

CITY OF DELTA, UTAH  
REGULAR CITY COUNCIL MEETING  
APRIL 3, 2008

PRESENT

Gayle Bunker	Mayor
Robert Banks	Council Member
Kiley Chase	Council Member
Bruce Curtis	Council Member
Rodger Scoville	Council Member

ABSENT

Betty Jo Western	Council Member
Kaela Jackson	City Attorney

ALSO PRESENT

Alan Riding	Public Works Director
Gregory Jay Schafer	City Recorder
James Robson	City Resident
Steve Martin	City Resident
Ralph Newberry	City Resident
Margie Thomas	City Resident
Sue Peterson	City Resident
Becky Prestwich	City Resident
Corinne Murray	City Resident
Dean Draper	Chronicle/Progress

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 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 Kiley Chase provided opening remarks following which Mayor Bunker led those in attendance in the Pledge of Allegiance.

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 April 3, 2008, in the amount of \$666,195.20. 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.

PUBLIC COMMENT PERIOD

Those in attendance had no comment regarding items which were not on the agenda.

UNFINISHED BUSINESS

MAYOR GAYLE BUNKER: PROPOSED SALE OF PROPERTY TO JAMES ROBSON

Mayor Bunker noted that the Council had previously discussed and held a public hearing on the proposed sale of property to Mr. Robson. The property designated for sale is a ten foot wide parcel, containing approximately 1,200 square feet, which is not adequate for any use by Delta City. The subject property is located at approximately 50 North 300 West. The public hearing was held on March 20, 2008 with no negative comment being received. Mayor Bunker recommended that Delta City transfer the property to Mr. Robson in the same manner as Millard County is transferring their property; i.e., Mr. Robson pay all costs associated with transfer of title by quit claim deed.

Council Member Bruce Curtis MOVED to transfer title of the ten foot wide parcel of property, containing approximately 1,200 square feet, located at approximately 50 North 300 West to Mr. Robson with the condition that Mr. Robson pay all costs associated with transfer of title, including preparation of a quit claim deed and recording costs, as well as any other costs which may arise. 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 GAYLE BUNKER: DISCUSSION OF GRAFFITI REMOVAL

Mayor Bunker stated this matter had been discussed several times, including at the previous Council Meeting. Delta City Public Works employees painted over and removed several graffiti incidents during the past week. Mayor Bunker requested those in attendance to provide comments regarding graffiti incidents.

Sue Peterson expressed concern regarding graffiti and requested the Council open a dialogue with the people of Delta regarding the increased gang activity in the area in an attempt to stop the activity before it grows out of control. Mrs. Peterson previously lived in an area where gang activity began with graffiti, followed by cruising up and down streets and shouting at one another. After the cruising, the street fighting began and rapidly spread to the schools. Mrs. Peterson stated that this type of activity begins with the twelve to fourteen year old children being recruited by gangs and will ultimately lead to greater drug problems and increased crime to provide funds for the gangs. All of this activity will lead to increased property insurance premiums, automobile insurance premiums and a drop in property values.

Mayor Bunker reported that representatives from the Sheriff's Department were in attendance at the previous meeting to discuss graffiti and gang related problems. The Council will be working closely with the Sheriff's Department and schools in an attempt to stop the activity before it escalates.

Margie Thomas told Council Members she was born and raised in Delta and still lives here because she thinks Delta is a great community. Mrs. Thomas expressed concern regarding recent gang activity and the possibility that, by the time her young boys enter high school, they may be afraid to go to school due to gang activity. Mrs. Thomas urged Council Members to let these people know we are not a naive little town but are aware of what is going on and are ready to stop the activity. Mrs. Thomas quoted from a newspaper article regarding gang activity in Provo which stated the gangs "have either organized in the Provo area or the gang leader decided to relocate his headquarters to a place where the police and residents were not 'on' to them, allowing them to work without having to look out constantly for police." Mrs. Thomas wants us to make certain these people know that we are 'on' to them and are not going to sit back quietly and let them take over our town.

Jim Robson told about the sixteen year old son of a friend who was head of the "Bloods" gang from Ogden to 90<sup>th</sup> South in Salt Lake. The kid did not believe he was doing anything wrong when stealing purses and vehicles. Mr. Robson stated that, if we do not stop the gang activity at this stage, we will be in for much bigger problems in the near future. Mr. Robson would like to see some type of neighborhood watch program so that people would be aware and take turns watching for illegal activity in their neighborhoods.

Steve Martin stated that the places he has seen which have the most success fighting gang activity are the places that have organized groups acting as gang breakers. Perhaps an organization of this type should be considered for the Delta area.

Council Member Kiley Chase noted this matter had been discussed with law enforcement at the last meeting and felt it is very important to get the public involved in watching for and reporting anything which appears to be gang-related activity. Council Member Chase asked those in attendance for ideas to get the public involved in fighting this type of criminal activity.

Mayor Bunker thanked everyone for their comments and stated that Council Members will be working with the Sheriff's Office and local media to make people aware of what they should be watching for and encourage reporting to law enforcement.

Mayor Bunker reviewed a draft release of liability form which would allow city employees to go onto private property for the purpose of painting over or removing graffiti at no cost to the property owner.

Following discussion, Council Member Rodger Scoville MOVED to approve use of the Release of Liability form, provided by City Attorney Kaela Jackson, to allow city employees to enter upon private property for the purpose of painting over or removing graffiti at no cost to the property

owner. The motion was SECONDED by Council Member Robert Banks. 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

#### THOMAS STEPHENSON, DELTA CHEVRON: REQUEST FOR CLASS "A" BEER LICENSE

Tom Stephenson, Delta Chevron, requested local consent for a Class "A" beer license to allow sale of beer for off premise consumption. Mr. Stephenson stated he has lost numerous customers who leave his store to find one which sells beer, thus taking their gas, sandwich and convenience business elsewhere. Mayor Bunker noted that Delta Chevron is probably the only convenience store in Delta which does not currently sell beer.

