

CITY OF DELTA, UTAH
REGULAR CITY COUNCIL MEETING
MAY 1, 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
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ALSO PRESENT

Kaela Jackson	City Attorney
Alan Riding	Public Works Director
Ken Clark	Assistant Public Works Director
Gregory Jay Schafer	City Recorder
Joseph Rawlinson	Boy Scout
Russell Christensen	Boy Scout
Garry Christensen	Boy Scout Parent
Jeremy Rawlinson	Boy Scout
Tony Beddoes	Boy Scout
Treston Wilstead	Boy Scout
Steve Wilstead	Boy Scout Parent
Paula Johnson	City Resident
Nola Bunker	City Resident
Joyce Moody	City Resident
Elliott Bliss	Boy Scout
Ethan Bliss	Boy Scout
Mike Bliss	Boy Scout Parent
Richard Waddingham	Boy Scout
J. Stidd	Boy Scout
Howard Quackenbush	City Resident
Stanley K. Robison	Justice Court Judge
Margie Thomas	City Resident
Becky Prestwich	City Resident
Dean Draper	Millard County 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 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 Jay Schafer acted as secretary.

Council Member Rodger Scoville 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 March 20, 2008 were presented for consideration and approval. Following review, Council Member Bruce Curtis MOVED to approve the minutes of the Public Hearing held March 20, 2008, as presented. 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.

The proposed minutes of a Regular City Council Meeting held March 20, 2008 were presented for consideration and approval. Council Member Rodger Scoville noted an error on Page 6 Line 39 to remove the words following "unanimously." Following review, Council Member Kiley Chase MOVED to approve the minutes of the Regular City Council Meeting held March 20, 2008, 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.

The proposed minutes of a Regular City Council Meeting held April 3, 2008 were presented for consideration and approval. Following review, Council Member Robert Banks MOVED to approve the minutes of the Regular City Council Meeting held April 3, 2008, as presented. 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.

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 May 1, 2008, in the amount of \$310,777.80. 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

Mayor Bunker asked those in attendance for any comments which they would like to make regarding any item which is not on the agenda for this meeting. All those in attendance wanted to make statements regarding the graffiti problem. Comments are included in the "Graffiti Removal" topic.

UNFINISHED BUSINESS

There were no items of unfinished business on the agenda.

NEW BUSINESS

MAYOR GAYLE BUNKER: PROPOSED MYERS / QUACKENBUSH SUBDIVISION
LOCATED AT APPROXIMATELY 79 SOUTH WHITE SAGE AVENUE

Howard Quackenbush advised Council Members that he is purchasing a parcel of property located on White Sage Avenue across from Desert Sage Dental for the purpose of constructing a professional building consisting of three offices, the largest of which will house Mr. Quackenbush's physical therapy clinic. Mayor Bunker noted that the Planning & Zoning Commission had recently met to discuss the proposed subdivision and had recommended that the City Council approve the subdivision with the conditions that a ten foot utility easement be provided on the frontage roadway, that a minimum easement of fifteen feet be provided on the south side of the subject property to prevent the interior property from being landlocked, and that curb, gutter and sidewalks be handicap accessible.

Following review, Council Member Robert Banks MOVED to approve the Myers/Quackenbush Subdivision located at approximately 79 South White Sage Avenue with the conditions that a ten foot utility easement be provided on the frontage roadway, that a minimum easement of fifteen feet be provided on the south side of the subject property and that curb, gutter and sidewalks be handicap accessible. 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.

JOYCE MOODY: NUISANCE PROPERTIES

Joyce Moody asked if there were an enforceable city ordinance requiring owners of vacant lots to maintain the property. Mayor Bunker told Mrs. Moody that there is a city ordinance requiring property owners to maintain their property. Mrs. Moody reported that she has maintained the vacant lot next to her property for over thirty years, at considerable expense, because the property owner would not maintain the property. Mrs. Moody stated that, with the price of chemicals and propane, it is extremely difficult to maintain someone else's property but she feels that she needs to do it in order to protect her own property from the weeds and debris from the other property.

Mayor Bunker noted that it is difficult to get absent property owners to clean up the property. Mrs. Moody added that in some cities, if a property owner does not maintain their property, the city does the work and sends the property owner a bill for the cost of clean up. Mayor Bunker advised Mrs. Moody that Delta City is able to do that also. Mrs. Moody requested that Delta City clean up the property located next to her and bill the owner for the cost of clean up.

Mayor Bunker told Mrs. Moody we will work to clean up the property. Mrs. Moody thanked Mayor Bunker and Council Members for their assistance. City Attorney Kaela Waddingham mentioned the procedure requires contacting the property owner and giving them a time frame in which to clean the property. If the property owner does not contact the city or accomplish property clean up within the allotted time, the city can clean the property and recover the cost of clean up from the property owner.

