

CITY OF DELTA, UTAH
REGULAR CITY COUNCIL MEETING
FEBRUARY 7, 2008

PRESENT

Gayle Bunker	Mayor
Kiley Chase	Council Member
Bruce Curtis	Council Member
Rodger Scoville	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
Lynn & Patty Ashby	Fire Chief & Spouse
Kyle Rowley	Area Resident
Rob Adams	Representative for Cameron Johnson
Steve Martin	Resident

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 Rodger Scoville provided 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 January 17, 2008 were presented for consideration and approval. Following review, Council Member Kiley Chase MOVED to approve the minutes of the Regular City Council Meeting held January 17, 2008, as presented. 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 Bruce Curtis MOVED to approve the accounts payable dated February 7, 2008, in the amount of \$78,862.97. 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.

UNFINISHED BUSINESS

CAMERON JOHNSON: PROPOSED ZONE CHANGE FROM MOBILE HOME (M-H) TO RESIDENTIAL 4 (R-4) ON PROPERTY LOCATED AT APPROXIMATELY 425 NORTH 600 EAST

Rob Adams, representing Cameron Johnson, clarified that the proposed zone change is for the western-most 7.45 acres rather than for the entire 8.52 acre parcel. Mr. Adams indicated that he is not an owner of the property but a friend and business partner in other ventures with Mr. Johnson's grandfather, Paul Porter, who is a long-time resident of Beaver, Utah. Mr. Adams stated that the current zoning on the property is Mobile Home (M-H) and, judging from the vacant mobile home park located to the north of this parcel, there is limited demand for that type land use in the area. The property was purchased with the intent to construct single family residences on the western one-third of the property and twenty to forty units constructed in eight-plexes to the east of the single family residences. The idea behind this plan is that there appears to be greater demand in the Delta area for apartments than for mobile home parks. The eastern most part of the property would remain as commercial property.

Mr. Adams' understanding was that when this matter was discussed at a November, 2007 Council Meeting, there was concern regarding access to the property. The current proposal is to extend 450 North Street to Highway 6 in order to provide adequate access to the property. Mr. Adams indicated the density of the apartments would be approximately 5.3 units per acre, which is fairly low. The construction would be one to two story garden-style apartments. Mr. Johnson and Mr. Porter have constructed several of these projects in other areas. Mr. Adams requested approval of Council Members to change the zone designation from Mobile Home (M-H) to a zone which would result in greater demand for use of the property

Public Works Director Alan Riding stated that Mr. Johnson does not plan to cross the existing canal to connect with 450 North Street on the west side of the canal at this point but is looking at the possibility of an agreement between Mr. Johnson and Delta City to cross the canal in whatever manner the canal company would allow; i.e., perhaps a large diameter culvert in place of the concrete canal, to provide a bridge and additional access to the property.

Council Member Kiley Chase reminded Council Members about the number of people living next to the property proposed for zone change and felt they had concerns about having the proposed type of development placed on the property and requested that Mr. Johnson meet with Council Members

prior to making a decision on the proposed zone change.

Public Works Director Riding reminded Council Members that Mr. Johnson has changed his plans to reserve one-third of the property for single family residences which will greatly decrease the number of apartments on the property. In addition, Mr. Johnson has addressed the concerns with traffic flow by extending 450 North Street to be used for access from Highway 6. Public Works Director Riding also noted that the comparison of the proposed apartments with Delta Manor Apartments is not accurate because Delta Manor Apartments are low-income housing, which draws different clientele than the project proposed by Mr. Johnson. Mr. Johnson is marketing to middle income rather than low income clientele.

Following discussion, Council Member Betty Jo Western MOVED to table discussion on this matter until further information is obtained from Mr. Johnson. 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.

