

CITY OF DELTA, UTAH
REGULAR CITY COUNCIL MEETING
FEBRUARY 19, 2009

PRESENT

Gayle Bunker	Mayor
Robert Banks	Council Member
Kiley Chase	Council Member
Bruce Curtis	Council Member
John Niles	Council Member
Betty Jo Western	Council Member

ABSENT

None

ALSO PRESENT

Kaela Jackson	City Attorney
Alan Riding	Public Works Director
Ken Clark	Assistant Public Works Director
Gregory Schafer	City Recorder
Jerry Blanch	City Resident
Betty Carter	City Resident
Chuck & Gayle Hathaway	Area Residents
John Henrie	City Resident
Robert Woolsey	City Resident
Fred Works	City Resident
Boyd Bowers	City Resident
Rochelle Watts	City Resident
Dean Gardner	City Resident
D. Scott Nickle	City Resident
David Styler	City Resident
Alan Dewsnup	Area Resident
Jean Crafts	City 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 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 Betty Jo Western 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 February 5, 2009 were presented for consideration and approval. Following review, Council Member Kiley Chase MOVED to approve the minutes of the Regular City Council Meeting held February 5, 2009, 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 Betty Jo Western MOVED to approve the accounts payable dated February 19, 2009, in the amount of \$110,771.93. The motion was SECONDED by Council Member John Niles. 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 congratulated the Delta High School Wrestling Team for the fine way they represented Delta during the past season and for winning the 3A State Championship last weekend.

UNFINISHED BUSINESS

MAYOR GAYLE BUNKER: IRRIGATION SYSTEM RATES AND FEES FOR 2009
IRRIGATION SEASON

Mayor Bunker advised those in attendance that, in response to current economic problems, Delta City is experiencing some economic challenges and is looking for ways to reduce expenses in all areas. Delta City is in good financial condition and does not have a great deal of debt but we still must be conscious of expenditures and find ways to economize. The irrigation system is one of the areas being discussed in an attempt to make operation of the system more economically feasible. There are parts of the city where water is run a long distance through open ditches for one or two residents. The cost of keeping ditches weed free is increasing due to costs of propane and herbicides. Mayor Bunker indicated that irrigation system users were invited to attend the meeting to provide input for Council Members to consider but no decision will be made this evening. Mayor Bunker stated that the cost of providing water during the last irrigation season was approximately \$14,600 and fees received were only \$2,710, creating a deficit of almost \$12,000. Mayor Bunker invited irrigation water users to provide any comments they may have for Council Members to consider.

Fred Works told Council Members he would like to work with the Council to come to a compromise to keep the irrigation water available for use. Several other irrigation water users agreed

with Mr. Works comments.

Alan Dewsnup stated that he is a property owner in Delta, even though he does not live on the property. Mr. Dewsnup agreed with Mr. Works as to how helpful the irrigation water is to those who wish to flood irrigate their grass and grow a garden. Mr. Dewsnup voiced his support of creating a way to keep the irrigation water available in Delta City.

Jerry Blanch asked what portion of the employee time involved in irrigation is dedicated to irrigating City property. Assistant Public Works Director Ken Clark guessed that approximately eight to ten hours each water session is for irrigating the City Park. During the time the City property is being irrigated, the water master is also running one or two other streams of water to city residents. Jerry Blanch suggested the possibility of providing a system which is dedicated to irrigation water. Mayor Bunker answered that we had studied this possibility a few years back and found that it would cost several million dollars to have a dedicated irrigation system. Delta City did not feel the cost was justifiable inasmuch as there are only about 45 irrigation water users in the City.

Mayor Bunker stated that the Council is not in favor of eliminating the irrigation water. Financially, it would be nice to eliminate the irrigation but the Council understands the desire of community residents to have irrigation water available. Mayor Bunker indicated that the irrigation system will never get to where it is paying for itself because user fees would need to be raised to approximately \$330 and the Council does not anticipate doing anything that drastic.

Council Member Bruce Curtis asked if more residents could be signed up to use irrigation water. He indicated that he had discussed this situation with several citizens who do not use irrigation water and they were not very happy to see the size of deficit under which the irrigation system operates. Council Member Curtis felt that we need to find a way to reduce the deficit before we have negative impact from residents who do not or cannot obtain irrigation water for their property. Council Member Curtis stated that he would like to use irrigation water on his property but is not able to do so because there is no ditch available to provide the water. Council Member Curtis indicated that this is a "Catch 22" situation and agreed he would like to see the irrigation water continue to be available but did not feel it should be subsidized by those who are unable to use the system.

Assistant Public Works Director Ken Clark noted that adding more irrigation users would also add more labor to switch irrigation water from property to property.

