

CITY OF DELTA, UTAH
REGULAR CITY COUNCIL MEETING
JULY 19, 2007

PRESENT

Gayle Bunker	Mayor
Kiley Chase	Council Member
Bruce Curtis	Council Member
Glen Swalberg	Council Member
Betty Jo Western	Council Member

ABSENT

Robert Banks	Council Member
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ALSO PRESENT

Kaela Jackson	City Attorney
Alan Riding	Public Works Director
Ken Clark	Asst. Public Works Director
Gregory Jay Schafer	City Recorder
Jay and Cathy Cook	City Residents
Betty Carter	City Resident
Kevin Black	City Resident
Pam Goodrich	Community First
Randy Fowles	Area Resident
Justin Nielson	White River Academy
Nick White	White River Academy
Justin Netzez	White River Academy
Josh Bower	White River Academy
Connie Fullmer	M.E. Bird Center
Beatrice Schena	M.E. Bird Center
Lawana Davis	M.E. Bird Center
Carla Nash	M.E. Bird Center
Georgann Dillard	Community First
Nan Anderson	Community First

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 posted at the City Building and 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 Betty Jo Western offered opening remarks following which Mayor Bunker led those in attendance in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Public Hearing held June 7, 2007 were presented for consideration and approval. Following review, Council Member Kiley Chase MOVED to approve the minutes of the Public Hearing held June 7, 2007, as presented. The motion was SECONDED by Council Member Betty Jo Western. 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 Regular City Council Meeting held June 7, 2007 were presented for consideration and approval. A correction was requested on Page 2, Line 24 to strike the wording "and Utah League of Cities & Towns." Following review, Council Member Glen Swalberg MOVED to approve the minutes of the Regular City Council Meeting held June 7, 2007, as corrected. The motion was SECONDED by Council Member Bruce Curtis. 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 Betty Jo Western MOVED to approve the accounts payable dated July 19, 2007, in the amount of \$205,724.33. 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.

UNFINISHED BUSINESS

There were no items of unfinished business on the agenda.

NEW BUSINESS

MAYOR GAYLE BUNKER: PRESENTATION OF SERVICE AWARD TO JUSTIN NIELSON, WHITE RIVER ACADEMY, AND ACADEMY RESIDENTS

Mayor Bunker asked Mr. Nielson and the residents of White River Academy to come forward. Mayor Bunker noted that these young men had done a number of service projects for Delta City during the past few months, including replacing rocks in the waterfall creek a number of times, laying sod in the City Park and cleaning leaves and garbage from the park. Mayor Bunker thanked the group for their service in helping maintain the beauty of the park and presented them with a plaque recognizing their service.

MAYOR GAYLE BUNKER: PRESENTATION OF SERVICE AWARDS TO LYNN JEFFERY AND LAMAR STEPHENSON, LIBRARY BOARD MEMBERS

Mayor Bunker requested that Lynn Jeffery and LaMar Stephenson come forward. Mayor Bunker thanked Mrs. Jeffery and Mr. Stephenson for their service on the Library Board and presented each with a plaque recognizing their service.

MAYOR GAYLE BUNKER: CENTENNIAL FOURTH OF JULY CELEBRATION REVIEW

Mayor Bunker requested that Council Members discuss comments and feedback received on the centennial Fourth of July celebration. Council Member Kiley Chase noted that he had received positive comments regarding the celebration. Council Member Glen Swalberg reported receiving positive comments about the increased view of the parade due to no vehicles being parked on the street. Council Member Betty Jo Western reported receiving numerous comments regarding how nice the park looked and all the activities going on in the park on both July 3rd and 4th.

Mayor Bunker was pleased with the events which took place and the number of people who participated, especially the Bunny Hop and parade entries. Mayor Bunker has received only favorable comments regarding restricting vehicle parking during the parade.

Mayor Bunker invited comments from those attending the meeting. People living at the Delta Sands were appreciative of the parade route going past the Delta Sands. It was suggested that the parade route be extended even further, thus allowing residents of Delta Sands to watch the parade without having to go to Main Street.

