

CITY OF DELTA, UTAH
REGULAR CITY COUNCIL MEETING
FEBRUARY 18, 2010

PRESENT

Gayle Bunker	Mayor
Robert Banks	Council Member
Bruce Curtis	Council Member
John Niles	Council Member
Tom Stephenson	Council Member
Betty Jo Western	Council Member

ABSENT

Gregory Jay Schafer	City Recorder
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ALSO PRESENT

Kaela Jackson	City Attorney
Alan Riding	Public Works Director
Karen Johnson	Assistant City Recorder
Janet Lindquist	Millard County Sheriff Office
Robert Dekker	Millard County Sheriff
Trevor Spencer	Boy Scout Troop 144
Justin Albrecht	Boy Scout Troop 144
Cody Schafer	Boy Scout Troop 144
Travis Bublitz	Boy Scout Troop 144
Dalton Harward	Boy Scout Troop 144
Ty Norman	Boy Scout Troop 144
Rick Bublitz	Boy Scout Leader Troop 144
Russ Jones	Boy Scout Leader Troop 144
Taylor Anderson	Boy Scout Troop 148
Tanner LeFevre	Boy Scout Troop 148
Todd and Stacy Anderson	Boy Scout Leader Troop 148
Lynn & Patty Ashby	Fire Chief & Spouse

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, on the Utah Public Notice web site and provided to the Millard County Chronicle/Progress and to each member of the City Council at least two days prior to the meeting.

Council Member Tom Stephenson provided opening remarks following which Mayor Bunker led those in attendance in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Public Hearing held January 21, 2010 were presented for consideration and approval. Council Member Robert Banks noted that a comma needed to be inserted after the word "meeting" on line 32. Council Member John Niles MOVED to approve the minutes of the Public Hearing held January 21, 2010, as corrected. 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 January 21, 2010 were presented for consideration and approval. Council Member Robert Banks requested that the words "be appointed" be inserted, after the name of John Niles, on page 3, line 21. Council Member Bruce Curtis MOVED to approve the minutes of the Regular City Council Meeting held January 21, 2010, as corrected. 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.

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 Robert Banks MOVED to approve the accounts payable, dated February 18, 2010, in the amount of \$99,858.18. The motion was SECONDED by Council Member Tom Stephenson. 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

Janet Lindquist, Millard County Sheriff's Office, stated that she was visiting to advise Council Members of the programs which she and Deputy Sheriff Garth White provide to townspeople and requested support of the Council for those programs. One program they are working on this year is Drug Awareness and Identification. This program is available to both adults and teens to make them aware of what different types of drugs look like and what their short term and long term effects can be. There is also a program available to parents to teach them how to keep their children safe. These programs will be advertised but Ms. Lindquist requested support of Council Members in encouraging residents to attend these training sessions and help make them a community program.

UNFINISHED BUSINESS

MAYOR GAYLE BUNKER: REVIEW OF POSITIVE AND NEGATIVE ASPECTS OF RECENT COMMAND CENTER ACTIVITY

Mayor Bunker requested that Sheriff Robert Dekker provide a review of his recent use of the City

Building facilities as a command center. Sheriff Dekker expressed appreciation to Mayor Bunker and Council Members for allowing them to use the city building when it was needed. Sheriff Dekker provided a list of recommendations for improvements to building facilities in order for it to be used as an incident command center.

The first item on the list was the need for an improved telephone system with additional lines coming into the building. He also suggested the need for purchase of two satellite telephones with an outside antenna because, in the event of a disaster, telephone services will not be available when a command center is needed. If the service is available, it will be overloaded and unavailable. We should also consider having at least one computer station available which can connect to the satellite phone. We also need additional white boards and Sheriff Dekker suggested that the boards have window blinds mounted above them so that confidential information can be covered, if necessary.

It would also be a good idea to provide equipment necessary to shelter in place, such as food, water and restroom facilities, as well as materials to seal off doors and windows to keep noxious fumes out.

It is also important that we have city and county maps, including maps of utilities and other items which might be needed in the event of a disaster. Another important item is a contact list which includes assignments, contact numbers, cellular telephone numbers and e-mail addresses for city, county, state, and business contacts, including school district contacts.

Mayor Bunker thanked Sheriff Dekker for this information which will help us be prepared for future emergency situations.

NEW BUSINESS

FIRE CHIEF LYNN ASHBY: FIRE DEPARTMENT ANNUAL REPORT

Fire Chief Lynn Ashby provided the following report of fire department activity during 2009. The fire department responded to seventy-one calls; twenty-nine fires, sixteen EMS calls, six hazardous conditions or materials calls, and six good intent calls, which includes false alarm calls, smoke scares, etc. The officers for the coming year are as follows:

Fire Chief	Lynn Ashby
Asst. Fire Chief	Travis Stanworth
Captain	Patrick Stefanoff
Lieutenant	Brandon Finlinson
Secretary	Rick Bublitz

The Assistant Fire Chief is responsible for public education; the Captain provides training for department members; the Lieutenant is responsible for maintenance of equipment.