Council Member Betty Jo Western thanked those who had taken time to attend the meeting to discuss the irrigation system. Council Member Western reported she had checked with other towns in our area and found that other cities and towns do not provide irrigation water. Irrigation water is provided by a separate entity, such as a water users association or irrigation company. In addition, Council Member Western spoke with Ron Draper, an irrigation water user, who was unable to attend the meeting tonight. Mr. Draper had some concerns about the irrigation system and told Council Member Western that in the last year he had done extensive work in his yard so he could flood irrigate more effectively. Mr. Draper expressed that he would be willing to pay \$200 to \$300

in order to keep the irrigation system in place. Mr. Draper felt it would be worth up to \$500 per year for him to maintain the flood irrigation system. Council Member Western noted that the number of irrigation system users is a very small percentage of the number of households in the City but Council Members understand that the opportunity of using irrigation water is very important to those who use it.

Mayor Bunker advised those in attendance that the user fee will need to be raised but he did not feel it would be raised to as much as \$300. He also mentioned that there are other programs which are subsidized and Council Members are not attempting to make the irrigation system self-sustaining but they are trying to find some places where they can cut back on some expenses.

Assistant Public Works Director Clark suggested the possibility of the irrigation water users forming an association or user district to operate the irrigation system rather than paying a City employee. There was discussion about how users would go about forming an organization to operate the system. Betty Carter asked if it is true that if an irrigation user does not use irrigation water one year they would not be allowed to use it in the future. Mayor Bunker said he was not aware of that rule being in effect but advised irrigation water users that because of a number of users not paying their user fees in the past, water will not be delivered to anyone who does not pay their user fee prior to receiving water. There are a few who did not pay the user fee last year. Those who did not pay the user fee last year will be required to pay the fee for last year and for this year prior to receiving any water delivery.

Council Member Banks suggested that user fees be increased from \$70 to approximately \$110 per user, which would increase revenues to the point where they cover about \$5,000 of the cost of operating the irrigation system.

Following discussion of possible ways to increase revenue for the irrigation system, Council Member Robert Banks MOVED to postpone a decision on irrigation system rates until the next regularly scheduled City Council meeting. 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.

ELWIN JOHNSON: PROPOSED ZONE CHANGE FROM R-4 (MULTIPLE FAMILY RESIDENTIAL) TO I-D (INDUSTRIAL DEVELOPMENT) ON PROPERTY LOCATED AT APPROXIMATELY 400 NORTH 400 WEST, MORE PARTICULARLY DESCRIBED AS "ALL OF LOT 4, BLOCK 99, DELTA TOWNSITE PLAT A"

Mayor Bunker stated that the Planning & Zoning Commission has reviewed a proposed zone change from R-4 (Multiple Family Residential) to I-D (Industrial Development) on property located at approximately 400 North 400 West, more particularly described as "All of Lot 4, Block 99, Delta Townsite Plat A." The Planning & Zoning Commission held a public hearing last week with no negative comment received and the Planning & Zoning Commission has recommended that the City Council approve the proposed zone change, as requested.

City Attorney Kaela Jackson provided the following ordinance:

ORDINANCE NO. 09-240

AN ORDINANCE OF THE CITY COUNCIL OF DELTA, UTAH AMENDING THE ZONE DISTRICT BOUNDARIES TO RECLASSIFY CERTAIN PROPERTY FROM MULTIPLE FAMILY RESIDENTIAL (R-4) TO INDUSTRIAL DEVELOPMENT (I-D) FOR PROPERTY LOCATED AT 400 NORTH 400 WEST

Following review, Council Member Robert Banks MOVED to adopt Ordinance No. 09-240, an ordinance of the City Council of Delta, Utah amending the zone district boundaries to reclassify certain property from Multiple Family Residential (R-4) to Industrial Development (I-D) for property located at approximately 400 North 400 West and more particularly described as "All of Lot 4, Block 99, Delta Townsite Plat A". The motion was SECONDED by Council Member John Niles. 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
John Niles	Yes
Betty Jo Western	Yes

The motion passed unanimously.

MG INTERESTS, LLC: CERTIFICATION OF PETITION FOR ANNEXATION

Mayor Bunker reminded Council Members that this Petition for Annexation is the one which was accepted at the last meeting and involves a parcel of property which is adjacent to the Del Park Mobile Home Park. Notice has been sent to the Planning & Zoning Commission and the Millard County Commission. All qualifications have been checked to make certain the petition meets all requirements and this action is required as a part of the annexation process. After the petition is certified by the City Council, notice will be sent to affected entities and published in the newspaper. The notice publication will begin the time period required to allow receipt of any objections to the annexation.