RANDY FOWLES: REQUEST FOR FLY-IN AT DELTA MUNICIPAL AIRPORT

Randy Fowles advised Council Members that he would like to hold a fly-in at the Delta Municipal Airport over Labor Day weekend, August 31st through September 3rd. The event would involve a number of individuals, mostly from Nevada, who come into Delta and spend the weekend flying their ultra-light planes around the area. The participants usually bring their families and stay in Delta over the Labor Day weekend. Mayor Bunker noted that there had been no problems with the event last year.

Following review, Council Member Glen Swalberg MOVED to allow Mr. Fowles to hold a fly-in at Delta Municipal Airport over Labor Day weekend, beginning on Friday, August 31st through Monday, September 3rd. The motion was SECONDED by Council Member Kiley Chase. 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.

COUNCIL MEMBER ROBERT BANKS: APPOINTMENT OF LIBRARY BOARD MEMBERS

In the absence of Council Member Banks, Mayor Bunker reported that the Library Board has

requested that Sandra Topham be reappointed to serve a three year term and that Becky Prestwich and Monica Schafer be appointed to serve three years terms, expiring on June 30, 2010, as Library Board Members

Following review, Council Member Bruce Curtis MOVED to appoint Sandra Topham, Becky Prestwich and Monica Schafer as members of the Library Board for three years with terms expiring June 30, 2010. The motion was SECONDED by Council Member Kiley Chase. 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: M.E. BIRD SENIOR CENTER BILLING FOR WATER SERVICE

Mayor Bunker reminded Council Members that, for several years, Delta City has been paying the base rate for water service at the M.E. Bird Senior Center. At the budget work session held in June, it was decided that payment of the water service base rate would not be continued for the coming year. Mayor Bunker and Council Members received letters from the senior citizens requesting that payment of the base rate be continued, at a rate of \$25.00 per month, with the senior center paying the overage as they have done in the past. In exchange for paying the base rate, the senior center has allowed Delta City to use the center for the annual employee Christmas party over the past several years.

Representatives of the M.E. Bird Senior Center advised Council Members that they receive funding from the Six County Association of Governments, Millard County, and fund raising. It is necessary to raise funds from the local community to support programs at the senior center. The center serves not only as a social center for senior citizens but also functions as a resource for referring them to services offered to senior citizens. Fund raisers are an important source of funding and allow senior citizens to keep their center open without requesting additional funds from Millard County. Inasmuch as payment of the water service base rate is the only funding received from Delta City, it is hoped that Council Members can agree to continue payment of this amount so that senior citizens are not forced to find other sources of funding to pay the water service billing.

Following review, Council Member Bruce Curtis MOVED to continue payment of the water service base rate for the M.E. Bird Senior Center. The motion was SECONDED by Council Member Betty Jo Western. 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: COMMUNITY FIRST FUNDING REQUEST

Mayor Bunker noted that Community First had met with Council Members at a previous meeting to discuss their request for funding. Representatives of Community First indicated that they would appreciate whatever funding the City felt could be provided in order to assist in keeping the Community Center available for local youth. City Attorney Kaela Jackson outlined the procedure

to be followed in order to provide funding for Community First. Council Members requested that these procedures be followed to allow Delta City to provide support for Community First. Council Member Kiley Chase will meet with representatives of Community First to determine what assistance they may be able to offer in completing the survey which is a necessary part of the procedure outlined by City Attorney Jackson. Council Member Chase will provide information for discussion at the next regularly scheduled City Council meeting.

MAYOR GAYLE BUNKER: ORDINANCE NO. 07-235, ZONE CHANGE FROM RESIDENTIAL 1-B (R-1-B) TO PLANNED UNIT DEVELOPMENT (PUD) LOCATED AT APPROXIMATELY 255 EAST 100 NORTH AND 140 NORTH 250 EAST

Mayor Bunker introduced the following ordinance:

ORDINANCE NO. 07-235

AN ORDINANCE OF THE CITY COUNCIL OF DELTA, UTAH AMENDING THE ZONE DISTRICT BOUNDARIES TO RECLASSIFY CERTAIN PROPERTY FROM SINGLE FAMILY RESIDENTIAL (R-1-B) TO PLANNED UNIT DEVELOPMENT (PUD) FOR PROPERTY LOCATED AT 255 EAST 100 NORTH AND 140 NORTH 250 EAST

Mayor Bunker noted that a public hearing had been held prior to this meeting with no negative comment being received.