NEW BUSINESS

KYLE ROWLEY: PROPOSED PAHVANT BUTTE ESTATES SUBDIVISION, PHASE ONE, LOCATED AT APPROXIMATELY 740 EAST 450 SOUTH

Kyle Rowley requested approval of Phase One of his proposed Pahvant Butte Estates Subdivision, consisting of four one-acre lots. Mr. Rowley indicated that he has developed a set of restrictive covenants, to be signed along with sale of the lots, to restrict some things which could be placed on the lots in order to maintain a standard in keeping with surrounding properties.

Mayor Bunker recommended installation of an all weather turn around at the end of the street so that traffic can turn around without using a homeowner's driveway. Mr. Rowley agreed to provide a temporary all weather surface turn around at the end of the street.

Following review, Council Member Kiley Chase MOVED to approve Pahvant Butte Estates Subdivision, Phase One, located at approximately 740 East 450 South. 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.

FIRE CHIEF LYNN ASHBY: DELTA FIRE DEPARTMENT ANNUAL REPORT

Fire Chief Lynn Ashby reported that the Delta Fire Department had held election of officers in January with the following results:

Fire Chief	Lynn Ashby
Assistant Chief	Troy Davis
Captain	Travis Stanworth

Lieutenant
Secretary

Patrick Stefanoff
J.D. Stanworth

Patrick Stefanoff replaced Doug Fisher in the position of Lieutenant.

The fire department responded to 118 calls during the past year; 35 rescue calls, 17 structure fires, 6 false alarms, 11 trash fires, 33 brush fires, 3 outside structure fires, 3 hazardous materials calls, 9 vehicle fires and 1 natural disaster (flooding in Oak City).

The fire department is currently attempting to get \$200,000 in grant funds for purchase of a new fire truck to replace the 1985 FMC. The fire district will provide an additional \$150,000. If the grant is received, the FMC truck will be sent to Cove Fort to assist in fire fighting in that area.

There are currently twenty-three members of the fire department.

Following review, Council Member Rodger Scoville MOVED to approve the Delta Fire Department officers for 2008 and annual fire report as presented by Fire Chief Lynn Ashby. 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 Bunker and Council Members expressed appreciation for the volunteer fire fighters and the service they provide to the community.

MAYOR GAYLE BUNKER: MILLARD COUNTY LAW ENFORCEMENT CONTRACT

Mayor Bunker reported that he had met with Millard County Commissioners recently to discuss the law enforcement contract. At that time the only discussion from Commissioners was that they wanted a five percent (5%) increase in the cost of law enforcement this year and an additional five percent (5%) increase each year hereafter. However, they provided no justification for the cost increase. Commission Members requested that Mayor Bunker bring the contract to Council Members for approval of the five percent (5%) cost increase. Mayor Bunker requested comment from Council Members.

Council Members were agreeable to a four percent (4%) cost increase but not the five percent (5%) requested without any information to back up the increase.

Following review, Council Member Bruce Curtis MOVED to approve a four percent (4%) increase in the cost of law enforcement by Millard County Sheriff Department for the calendar year 2008. 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: COUNCIL MEMBER ASSIGNMENTS

Mayor Bunker provided a list of Council Member responsibility assignments for the coming year and asked for any comments or questions Council Members may have regarding their particular area of responsibility:

Fire Department/MCFSD Representative	Bruce Curtis
Library / Library Board Representative	Kiley Chase
Municipal Airport	Rodger Scoville
Planning & Zoning Liaison	Robert Banks
Irrigation	Gayle Bunker
Water / Sewer Enterprises	Bruce Curtis
Streets	Rodger Scoville
Parks	Gayle Bunker
Economic Development	Entire Council
Celebrations / Civic Events	Betty Western / Robert Banks
City Beautification	Kiley Chase
City Hall Administration	Gayle Bunker

Following review, Council Member Rodger Scoville MOVED to accept the Council Member Assignments as outlined by Mayor Bunker. 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 GAYLE BUNKER: LETTER OF SUPPORT FOR UTILITY CORRIDOR

Mayor Bunker reported that he had attended a public hearing last week regarding the proposed West-Wide Utility Corridor through Millard County. The Bureau of Land Management is proposing a corridor for utilities along the east side of Highway 257, proceeding along the east side of Delta and north on the east side of the DMAD Dam site. Millard County is not favorable to the proposal and would like to see the corridor follow the Intermountain Power Project transmission line to the west of Delta. Millard County Commissioners have requested a letter of support for their position to be submitted to the Bureau of Land Management prior to the close of the comment period on February 15th. Council Members agreed with the position of Millard County on the proposal.