Following discussion, Council Member John Niles MOVED to accept the Certification of Petition for Annexation as filed by MG Interests, LLC. 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 roll call vote. The vote was as follows:

Robert Banks	Yes
Kiley Chase	Yes

Bruce Curtis	Yes
John Niles	Yes
Betty Jo Western	Yes

The motion passed unanimously.

ASSISTANT PUBLIC WORKS DIRECTOR KEN CLARK: UPDATE ON PUBLIC WORKS PROJECTS

Assistant Public Works Director Ken Clark reported that public works employees have been busy on a number of small projects and doing equipment maintenance. We are currently waiting for results of the state inspection of the Ridge Top well. The well is ready to go on-line as soon as certification is received. We are also waiting for a final building inspection on the pump house to complete the building permit process through Millard County. The inspection should be completed sometime next week.

Public Works employees are preparing to spray for weeds along city streets. The weeds are beginning to grow so it is time to spray and they plan to use a sterilant which was used last year around tank and well sites with good results.

The next big project coming up is the fencing project at the airport. They are currently working to get permits to work along the state highway right of way and fencing will begin when permits are received. The project includes approximately 36,000 feet of eight foot fence to install around the airport site. Public Works employees are also planning to remove three or four trees on the east side of the City park. The trees are dying and need to be replaced but they are still looking for a suitable tree type to use as replacement. Assistant Public Works Director Clark requested any suggestions from Council Members on trees which would grow large and be hardy in our soil and climate.

Assistant Public Works Director Clark told Council Members about a meeting which he and Mayor Bunker had recently attended. There is a company which is drilling a test well for gas storage north of town near the Intermountain Power Plant. The company explained that they are attempting to wash caverns in a salt layer about 3,000 feet down. These salt caverns would be used to store natural gas and petroleum products. They also discussed the possibility of storing compressed air. The process would utilize the electricity from the wind farm to drive pumps which would drive air into the ground and hold it in storage to be used when the wind is not blowing. The air would be released back into the turbines to generate electricity. The company is just now boring into the salt layer and they should know within about a month whether it is the right type of salt to use for the project. If the salt is the right type, the company plans to talk with Kern River Natural Gas, the UNEV Pipeline people and the wind farm generating company to discuss product storage.

OTHER BUSINESS

Council Member John Niles reported that he had been asked if there was any way to have gravel

placed between the road and sidewalk near his home. Assistant Public Works Director Clark responded that when some fill dirt is available, it will be placed in the holes. Council Member Niles also noted that he had driven down 350 East Street where a resident in attendance at the previous meeting was complaining about traffic speeding past his house. The resident who parks his Suburban on the street in front of his house still has the vehicle parked there and it appears to be a traffic hazard. Assistant Public Works Director Clark advised Council Member Niles that "Children at Play" and speed limit signs should be in place along 350 East Street by the first of next week. We can suggest that the Sheriff's Department patrol that location a little more frequently.

Council Member Robert Banks reported that he and his wife, along with Mayor Bunker and other members of the Delta Centennial Celebration Committee attended a Freedom Foundation luncheon in Salt Lake on Wednesday, February 18th where tribute was paid to a number of Utah residents who have made a difference. Delta City was awarded the Freedom Foundation Award for Special Events for activities carried out during Delta's centennial year. There were only eight awards nationally in this category. Mayor Bunker displayed the program, certificate and commemorative medallion received by Delta City.

Mayor Bunker advised Council Members that he had talked with Congressman Jason Chaffetz about our 4th of July (2008) world record bunny hop and the award which was received for our centennial celebrations. Congressman Chaffetz requested permission to put the information about the celebration and award on his web site. We will be providing information to him for that purpose.

Mayor Bunker stated that he had been asked to plan our Fourth of July celebration around Abraham Lincoln in recognition of the 200th anniversary of Lincoln's birth. Mayor Bunker requested that Council Members be thinking about how we can incorporate recognition of Lincoln's 200th birthday into our celebration. Mayor Bunker also noted that he had invited Congressman Chaffetz and his family to join our Fourth of July celebration and requested approval of Council Members to request that Congressman Chaffetz be the speaker for our Patriotic Program. Council Members agreed with Mayor Bunker's request.

Mayor Bunker asked Council Member Robert Banks to organize the Easter Egg Hunt this year. The egg hunt will be held on Saturday, April 11th in the City Park.

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 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 declared the meeting adjourned at 8:14 p.m.



GAYLE BUNKER, Mayor



Gregory Jay Schafer, MMC, City Recorder

MINUTES APPROVED: RCCM 03-05-09