

CITY OF DELTA, UTAH
REGULAR CITY COUNCIL MEETING
MAY 19, 2011

PRESENT

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

ABSENT

Tom Stephenson	Council Member
Alan Riding	Public Works Director

ALSO PRESENT

Todd Anderson	City Attorney
Gregory Jay Schafer	City Recorder
Ken Clark	Assistant Public Works Director
Steve Pratt	City Resident
Penny Jo Clayton	7-Eleven Franchisee
Jonette Pantos	7-Eleven Franchisee
Morris Burton	Millard County Sheriff's Office
Dylan Dutson	Boy Scout
Jim Mitchell	Scout Leader

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 Meeting Notice web site 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 Robert Banks provided opening remarks, following which Mayor Bunker led those in attendance in the Pledge of Allegiance.

MINUTES

The minutes of a public hearing held May 5, 2011 were presented for consideration and approval. Following review, Council Member Bruce Curtis MOVED to approve the minutes of the Public Hearing held May 5, 2011, as presented. 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 minutes of a Regular City Council Meeting held May 5, 2011 were presented for consideration and approval. A typographical error was noted on page 8, line 6. Council Member John Niles MOVED to approve the minutes of the Regular City Council Meeting held May 5, 2011, as corrected. The motion was SECONDED by Council Member Robert Banks. Mayor Bunker asked if there were any comments or question 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 provided to each of them two days prior to the meeting. Following review, Council Member Betty Jo Western MOVED to approve the accounts payable dated May 19, 2011, in the amount of \$69,587.77. 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

GREGORY SCHAFFER, CITY RECORDER: RESOLUTION 11-336 ADOPTING DELTA CITY CONSOLIDATED FEE SCHEDULE

Mayor Bunker introduced Resolution 11-336, a resolution adopting a consolidated fee schedule for Delta City fees. Council Member Betty Jo Western suggested that the fee for making an audio copy of a meeting be reduced from \$10 to \$5 in order to minimize impact on citizens while still covering the cost of making a copy.

Following discussion, Council Member Bruce Curtis MOVED to adopt Resolution No. 11-336, a Resolution of the City of Delta, Utah Adopting a Consolidated Fee Schedule. The motion was SECONDED by Council Member Robert Banks. Mayor Bunker asked if there were any comments or question regarding the motion. There being none, he called for a roll call vote. The vote was as follows:

Robert Banks

Yes

Bruce Curtis	Yes
John Niles	Yes
Tom Stephenson	Absent
Betty Jo Western	Yes

The motion passed.

ASSISTANT PUBLIC WORKS DIRECTOR KEN CLARK: PROPOSED PURCHASE OF INGERSOLL RAND DD24 ASPHALT ROLLER

Mayor Bunker noted that, as a result of discussion in the Budget Work Session on May 18th, it has been requested that this item be stricken from the agenda.

NEW BUSINESS

LIEUTENANT MORRIS BURTON, MILLARD COUNTY SHERIFF'S OFFICE: QUARTERLY REPORT TO CITY COUNCIL

Lt. Morris Burton reported that, during the last quarter, there had been eight traffic accidents and 48 citations issued for 72 violations. Deputies responded to 407 dispatch calls for alarms, animal problems, citizen complaints, suspicious circumstances, medical transfers, thefts and similar issues. Council Members were provided with a list of personnel who worked in Delta City during the quarter.

PENNY JO CLAYTON, COUNTRY SAGE ENTERPRISES, INC.: REQUEST FOR BEER LICENSE AT 7-ELEVEN STORE LOCATED AT 17 EAST MAIN STREET

Penny Jo Clayton and Jonette Santos advised Council Members that they have entered into a franchise agreement with 7-Eleven for the local store. Mayor Bunker noted that Ms. Clayton and Ms. Santos have made application for a beer license for the 7-Eleven store. 7-Eleven has a current Class "A" beer license for the location, which cannot be transferred. Therefore, as new owners, Country Sage Enterprises, Inc. is requesting that the license be issued in their name.

Following discussion, Council Member Bruce Curtis MOVED to approve issuance of a Class "A" Beer License to Country Sage Enterprises, Inc. for the 7-Eleven store located at 17 East Main Street. The motion was SECONDED by Council Member John Niles. Mayor Bunker asked if there were any comments or question 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: RESOLUTION 11-337 ADOPTING DELTA CITY AMENDED BUDGET FOR FISCAL YEAR 2010-2011

Mayor Bunker noted that a public hearing had been held prior to this meeting, for the purpose of receiving public comment regarding the Delta City Amended Budget for fiscal year 2010-2011, with no negative comment being received.