Council Member Kiley Chase MOVED to grant a Class "A" (off premise consumption) beer license to Delta Chevron. 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.

#### KELLY PETERSON, UTAH HOUSING CORPORATION: LOW INCOME HOUSING

Kelly Peterson, Utah Housing Corporation, made a presentation introducing Council Members to the affordable housing programs offered by Utah Housing Corporation. The Crown program is a lease to own program where low income housing tax credits are used to help finance the home. There are no tax dollars involved because a large company provides the tax credits and invest in building the homes. Mr. Peterson distributed pictures of homes which have been constructed and noted that they attempt to construct homes which fit into the neighborhood where they are built. The homes are priced to be affordable to those earning approximately 60% of the median income which, in this area, would be approximately \$30,000 for a family of four. The program is a fifteen year lease to own program where the family living in the home has the right to purchase the home at the end of the fifteen year period for the outstanding balance on the home. Mr. Peterson stated that the goal of Utah Housing Corporation is to bring this program and these resources to the Delta area. The Six County Association of Governments would be the property owners and managers during the fifteen year lease period. Mr. Peterson requested support of the Council for the program and ideas for property which may be available for single family home construction.

Mr. Peterson briefly mentioned and provided pamphlets about some other housing programs offered by Utah Housing Corporation.

Mayor Bunker thanked Mr. Peterson for his presentation and asked several questions regarding the program.

Council Members were in favor of supporting the program in Delta.

MAYOR GAYLE BUNKER: IRRIGATION SYSTEM USER FEES AND WATER RENTAL FEES FOR 2008 IRRIGATION YEAR

Mayor Bunker introduced Resolution No. 08-320:

RESOLUTION NO. 08-320

A RESOLUTION OF THE CITY OF DELTA, UTAH REPEALING RESOLUTION NO. 06-306 AND ADOPTING A NEW RESOLUTION ESTABLISHING A RATE SCHEDULE FOR DITCH TAX USER FEES AND IRRIGATION WATER RENTAL FEES.

Mayor Bunker noted that this resolution was discussed at the previous meeting. The resolution sets the ditch tax user fee at \$70 and irrigation water rental fee at \$45 per acre foot.

Following discussion, Council Member Kiley Chase MOVED to adopt Resolution No. 08-320 , a resolution of the City of Delta, Utah repealing Resolution No. 06-306 and adopting a new resolution establishing a rate schedule for ditch tax user fees and irrigation water rental fees, with the user fee set at \$70 and the irrigation water rental rate set at \$45/per acre foot. 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 roll call vote. The vote was as follows:

Robert Banks	Yes
Kiley Chase	Yes
Bruce Curtis	Yes
Rodger Scoville	Yes
Betty Jo Western	Absent

The motion passed unanimously.

MAYOR GAYLE BUNKER: SET PUBLIC HEARING FOR AMENDMENT TO DELTA CITY BUDGET FOR FISCAL YEAR 2007-2008

Mayor Bunker stated that a public hearing needs to be set for the purpose of receiving public comment regarding amendments to the Delta City Budget for Fiscal Year 2007-2008 and suggested the public hearing be set for Thursday, May 1, 2008 at 6:45 p.m.

Council Member Robert Banks MOVED to schedule a public hearing for the purpose of receiving public comment regarding proposed amendments to the Delta City Budget for Fiscal Year 2007-2008 on Thursday, May 1, 2008 at 6:45 p.m.. 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.

PUBLIC WORKS DIRECTOR ALAN RIDING: UPDATE ON PUBLIC WORKS PROJECTS

Public Works Director Alan Riding reported that the last week or so has been spent working on the sprinkling system in the City Park to make sure we do not waste water by flooding areas of the park. A new swing set is being installed in the City Park.

The pipeline contractor for the Ridgetop Well project is making good progress and the pipeline is currently completed to a point south of the golf course. The contractor for the storage tank is on site and beginning work on the tank.

OTHER BUSINESS

Mayor Bunker met with the Permanent Community Impact Fund Board to request approval to utilize the excess funds from the Ridgetop Well project to provide an additional connection from the Ridgetop well to the existing culinary water system. After lengthy discussion, the request was approved. It is hoped that negotiations for an easement to install the additional water line will be completed tomorrow.

-----

Public Works Director Riding reported that the radio-read water meters and meter boosters have been received and installation will begin as soon as possible. There are a couple of projects to be completed prior to beginning meter installation.

-----

Mayor Bunker noted that Council Members need to begin thinking about budget preparation for the coming fiscal year and start planning the Fourth of July celebration.

-----

Mayor Bunker and Council Members involved reported on the visit to Delta by Governor Huntsman to sign some legislative bills pertaining to rural Utah. Senator Stowell made arrangements for Governor Huntsman to visit Delta and sign the bills at the restored Topaz Museum barracks. Governor Huntsman also met with school district representatives and attended the county Republican Convention while in Delta.

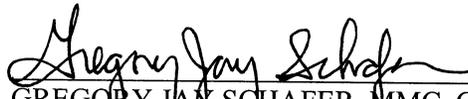
-----

Mayor Bunker asked if there were any comments, questions or other items to be discussed. There being none, Council Member Rodger Scoville 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 8:13 p.m.

  
\_\_\_\_\_  
GAYLE BUNKER, Mayor

  
\_\_\_\_\_  
GREGORY JAY SCHAFFER, MMC, City Recorder

MINUTES APPROVED: RCCM 05-01-08