Following review, Council Member Betty Jo Western MOVED to adopt Ordinance No. 07-235, an ordinance amending the zone district boundaries to reclassify certain property from single family residential (R-1-B) to Planned Unit Development (PUD) for property located at 255 East 100 North and 140 North 250 East. 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
Kiley Chase	Yes
Bruce Curtis	Yes
Glen Swalberg	Yes
Betty Jo Western	Yes

The motion passed unanimously.

COUNCIL MEMBER ROBERT BANKS: NORDEL SUBDIVISION PLAT B

In the absence of Council Member Banks, Public Works Director / Zoning Officer Alan Riding advised Council Members that the Planning & Zoning Commission had reviewed this proposed subdivision. Nordel Subdivision Plat B is a continuation of Nordel Subdivision Phase One which

has been completed. The contractor / owner is requesting adding additional property to the subdivision in order to provide additional building lots. Delta City Planning & Zoning Commission made a recommendation that this proposed subdivision be approved by Delta City Council. Mayor Bunker stated for the record that, as an owner of Nordel Subdivision Plat B, he has a conflict of interest and will not participate in discussion of this matter.

Following review, Council Member Kiley Chase MOVED to approve Nordel Subdivision Plat B. The motion was SECONDED by Council Member Bruce Curtis. 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.

COUNCIL MEMBER ROBERT BANKS: PROPOSED SINGLE LOT SUBDIVISION LOCATED AT APPROXIMATELY 181 EAST MAIN STREET

In the absence of Council Member Banks, Public Works Director / Zoning Officer Alan Riding noted that this proposed subdivision would divide the existing property into two parcels. The property owner will be developing the lot on the west side with construction of a Dollar General store and a Subway sandwich shop. There will be a forty foot roadway between the properties providing access from both Main Street and 200 East Street. The property on the east will be made available for sale or development with a covenant for shared parking on the two properties. After review by the Planning & Zoning Commission, it was recommended that this proposed subdivision be approved by the City Council.

Following review, Council Member Glen Swalberg MOVED to approve the single lot subdivision proposed at approximately 181 East Main Street. The motion was SECONDED by Council Member Kiley Chase. 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. 07-317 AUTHORIZING ISSUANCE OF \$3,073,000 WATER REVENUE BOND

RESOLUTION NO. 07-317

A RESOLUTION AUTHORIZING ISSUANCE OF \$3,073,000 OF WATER REVENUE BONDS, SERIES 2007

Mayor Bunker advised Council Members that this resolution will allow Delta City to seek funding from the Permanent Community Impact Fund Board, in the amount of \$3,073,000, for the purpose of water system improvements. This resolution is required in order to receive funding from the Permanent Community Impact Fund Board.

Following review, Council Member Bruce Curtis MOVED to adopt Resolution No. 07-317 authorizing issuance of \$3,073,000 of water revenue bonds. The motion was SECONDED by

Council Member Kiley Chase. 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
Kiley Chase	Yes
Bruce Curtis	Yes
Glen Swalberg	Yes
Betty Jo Western	Yes

The motion passed unanimously.

PUBLIC WORKS DIRECTOR ALAN RIDING: AWARD BID FOR AIRPORT IMPROVEMENTS

Public Works Director Alan Riding reported that a bid opening for airport improvements was held with two bids being received. The bids were reviewed by the engineer to verify that all specifications, requirements and bond insurance was in place. Public Works Director Riding recommended that the low bid from Bulldog Construction be accepted in the amount of \$137,970.00 for Phase I and \$57,186.50 for Phase II; a total of \$195,156.50.