Fire Chief Ashby indicated one of his objectives for the coming year is proposing an ordinance to require a Knox-Box on new construction of commercial buildings. The Knox-Box is a rapid entry system which allows fire department personnel access to buildings without knocking doors down. The Knox-Box contains keys to a structure but can only be opened by the fire department. Once the box is opened, it must be re-locked by both the building owner and the fire department.

Additional objectives for the coming year include obtaining additional grants, updating the fire department building, and upgrading the water tender truck.

Fire Chief Ashby thanked the Council for their support of the fire department and reported that they currently have twenty-four members.

Following discussion, Council Member Betty Jo Western MOVED to approve the Fire Department officers for 2010 as presented by Fire Chief Lynn Ashby. 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: PROPOSED ORDINANCE REGULATING KEEPING CHICKENS FOR PERSONAL OR FAMILY FOOD PRODUCTION ON RESIDENTIAL LOTS

Council Members reviewed the recommendations of the Planning & Zoning Commission regarding the proposed ordinance. The Planning & Zoning Commission recommended that the proposed ordinance be approved subject to 1) the maximum number of chickens allowed on a 10,000 square foot lot include fourteen chickens and the same number of chicks under six months of age, with the expectation that the chicks will be butchered to provide meat; 2) that up to two roosters be allowed, subject to the provisions of the noise ordinance; and 3) that up to twenty-five chickens be allowed for a 10,000 square foot lot and that the Council determine the number of chickens for other lot sizes.

Council Members discussed the provisions of the proposed ordinance regarding the number of chickens to be allowed for various lot sizes, distance from neighbors and flies/rodents that would be attracted by the chickens. Council Members did not agree with the recommendation to allow roosters because too many residents work shifts that require them to sleep at odd hours and would be disturbed by a crowing rooster. Council Members also discussed the fact that a number of people have expressed a desire to have chickens for personal or family food production but there are also concerns about how neighbors feel about having chickens in their neighborhood. Public Works Director Riding reminded Council Members that the ordinance requires obtaining a permit to keep chickens and the permit requires signatures from neighbors living adjacent to where chickens are to be kept. It is important that animal control staff be allowed to inspect the area where chickens are kept, given the authority to put residents on probation if they do not keep the facilities clean and to revoke the permit if requirements for keeping the chickens are not met.

Council Members agreed to have City Attorney Kaela Jackson prepare the proposed ordinance for

adoption at the next City Council meeting without inclusion of the recommendations made by the Planning & Zoning Commission to increase the number of chickens allowed on various lot sizes and not allowing roosters.

MAYOR GAYLE BUNKER: REVIEW OF ORDINANCE NO. 01-192 PROHIBITING PIT BULL DOGS AND HYBRID DOGS

Council Members reviewed Ordinance No. 01-192 prohibiting pit bull and hybrid dogs within the corporate boundaries of Delta City. Mayor Bunker noted that a resident had recently attended a City Council meeting to request that the ordinance prohibiting pit bull dogs be rescinded. Council Members agreed that pit bull dogs can be as gentle as any other breed of dog if they are trained and handled properly but, if not, they have the potential to do serious harm. Mayor Bunker was not in favor of rescinding or amending the current ordinance.

Public Works Director Riding expressed concern regarding receiving reports of a pit bull dog and when they question the owner, the owner states that the dog is not a pit bull but is a different breed. Public Works Director Riding asked who would make the decision as to whether or not the dog is a pit bull or pit bull mix. At least one veterinarian has said that the only positive identification would be a DNA test and asked whose responsibility it would be to prove the breed. City Attorney Jackson stated that she had researched this matter and noted that in defining a pit bull dog, our ordinance outlines the characteristics which can be used to classify a dog as a pit bull or pit bull hybrid. City Attorney Jackson does not believe that we would need to require any blood or DNA testing but just have a local veterinarian state that the dog has characteristics resembling the pit bull breed and, in court, she would only be required to prove that the dog has the characteristics of the pit bull breed. At that point, the owner could provide blood or DNA testing to the judge to prove the dog is not a pit bull.

Council Members agreed to leave Ordinance No. 01-192 in place and continue prohibiting pit bull and hybrid pit bull dogs within Delta City.