Following discussion, Council Member Bruce Curtis MOVED to adopt Resolution 11-337, a resolution of the City of Delta, Utah adopting an Amended Budget for fiscal year 2010-2011. The motion was SECONDED by Council Member Robert Banks. Mayor Bunker asked if there were any comments or question regarding the motion. There being none, he called for a roll call vote. The vote was as follows:

Robert Banks	Yes
Bruce Curtis	Yes
John Niles	Yes
Tom Stephenson	Absent
Betty Jo Western	Yes

The motion passed.

CITY RECORDER GREGORY SCHAFFER: CASELLE SOFTWARE UPGRADE AND SUPPORT SERVICES

City Recorder Gregory Schafer noted that Council Members had received a copy of a proposal for upgrade of the Caselle Software and Support to the Platinum level. We are currently using the Classic level, for which Caselle will not provide support after December, 2012. The proposal indicates Caselle will accept a payment of \$9,700 annually, which results in a savings of \$48,500 over a five year contract period. Caselle had previously quoted a price of \$14,757.30 annually, which results in a total of \$73,786.50 over five years. This is a substantial reduction in cost, due to the fact that they allow 53 support calls per year and we have used only seven of those calls during the past year.

Following discussion, Council Member Betty Jo Western MOVED to approve the Caselle proposal for upgrade to Platinum Level at a cost of \$9,700 per year for a five year period.. The motion was SECONDED by Council Member Robert Banks. Mayor Bunker asked if there were any comments or question 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: FOURTH OF JULY CELEBRATION

Mayor Bunker advised Council Members that improvements are being made in the City Park in preparation for the Fourth of July celebration. New sidewalk is being installed along Main Street and sod, which was removed in order to make repairs to the waterfall, will be replaced. Council Members

discussed the need for seating and additional fencing around the children's fish catch area. Public Works employees will work on these needs. Mayor Bunker stated that Karen Banks will be overseeing the Fourth of July Celebration and working with Council Member Western. We have been considering changing the staging area for the parade.

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

Public Works employees have been preparing the park for Fourth of July festivities but work has been slow due to rainy weather conditions.

MAYOR GAYLE BUNKER: REVIEW OF PROPOSED DELTA CITY ZONING ORDINANCE, PAGES 127-140

Mayor Bunker noted that Council Members need to review pages 127 through 140 of the proposed Delta City Zoning Ordinance. Council Members reviewed the indicated pages and provided their suggestions for corrections and changes.

City Attorney Todd Anderson noted that he had provided information in his Report to the City Council dated May 19, 2011 about pages previously discussed and those scheduled for discussion at this meeting. Mayor Bunker indicated that City Attorney Anderson would be allowed time at a future meeting to address those points he has been researching. Mayor Bunker advised Council Members that pages 141 through 152 will be discussed at the next regular meeting.

OTHER BUSINESS

Mayor Bunker stated that the public hearing scheduled for June 2, 2011 at 6:30 p.m. needs to be rescheduled to 5:30 p.m. in order to accommodate a Millard School District public hearing scheduled in the Council Chambers at 6:00 p.m. on June 2nd.

Mayor Bunker indicated that he would like to schedule an informational meeting with area contractors and Sunrise Engineering regarding building inspection services. He would like to hold the meeting on Thursday, May 26th, but not make it a City Council meeting.

Council Member Betty Jo Western asked what our policy is on sidewalk, curb and gutter installation and replacement. She specifically asked whether residential and business properties were treated differently as far as cost of participation. Mayor Bunker stated that the policy is that both residential and business properties are treated equally. Following discussion of the policy, City Attorney

Anderson suggested that the Council formulate an actual written policy for city participation in sidewalk, curb and gutter replacement.

Mayor Bunker advised Council Members that the 222nd National Guard Unit send-off celebration will be held on Thursday, June 2, 2011 at 3:00 p.m. in Fillmore. Mayor Bunker plans to attend and told Council Members that Delta City had contributed \$100 for the celebration.

Mayor Bunker stated that, after discussing the situation with the Public Works Department, it was decided that we will modify the requirement for Howard Quackenbush to provide asphalt, sidewalk, curb and gutter adjacent to the street along the south side of his professional building, and will allow him two years, until September 30, 2013, to complete the improvements. Mr. Quackenbush will sign a covenant to the agreement. The agreement will be recorded in the Millard County Recorder's office and will be a part of the property record.

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 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.

Mayor Bunker declared the meeting adjourned at 9:11 p.m.



GAYLE BUNKER, Mayor



GREGORY JAY SCHAFFER, MMC, City Recorder

MINUTES APPROVED: RCCM 06-02-11