Following review, Council Member Bruce Curtis MOVED to instruct Mayor Bunker to submit a letter of support to Millard County Commissioners voicing support of Delta City Mayor and City Council for the proposed utility corridor to follow the Intermountain Power Project transmission line on the west side of Delta. 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: APPOINTMENT OF PLANNING & ZONING COMMISSION

MEMBERS

Mayor Bunker stated that the terms of appointment for Dana Rempp and Liz Webb on the Planning & Zoning Commission have expired and both have agreed to serve an additional term. Mayor Bunker recommended that both be reappointed to an additional four year term.

Council Member Betty Jo Western MOVED to reappoint Dana Rempp and Liz Webb to the Planning & Zoning Commission for additional four year terms expiring February, 2012. The motion was SECONDED by Council Member Rodger Scoville. 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: MUTUAL AID AGREEMENT FOR UTAH WATER AND WASTEWATER AGENCIES

Assistant Public Works Director Ken Clark introduced the proposed Mutual Aid Agreement for Utah Water and Wastewater Agencies. He noted that this agreement provides a method whereby participating water and wastewater utilities that sustain damage from disasters can obtain emergency assistance, in the form of personnel, equipment, materials and other associated services necessary, from other water and wastewater utilities. This agreement makes it possible for utilities to assist each other on a statewide basis, if possible, but does not make assistance mandatory. The agreement also sets forth provisions for obtaining reimbursement for personnel, equipment and materials which may be used in support of another entity.

The purpose of the statewide agreement is that in the event of an emergency, a list of trained individuals and available equipment is accessible to provide whatever assistance is needed. Each entity that enters into the agreement will provide a list of resources available for use by a requesting utility. City Attorney Kaela Jackson had some questions regarding the Indemnification clause and requested additional time to obtain answers to those questions.

Following discussion, Council Member Betty Jo Western MOVED to table discussion of the Mutual Aid Agreement for Utah Water and Wastewater Agencies until further information has been received. The motion was SECONDED by Council Member Rodger Scoville. 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 Public Works employees have been catching up on projects sidelined by winter weather. Insulation has been installed in one of the water buildings and construction of the fuel shed at the airport is in progress.

Interviews have been set up with four prospective employees. Thirty applications were received and

screened down to five applicants. One of the five contacted today had already taken another job so four applicants will be interviewed on Friday, February 15th.

The pre-construction meeting was held with the pipe installation contractor and there are a couple of small details which need to be taken care of prior to beginning construction, which should be about February 18-25th. They have also agreed to install the additional pipe if we decide to go ahead with the secondary extension that has been discussed. The contractor will provide a cost estimate so a decision can be made.

Public Works Director Riding distributed copies of a letter he had received today regarding a proposed field test for automated radio meter reading. Public Works Director Riding reviewed portions of the proposal and requested that Council Members review the letter and the proposal more closely so that a decision can be made at the next meeting.

OTHER BUSINESS

Mayor Bunker reported that the Articles of Incorporation for the Museum / Community Center facility have been prepared and most entities have signed the document. Mayor Bunker was at the legislature last Monday talking with legislators in an attempt to find funding for the project. Some letters have been sent to legislators and applications are being sent to federal representatives requesting funding.

Mayor Bunker asked if there were any comments, questions or other items to be discussed. There being none, Council Member Betty Jo Western MOVED to adjourn the meeting. The motion was SECONDED by Council Member Rodger Scoville. 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 8:44 p.m.



GAYLE BUNKER, Mayor



GREGORY JAY SCHAFFER, City Recorder

MINUTES APPROVED: RCCM 03-20-08