Following review, Council Member Kiley Chase MOVED to accept the bid received from Bulldog Construction for airport improvements in the amount of \$195,156.50 for Phase I & II. The motion was SECONDED by Council Member Betty Jo Western. 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: PROPOSED PURCHASE OF TRANSPORT TRAILER

Assistant Public Works Director Ken Clark advised Council Members that he has been unsuccessfully trying for three years to find a good, used transport trailer to haul the loader and trackhoe. The price of steel has gone up and companies who had trailers that frequently rotated them out of service for newer trailers have not been purchasing newer trailers due to the increased cost. Bids for new trailers have been requested with three bids being received. The lowest bid was from Equipment Sales, Inc., a total of \$18,500 for a 20 ton ramp style trailer. The current budget includes \$15,000 for purchase of a transport trailer and funding would be from Class C Road funds.

Following review, Council Member Betty Jo Western MOVED to approve purchase of a 20 ton Eager Beaver transport trailer from Equipment Sales, Inc., at a cost of \$18,500. 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.

PUBLIC WORKS DIRECTOR ALAN RIDING: PROPOSED WRITE-OFF OF UTILITY

ACCOUNTS DEEMED UNCOLLECTIBLE

Public Works Director Alan Riding requested Council approval to write off four utility accounts deemed uncollectible. Every effort has been made to collect the accounts but it is not likely that further efforts will result in payment. If, in the future, any of these individuals should apply for services, they are required to pay the written off amount in full, plus a deposit, prior to receiving water and sewer service. The four accounts total \$400.62.

Following review, Council Member Kiley Chase MOVED to write off four utility accounts deemed uncollectible in the amount of \$400.62. The motion was SECONDED by Council Member Betty Jo Western. 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

Public Works Director Alan Riding reported that work is proceeding on replacing curb and gutter along Main Street prior to the resurfacing project. The contractor for curb and gutter replacement is expected to arrive any day and asphalt work should be completed by the end of August.

OTHER BUSINESS

Council Member Bruce Curtis reported that he had attended Fire District Meeting last evening where their audit report for 2005 was received and a copy has been given to City Recorder Gregory Schafer. Council Member Curtis reported a positive audit with no problems noted.

Mayor Bunker requested that Council Members decide as soon as possible whether they will be attending the Utah League of Cities & Towns Annual Conference so that reservations can be made.

Public Works Director Alan Riding reported that an addendum has been made to the request for bids for drilling the Ridge Top Well and bids are due next Monday, July 23rd, with bid opening scheduled at 12:00 p.m. Mayor Bunker requested input from Council Members as to holding a special city council meeting on Wednesday or Thursday to accept bids. Council Members agreed to a special city council meeting.

Mayor Bunker reported receiving notice that Reed Searle, of Intermountain Power, has stated the third unit of the Intermountain Power Project will not be constructed anytime in the near future.

Mayor Bunker told Council Members that he had attended a meeting where one of the topics was health care. The state is proposing to put a program together on health care and how to make it affordable for everyone. Another topic was fiber optics and the possibility and cost of using fiber optics in cities.

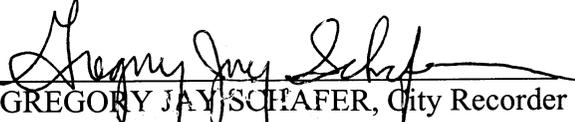
Council Member Western reported receiving a call from a woman who owns property in Delta and was concerned about whether her property value would be affected by the gas pipeline being constructed in the area. Public Works Director Alan Riding advised Council Members that the gas pipeline will be crossing some private property but the bulk of the project is on state or BLM owned property. Any private property owner affected by the pipeline would have already been contacted by the company responsible for obtaining rights-of-way.

Mayor Bunker asked if there were any comments, questions or other items to be discussed. There being none, Council Member Glen Swalberg MOVED to adjourn the meeting. The motion was SECONDED by Council Member Bruce Curtis. 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 8:20 p.m.



GAYLE BUNKER, Mayor



GREGORY JAY SCHAFFER, City Recorder

MINUTES APPROVED: RCCM 08-02-07