

CITY OF DELTA, UTAH
REGULAR CITY COUNCIL MEETING
OCTOBER 20, 2011

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

Todd Anderson	City Attorney
Alan Riding	Public Works Director
Karen Johnson	Deputy Recorder
Jane Beckwith	Topaz Museum Board

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.

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

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a copy of which had been provided to them at least two days prior to the meeting. Following review, Council Member Robert Banks MOVED to approve the accounts payable, dated October 20, 2011, in the amount of \$81,619.07. 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, Tom Stephenson, and Betty Jo Western voting in favor.

PUBLIC COMMENT PERIOD

There were no comments from the public.

UNFINISHED BUSINESS

MAYOR GAYLE BUNKER: RATIFICATION OF RESOLUTION NO. 11-339 REQUESTING RECERTIFICATION OF THE DELTA MUNICIPAL JUSTICE COURT

Mayor Bunker noted that, because of limited time to request recertification of our justice court, this resolution was presented for adoption at the previous meeting but was not on the agenda so we need to ratify the action taken at the previous meeting.

Council Member Robert Banks MOVED to ratify adoption of Resolution No. 11-339, a resolution requesting recertification of the Delta Municipal Justice Court. 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 roll call vote. The vote was as follows:

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

The motion passed unanimously.

NEW BUSINESS

RANDY RIDING: WATER METER DEPOSIT

Mayor Bunker advised Council Members that Mr. Riding was told we do not refund meter deposits from renters until their final bill is issued. Mr. Riding requested an opportunity to address the issue

with Council Members but he was not in attendance.

MAYOR GAYLE BUNKER: MEMORANDUM OF UNDERSTANDING BETWEEN DELTA CITY AND THE TOPAZ MUSEUM

Mayor Bunker stated that the Council had reviewed a draft copy of the Memorandum of Understanding at the last meeting and instructed City Attorney Todd Anderson to prepare a final draft for signatures. Council Members reviewed the final draft of the Memorandum of Understanding. Council Member Banks asked if Topaz Museum had regular annual support funds. Jane Beckwith, Topaz Museum Board, said that the only funds they have are what they get through fund raising efforts. Ms. Beckwith requested a few grammatical and form changes which were reviewed and approved by Council Members.

Following review and discussion, Council Member Robert Banks MOVED to approve signing the Memorandum of Understanding Concerning Cooperation Between Delta City and the Topaz Museum. 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, Tom Stephenson and Betty Jo Western voting in favor.

MAYOR GAYLE BUNKER: NEW YEARS EVE CELEBRATION

Mayor Bunker asked Council Member Betty Jo Western if she had any information regarding arrangements for the celebration. Council Member Western said she had confirmed entertainment by Jason Hewlett and Black Tie Affair. Black Tie Affair is a 60's band and includes a couple of members from out of town; their fee is \$800. Jason Hewlett normally charges \$10,000 but has agreed to accept a fee of \$4,000 for the appearance at the New Years Eve celebration. However, he has a contract which will not allow us to use his name in our advertising. We can tell people about his appearance but cannot distribute advertising which includes his name. We need to make sure we have additional food this time because we ran out last year.

Council Member Western will make arrangements for the inflatable devices. We will also have the Deal or No Deal game and kid's games from 6:30 p.m. to 8:00 p.m. so that everyone can attend the Jason Hewlett entertainment.

MAYOR GAYLE BUNKER: OFF-STREET PARKING DURING SNOW STORMS

Mayor Bunker introduced the following ordinance:

ORDINANCE NO. 11-251

AN ORDINANCE AMENDING TITLE 11-300 *ET SEQ* OF THE REVISED ORDINANCES

OF DELTA CITY (1981 EDITION), BY AMENDING SECTION 11-346 TO PROHIBIT THE PARKING OF VEHICLES ON CURBED OR GUTTERED STREETS LOCATED IN DELTA CITY BETWEEN THE HOURS OF 9:00 P.M. TO 9:00 A.M., FOR A FIVE MONTH PERIOD FROM NOVEMBER 1 TO MARCH 31, TO PROVIDE FOR EFFECTIVE SNOW REMOVAL WITHIN DELTA CITY

Public Works Director Alan Riding advised Council Members that our current ordinance prohibits parking overnight on streets smaller than 99' wide during winter months to facilitate effective snow removal. This new ordinance is intended to clarify the ordinance so that the reference to 99' wide street is eliminated and parking is prohibited on a curbed street. Curbs provide draining into storm drains and if we are unable to plow to the curb, snow melt does not drain properly.