MAYOR GAYLE BUNKER: CITY COUNCIL ASSIGNMENTS

Mayor Bunker outlined the following assignments for City Council members:

Fire Department / MCFSD Rep.	Bruce Curtis
Library / Library Advisory Board Rep.	Robert Banks
Municipal Airport	John Niles
Planning & Zoning Commission Liaison	Tom Stephenson
Irrigation	Gayle Bunker
Water/Sewer Enterprises	Bruce Curtis
Streets	Tom Stephenson
Parks	Gayle Bunker

Economic Development
Celebrations / Civic Events
City Beautification
City Hall Administration
WMMCC Board

All Council Members
Betty Western / Robert Banks
Betty Western
Gayle Bunker
Gayle Bunker, Bruce Curtis,
John Niles

Following review, Council Member Bruce Curtis MOVED to approve the Council Member assignments as outlined. 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.

MAYOR GAYLE BUNKER: REVIEW OF BUDGET

Mayor Bunker reported that sales tax revenues appear to be about \$50,000 to \$60,000 short of our projection for this year but, inasmuch as we have relatively little debt, he felt we will probably be able to make up that shortfall by watching departmental expenses closely. To date, our expenditures are also less than they were last year.

MAYOR GAYLE BUNKER: UPDATE ON WEST MILLARD MUSEUMS AND COMMUNITY CENTER AND FUND RAISING PLAN

On February 4th the Mayor attended a play presented by Brigham Young University students who had a display of the Topaz Internment Camp, which included 120,000 paper cranes representing each person who lived at the internment camp during World War II. An article was written in the Deseret News regarding their support of the proposed building to house the three museums. Jane Beckwith has received information from a foundation in the Salt Lake City area who is interested in supporting construction of the facility.

A dean at University of Utah, who is involved in the cosmic ray project, is in support of the proposed museum project because he feels it will also benefit the cosmic ray project. The University of Utah has an individual from San Francisco who has been assisting with fund raising for the cosmic ray project. They paid for her to come to Delta to spend time with the West Millard Museums and Community Center board to discuss fund raising for the museums. She spent several hours one day and all of another day meeting with the boards of the different entities involved. Some very good information and ideas for fund raising was provided and they learned that, when fund raising, we need to raise sufficient funds to create a \$2 million endowment to pay for operation and maintenance of the facility. The board has set a goal to have at least \$3 million in funding by March, 2012. If we are unable to reach that goal, we will reevaluate our situation and look at other alternatives.

MAYOR GAYLE BUNKER: UTAH LEAGUE OF CITIES AND TOWNS MID-YEAR

CONFERENCE

Mayor Bunker advised Council Members that the Utah League of Cities and Towns Mid-Year Conference will be held in St. George on April 8th and 9th. Mayor Bunker asked Council Members if they planned to attend so that hotel reservations can be made. Council Members Bruce Curtis, John Niles, Tom Stephenson and Betty Jo Western stated that they plan to attend, along with Mayor Bunker and City Attorney Kaela Jackson. Council Members Western and Curtis and Mayor Bunker do not need room reservations.

PUBLIC WORKS DIRECTOR ALAN RIDING: UPDATE ON PUBLIC WORKS PROJECTS

Public Works Director Alan Riding advised Council Members that public works employees have been working on the airport fencing project and are approximately two-thirds completed with post installation. They have also been working on installation of the last of the remote-read water meters, are still hauling some lime fines when time allows. Park restrooms are open now and the waterfall has been turned on.

Mayor Bunker asked Public Works Director Riding to report on the delinquent account water shut-offs done in January. Public Works Director Riding noted that we had decided to turn off delinquent accounts on the date indicated on the shut off notice and we turned off twenty-two water services that day. The last of the twenty-two was turned on yesterday, February 17th. The interesting detail about doing the shut-offs on the stated date is that last month we sent out 106 shut-off notices by priority mail. This month, we sent out forty-nine shut-off notices by priority mail, which proves that we got the attention of some residents by turning water off on the date indicated on their notices. Mayor Bunker felt that payment of water and sewer bills were not a high priority for many people but adding an extra \$10 for providing a shut-off notice made payment a higher priority.

OTHER BUSINESS

Mayor Bunker reported that Representative Chaffetz contacted him to inquire whether we would be interested in re-naming our post office to something other than Delta Post Office. Since that time, Mayor Bunker has been thinking about Rep. Chaffetz' question and requested Council think about the possibility of naming our post office as the McCullough Post Office in memory of the McCullough family who operated the first post office in Delta. At the time, they had to have a certain number of incoming and outgoing pieces of mail each day in order to keep the post office open so the McCullough family wrote letters to themselves in order to provide the required mail activity.

Mayor Bunker advised Council Members that Greg will probably be coming home next Thursday,

February 25th.

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 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.

Mayor Bunker declared the meeting adjourned at 8:35 p.m.



GAYLE BUNKER, Mayor



GREGORY JAY SCHAFFER, MMC, City Recorder

MINUTES APPROVED: RCCM 03-04-10