

CITY OF DELTA, UTAH
REGULAR CITY COUNCIL MEETING
FEBRUARY 3, 2011

PRESENT

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

ABSENT

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| Tom Stephenson | Council Member |
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ALSO PRESENT

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| Kaela Jackson | City Attorney |
| Alan Riding | Public Works Director |
| Ken Clark | Assistant Public Works Director |
| Gregory Jay Schafer | City Recorder |
| Todd Anderson | Attorney |
| Morris Burton | Millard County Sheriff's Dept. |

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 on the Utah Public Notice website, mailed to the Millard County Chronicle/Progress, and provided to each member of the City Council at least two days prior to the meeting. City Recorder Gregory Schafer acted as secretary.

Council Member Robert Banks 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 20, 2011 were presented for consideration and approval. Following review, Council Member Robert Banks MOVED to approve the minutes of the Regular City Council Meeting held January 6, 2011, as presented. 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 with Council Members Robert Banks, Bruce Curtis, John Niles, and Betty Jo Western voting in favor and Council Member Tom Stephenson being absent.

The proposed minutes of a Special City Council Meeting held January 27, 2011 were presented for consideration and approval. Mayor Bunker noted that a correction needed to be made on the last line of page 1 where it stated that "Council Member Betty Jo Western MOVED to adjourn to Special City Council Meeting" should be corrected to read "to adjourn from Executive Session and return to the Special City Council Meeting." Council Member Betty Jo Western MOVED to approve the minutes of the Special City Council Meeting held January 27, 2011, 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 with Council Members Robert Banks, Bruce Curtis, John Niles, and Betty Jo Western voting in favor and Council Member Tom Stephenson being absent.

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 3, 2011, in the amount of \$65,877.71. 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 with Council Members Robert Banks, Bruce Curtis, John Niles, and Betty Jo Western voting in favor and Council Member Tom Stephenson being absent.

PUBLIC COMMENT PERIOD

There were no comments from the public.

UNFINISHED BUSINESS

There were no items of unfinished business on the agenda.

NEW BUSINESS

MAYOR GAYLE BUNKER: REQUEST FOR TUITION AND ROOM (\$560) FOR ONE PERSON TO ATTEND THE UNIVERSITY OF UTAH SCHOOL ON ALCOHOL AND OTHER DRUG DEPENDENCIES

Mayor Bunker noted that Delta City has been providing this scholarship for a number of years, with the funding coming from the alcohol funds received from the State each year.

Council Member John Niles MOVED to approve expenditure of \$560 for one person to attend the University of Utah School on Alcohol and Other Drug Dependencies. 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 with Council Members Robert Banks, Bruce Curtis, John Niles, and Betty Jo Western voting in favor and Council Member Tom Stephenson being absent.

MAYOR GAYLE BUNKER: PROPOSED ACTIVITIES FOR FOURTH OF JULY CELEBRATION

Mayor Bunker noted that there are some things we need to make arrangements for now in order to have them available for our Fourth of July celebration. Mayor Bunker reminded Council Members that they had previously talked about honoring Viet Nam Era Veterans as Grand Marshals for the celebration. Mayor Bunker reported that he had requested the attendance of the Lieutenant Governor and received a response that he will not be able to make any commitment until the date gets closer. We will continue working on having the Lieutenant Governor as our patriotic speaker.

We need to engage the services of our inflatable games for this year. Mayor Bunker asked if Council Members wanted to get bids for providing the inflatable games or if they wanted to use the same provider who has been bringing them for a number of years. It was decided that we will ask the person who provided the inflatable games for the New Years Eve celebration if he would be interested in making a bid for the Fourth of July. If not, we will contract with the person who has been doing it for the past several years.

Mayor Bunker asked if Council Members wanted to continue with the Fish Catch. Council Members felt we should have the Fish Catch again this year. Mayor Bunker asked if there were any other activities that would add to the celebration. Mayor Bunker encouraged Council Members to let him know if they thought of other activities which could be incorporated into the celebration.

PUBLIC WORKS DIRECTOR ALAN RIDING: UPDATE ON PUBLIC WORKS PROJECTS

Public Works Director Alan Riding reported that Public Works employees are still working on repairing picnic tables in the park and have completed work on the sewer station. They have been working on some equipment maintenance and some water meter installations.

Public Works Director Riding reported that they have received some bids on the old loader but no one wanted to pay the \$50,000 asking price. Public Works Director Riding felt that, when the weather breaks and farmers begin getting out in the fields, we will probably have someone willing to pay the asking price because the loader is worth the asking price.

Council Member Betty Jo Western asked if we had a problem with the roof at the water tank at about 50 South and 350 West. Public Works Director Riding noted that the snow has saturated the roofing material and it has been covered with plastic until the weather gets warmer and drier so we can put a new roof on the building. She also reported seeing a fire hydrant on about 400 East and 300 North that has sunk down into the ground. Public Works Director Riding stated that they would make

repairs to the hydrant.