City Attorney Anderson stated that another purpose of amending the ordinance was to make it easier to enforce. He also requested that Council Members consider what fee they want to charge for parking violations so it can be included in our fee resolution. Mayor Bunker felt that we need to contact other cities to find out what they are charging for parking violations before setting a fee.

Following discussion, Council Member Robert Banks MOVED to adopt Ordinance No. 11-251, an ordinance prohibiting parking on curbed or guttered streets between the hours of 9:00 p.m. and 9:00 a.m. from November 1 to March 31 to provide for effective snow removal. 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 roll call vote. The vote was as follows:

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

The motion passed unanimously.

PUBLIC WORKS DIRECTOR ALAN RIDING: UPDATE ON PUBLIC WORKS PROJECTS

Public Works Director Alan Riding reported that public works employees have been preparing for winter by winterizing equipment. They have done some asphalt work but are pretty much done with asphalt for this year. Repairs are being made to the roof on a storage building at the airport and they will begin replacing electrical wiring in the big hangar next week. Public Works employees have also been working on upgrading lights to energy efficient lamps.

City wide clean up dates have been schedule on November 4th and 5th.

OTHER BUSINESS

Council Member Betty Jo Western asked if there had been tires burning at the dump site on the north side of town. Public Works Director Riding said that the gate had been left open and it appeared someone had dumped some asphalt shingles which caught on fire.

Council Member Betty Jo Western advised Council Members that she will be preparing the program for the Light Parade celebration.

Mayor Bunker advised Council Members that we have submitted our application to the Permanent Community Impact Fund Board and will be meeting with them on December 1st to discuss our application for funding to construct the proposed community center.

Mayor Bunker reminded Council Members that the City Christmas Party will be held on Friday, December 2nd at the Bird Senior Center.

Mayor Bunker told Council Members that we need to schedule a Board of Adjustment hearing. Bob Viveiros has constructed a carport on the side of his home that has no set back from the property line. He did not obtain a building permit for the carport and, after construction had begun, was notified that he needed to stop construction because no permit had been issued and the carport was in violation of city code but Mr. Viveiros completed the construction without the permit and without proper set back from the property line. In addition, the carport is located on the utility right of way. Mr. Viveiros has applied for a hearing requesting a variance of the set back requirements.

Mayor Bunker stated that we are attempting to complete review of our proposed Planning & Zoning Ordinance and adopt it by the end of this year. We will wait to review the proposed Subdivision Ordinance after the first of the year. City Attorney Anderson will provide a red line copy of the proposed ordinance for review at the next meeting.

Mayor Bunker reported that City Treasurer Judy Sabey will be retiring at the end of the year. We will

begin advertising the position in the Chronicle next week and plan to accept applications until November 10th. Because this is a department head, the Council will interview applicants for the position on November 17th so that we can make a decision and have a new employee hired for training by December 12th. Mayor Bunker asked if Council Members wanted to help pare down the list of applicants to a reasonable number for interviews or if they would like the Mayor and City Recorder to determine which applicants will be interviewed. Council Members opted to let the Mayor and Recorder determine which applicants will be interviewed.

Mayor Bunker indicated that he and Public Works Director Riding have determined that there was a problem with information given to those who bid on the security system for the city park so we will throw out the bids received and re-bid the project at a later date.

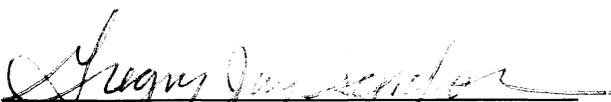
Council Member Western asked why more people did not know about Governor Herbert's visit to the area. Mayor Bunker reported that the visit was hosted by Millard County and we were not involved. We received an invitation but were not even sure who extended the invitations. Council Member Western will refer those with questions about not being invited to call the Millard County Office.

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, Tom Stephenson and Betty Jo Western voting in favor.

Mayor Bunker declared the meeting adjourned at 8:17 p.m.



GAYLE BUNKER, Mayor



GREGORY JAY SCHAFER, MMC, City Recorder

MINUTES APPROVED: RCCM 11-03-11