Another property owner advised Council Members that the vacant lot adjacent to 664 Tamarack needs to be cleaned up. It has not been maintained by the property owner for eight years.

Nola Bunker reported that she spends time trying to get rid of weeds along the street in front of her home but the city brings tractors to mow along the other side of the street and the seeds are thrown back onto her side of the street. Ms. Bunker asked if it would be possible to spray the weeds rather than mowing them down. Mayor Bunker stated that spraying would begin very shortly.

STANLEY K. ROBISON, JUSTICE COURT JUDGE: JUSTICE COURT LEGISLATION UPDATE

Stanley Robison, Justice Court Judge, reported he had attended spring training and learned the legislature had passed a bill which will result in all judges throughout the state being on six-year terms and, as of July 1, 2009, salaries will be determined by case load. In addition, the retention vote for justice court judges will be on the ballot in 2010. All courts, including justice courts, will operate under a common court case management system beginning July 1, 2009. This will allow all courts to access information from other courts.

Mayor Bunker thanked Judge Robison for the legislative update regarding justice courts.

MAYOR GAYLE BUNKER: CENTRAL UTAH PUBLIC HEALTH DEPARTMENT ANTIVIRAL MEDICATION

Mayor Bunker called attention to a letter received from Central Utah Public Health Department offering antiviral medication available for purchase to assist employees in the event of a pandemic influenza outbreak. The medication has a shelf life of seven years and costs \$15 per individual. Regular price for the medication is \$80 to \$90 per person. If the city wants to purchase the medication, it must be purchased by May 15th and control would be maintained by Central Utah Public Health until needed. The cost would be approximately \$500.

Following discussion, Council Member Robert Banks MOVED to purchase antiviral medication from Central Utah Public Health Department at a cost of \$15 per city employee. 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: PROPOSED AMENDMENTS TO DELTA CITY BUDGET FOR FISCAL YEAR 2007-2008

Mayor Bunker stated that a public hearing had been held just prior to this meeting for the purpose of receiving public comment regarding the proposed amendments to the Delta City Budget for Fiscal Year 2007-2008 with no negative comment being received. Mayor Bunker introduced the following resolution:

RESOLUTION NO. 08-321

A RESOLUTION AMENDING RESOLUTION 07-316 AND THE BUDGET ADOPTED THEREBY TO PROVIDE FOR AMENDMENTS TO THE FISCAL YEAR 2007-2008 BUDGET OF THE CITY OF DELTA, UTAH

Following review, Council Member Kiley Chase MOVED to adopt Resolution No. 08-321, a resolution amending Resolution 07-316 and the budget adopted thereby to provide for amendments to the fiscal year 2007-2008 budget of the City of Delta, Utah. 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: DELTA CITY TENTATIVE BUDGET FOR FISCAL YEAR 2008-2009

Mayor Bunker directed attention to copies of the Delta City Tentative Budget for Fiscal Year 2008-2009 which had been provided for each Council Member. Mayor Bunker noted that the tentative general revenue budget totals \$2,742,229 for fiscal year 2008-2009, with Ridge Top Well project and the airport project included, the budget totals \$6,803,814 for fiscal year 2008-2009. Mayor Bunker noted that a budget work session will be scheduled to review the tentative budget and determine what changes should be made to arrive at final budget figures for the next fiscal year.

Following review, Council Member Rodger Scoville MOVED to adopt the Delta City Tentative Budget for Fiscal Year 2008-2009 in the amount of \$6,803,814. 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: BUDGET WORK SESSION

Mayor Bunker reviewed possible dates for a budget work session to be held prior to holding a public hearing on Thursday, June 5th. Following discussion, it was determined to hold a budget work session on Thursday, May 29th, beginning at 3:00 p.m.

MAYOR GAYLE BUNKER: THEME FOR FOURTH OF JULY CELEBRATION

Mayor Bunker reviewed themes which had been used for the Delta City Fourth of July celebration for several past years and requested suggestions for a theme to be used for our celebration this year. Mayor Bunker asked those in the audience for suggestions. Several suggestions were made including, "Freedom isn't Free", "On to the Future", "A New Beginning", "Dreams of the Future", "Future Dreams", and Richard Waddingham suggested "Together we Rise." Council Members felt that the theme "Together We Rise" would be an excellent theme to encompass the year following our centennial year and the service men who are serving in current wars.

MAYOR GAYLE BUNKER: GRAFFITI REMOVAL

Mayor Bunker asked those in attendance for any comments they would like to make regarding the gang and graffiti problems in Delta.