LT. MORRIS BURTON, MILLARD COUNTY SHERIFF'S OFFICE: UPDATE ON PUBLIC SAFETY ACTIVITIES

Lt. Morris Burton reported that there had been twenty-nine arrests for sixty offenses in Delta City during the last quarter of 2010. There were seventy-seven traffic citations issued for eighty-seven different offenses and fifteen traffic accidents. There were a total of 378 calls to dispatch from Delta City residents during the period. That does not indicate that the incident occurred in the City but that the call originated from a residence in Delta City. This also includes calls that are referred to Delta City Animal Control and fire calls. Lt. Burton reported that fourteen people in Delta City were arrested on warrants that had been issued.

Lt. Burton reported on a case where the coin changer had been stolen from a local laundromat and a car wash. The suspect has confessed to multiple thefts and it appears he will not be on the street again for some time. Council Members thanked Lt. Burton for his report.

MAYOR GAYLE BUNKER: REVIEW OF PROPOSED DELTA CITY ZONING ORDINANCE (PAGES 47 THROUGH 80)

Council Members discussed pages 47 through 80 of the proposed Delta City Zoning Ordinance. They will further discuss pages 65 and 66 at a future meeting to allow Council Members to think about the number of animals to be allowed in agricultural zones. The next discussion will include pages 81 through 107.

OTHER BUSINESS

Council Member Betty Jo Western advised Council Members that she felt the construction of a home in her neighborhood has been poorly kept, with trash blowing all around the neighborhood. Her research shows that many cities have ordinances in place to require taking care of construction trash. Public Works Director Riding noted that the contractor has made efforts to do the right thing but much of the trash which has been put into a dumpster has been scattered by the wind. Public Works Director Riding also added that he had three different contacts; three different notifications. Public Works Director Riding agreed that it is a problem but is uncertain what can be done. Public Works Director Riding felt that the problem could be handled through the nuisance ordinance. Mayor Bunker commented that this is wrong and something needs to be done. City Attorney Kaela Jackson commented about adding some language in the ordinance and Mayor Bunker stated that he needed to talk to the building inspector about some other issues and would talk to the building inspector about this. Public Works Director Riding agreed that it is a problem but is uncertain what can be done. Council Member Western felt that we need to take steps to make sure construction debris is not allowed to infringe on the property of others.

City Recorder Gregory Schafer advised Council Members that the legislature has mandated that all cities and towns with a budget greater than \$1million must upload all financial information to the Utah Public Finance website beginning May 15, 2011. The version of Caselle software that we purchased in 1998 will cost an additional \$1,000 per year, over and above our regular maintenance and support fee, to interface with the state website. They are offering an upgrade of our software for \$29,500, which will not require the additional \$1,000 per year to package the financial information for upload to the state website. We are currently using the Caselle Classic version and the software we need to avoid the additional cost is Caselle Clarity. We have received two different answers as to whether Caselle will continue maintenance and support for the Classic version; one person said they had no plans to discontinue support and another person said Caselle was targeting the end of 2012 to discontinue support for the Classic version modules we are currently using. Mayor Bunker felt that we should pay the additional \$1,000 per year for the next year and see if there is any change in their plans to support our Classic version. Council Members agreed that we should pay the additional \$1,000 for the next year and wait to see what happens with Caselle.

Mayor Bunker noted that he has received a request that we advertise in Utah Business magazine at a cost of \$1,300 for a 1/3 page ad, \$1,900 for a 1/2 page ad and \$3,000 for a full page ad. The magazine comes out once each year, so this would be an annual cost. Mayor Bunker asked if Council Members wanted to put an ad in the magazine to get our name out there for those interested in doing business in Utah. The magazine distributes approximately 20,000 copies each year. Mayor Bunker asked Council Members to think about the matter and discuss it later.

Mayor Bunker requested that Council Members adjourn to Executive Session for the purpose of discussing the situation on the City Attorney. Council Member Betty Jo Western MOVED to adjourn to Executive Session. 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 with Council Members Robert Banks, Bruce Curtis, John Niles, and Betty Jo Western voting in favor and Council Member Tom Stephenson being absent.

The Council adjourned to Executive Session at 8:38 p.m.

Council Member Robert Banks MOVED to adjourn the Executive Session and return to Regular City Council 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 with Council Members Robert Banks, Bruce Curtis, John Niles, and Betty Jo Western voting in favor and Council Member Tom Stephenson being absent.

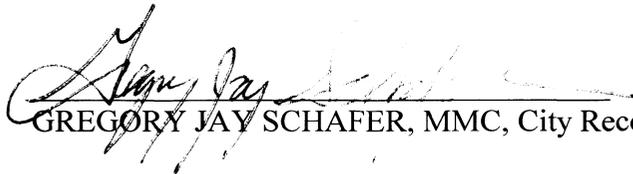
The Council adjourned Executive Session and returned to Regular City Council Meeting at 9:15 p.m.

Mayor Bunker asked if there were any comments, questions or other items to be discussed. There being none, Council Member Robert Banks 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 with Council Members Robert Banks, Bruce Curtis, John Niles, and Betty Jo Western voting in favor and Council Member Tom Stephenson being absent.

Mayor Bunker declared the meeting adjourned at 9:16 p.m.



GAYLE BUNKER, Mayor



GREGORY JAY SCHAFFER, MMC, City Recorder

MINUTES APPROVED: RCCM 02-17-11