recorder

MINUTES APPROVED: RCCM 07-21-05