Margie Thomas stated that she had been in attendance at a previous meeting and requested an update on what has been done to eradicate the gang and graffiti problems. Mayor Bunker responded that some notices have been sent to property owners and waivers have been prepared to allow Delta City employees to enter upon private property to remove graffiti. Ms. Thomas asked if a pamphlet could be prepared for residents to educate them so they are aware what types of activities they need to be reporting. Mayor Bunker told Ms. Thomas that he is currently working with the school district to get information into the schools.

Richard Waddingham asked where the graffiti problems are most prevalent. Mayor Bunker responded that graffiti is being found all around town. Mr. Waddingham suggested that more frequent traffic around the graffiti areas might reduce the opportunity for painting graffiti.

Mayor Bunker reported that a letter had been mailed to the owner of property where a basement that is covered with graffiti is located. It is hoped we will receive a response from the property owner in a few days so cleanup can begin.

Mayor Bunker advised those in attendance that we intend to work with the public, schools and churches in a united community effort to take care of the graffiti problem and it will be discussed at each council meeting in the near future. Mayor Bunker invited those in attendance to let Council Members know if it appears they are not doing enough or working quickly enough to eradicate the problem.

PUBLIC WORKS DIRECTOR ALAN RIDING: UPDATE ON PUBLIC WORKS PROJECTS

Public Works Director Alan Riding responded to complaints made earlier in the meeting regarding control of weeds on city property. He stated that the retention pond area is a constant problem. Sterilizing chemicals cannot be used because it would leach into the ground water. In addition, the three surrounding property owners all have their own opinions regarding weed control. Two property owners do not want weeds sprayed because they fear their plants will be killed and the third wants the weeds sprayed. Public Works employees agree that the retention pond is a problem area but they do the best they can with adjacent property owners and their demands. In addition, most road shoulders have been sprayed once and more spraying will be done as weather permits.

The water line along Highway 6 has been connected to the existing system. Some gate valves are being installed to complete the tie in. After the valves have been installed, disinfection of the line will begin. Installation of the secondary water line is scheduled to begin on Monday, May 5th and will connect to the system on the south.

The contractor has begun work on water tank construction. It was necessary to modify the contract to remove and backfill additional soil in order to obtain proper compaction prior to tank construction. This contract modification will add approximately \$56,000 to construction cost but will result in an excellent foundation for the concrete tank. Bids for concrete contractors will probably be accepted in the next week or two.

Water meters have been read for the month of April, resulting in finding a few meters which had leaks or had stopped during the winter months. These problems are currently being repaired, along with beginning the meter change-out program. This program replaces water meters with radio-read meters. About eighty meters have been installed, beginning with the White Sage Subdivision and Pendray Subdivision areas. Work on the meter change-out program will continue until all meters have been installed. Assistance with meter change-out has been offered by individuals from Rural Water Association of Utah. Inasmuch as a number of cities are involved in changing to radio-read meters, a small crew has been established to travel around the state to assist with changing meters.

OTHER BUSINESS

Council Member Rodger Scoville reported that those who attended the Utah League of Cities and Towns Mid-Year Conference in St. George were educated in the need to conserve water and methods of conservation. Council Member Bruce Curtis noted that some facts were given which indicated the critical need for water conservation.

Mayor Bunker advised Council Members that an agreement has not yet been reached with Millard County Commissioners for a law enforcement contract.

Mayor Bunker requested that Council Members be thinking about a grand marshal for the 2008 Fourth of July celebration and called attention to the list of individuals who had previously been selected as grand marshal for the celebration.

Mayor Bunker congratulated Council Member Rodger Scoville on his recent recognition as recipient of the Delta Area Chamber of Commerce Area Giant award and thanked Council Member Scoville for all the things he has done to make the community a better place.

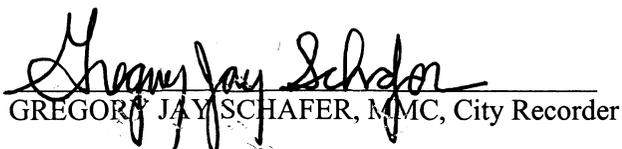
Mayor Bunker reported he had met with Millard County Commissioners and the Sheriff's Department and asked Council Members to read the copies of legislative bills which had been provided. Mayor Bunker understood that the two legislative bills would allow street legal ATVs on city streets but cities have the option to designate specific streets for ATV travel or can opt out of allowing ATVs on city streets. Mayor Bunker requested that Council Members be prepared to discuss the information at a future meeting.

Mayor Bunker asked if there were any comments, questions or other items to be discussed. There being none, Council Member Kiley Chase 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 8:14 p.m.



GAYLE BUNKER, Mayor



GREGORY JAY SCHAFFER, MMC, City Recorder

MINUTES APPROVED: RCCM 06-05-08