

CITY OF DELTA, UTAH
REGULAR CITY COUNCIL MEETING
JUNE 7, 2012

PRESENT

Gayle Bunker	Mayor
Robert Banks	Council Member
John Niles	Council Member
Steven Pratt	Council Member
Tom Stephenson	Council Member

ABSENT

Betty Jo Western	Council Member
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ALSO PRESENT

Gregory Jay Schafer	City Recorder
Todd Anderson	City Attorney
Alan Riding	Public Works Director

Mayor Bunker called the meeting to order at 7:00 p.m. He stated that notice of the time, place and agenda of the meeting had been posted at the City Building and on the Utah Public Notice website 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 Robert Banks provided opening remarks, following which Mayor Bunker led those in attendance in the Pledge of Allegiance.

MINUTES

The minutes of a Local Building Authority meeting held May 3, 2012 were presented for consideration and approval. City Recorder Gregory Schafer noted that his title should be changed to Board Secretary. Following review, Council Member Robert Banks MOVED to adopt the minutes of the Local Building Authority meeting held May 3, 2012, as corrected. 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, John Niles, Steven Pratt and Tom Stephenson voting in favor and Council Member Betty Jo Western being absent.

The minutes of a Regular City Council meeting held May 3, 2012 were presented for consideration and approval. Following review, Council Member John Niles MOVED to adopt the minutes of the

Regular City Council meeting held May 3, 2012, as presented. The motion was SECONDED by Council Member Steven Pratt. 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, John Niles, Steven Pratt and Tom Stephenson voting in favor and Council Member Betty Jo Western being absent.

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 John Niles MOVED to approve the accounts payable, dated June 7, 2012, in the amount of \$254,561.28. 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 with Council Members Robert Banks, John Niles, Steven Pratt and Tom Stephenson voting in favor and Council Member Betty Jo Western being absent.

Mayor Bunker stated that the Council needed to adjourn the City Council meeting in order to convene as the Local Building Authority and hold a public hearing. Council Member Robert Banks MOVED to adjourn City Council meeting to convene as the Local Building Authority of Delta City and hold a public hearing. 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, John Niles, Steven Pratt and Tom Stephenson voting in favor and Council Member Betty Jo Western being absent.

Mayor Bunker declared the City Council meeting adjourned at 7:10 p.m.

Following adjournment of the Local Building Authority of Delta City public hearing, Council Member Steven Pratt MOVED to return to regular City Council meeting. 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, John Niles, Steven Pratt and Tom Stephenson voting in favor and Council Member Betty Jo Western being absent. The Council reconvened City Council meeting at 7:20 p.m.

NEW BUSINESS

MAYOR GAYLE BUNKER: APPROVE DRAFTING RESOLUTION OF INTENT TO CREATE A SPECIAL SERVICE DISTRICT FOR SHERWOOD SHORES

Mayor Bunker advised Council Members that, when meeting with the Drinking Water Board, we were told to talk to Millard County to make certain they were in agreement with Delta City creating a special service district in order to provide water service to Sherwood Shores. Millard County

Commission has discussed the matter and, although we have not yet received a written response, the Mayor had talked about the district with County Attorney Richard Waddingham. Mr. Waddingham did not think there would be a problem but planned to check and make certain. Mayor Bunker stated that the first step in creating the special service district is to instruct our City Attorney to draft resolution to organize a special service district for Sherwood Shores.

Council Member Steven Pratt asked where we will obtain water to supply the special service district. Mayor Bunker answered that we purchased 250 acre feet last year, from which water for the special service district will be obtained. When the district is organized, we will dedicate the appropriate number of acre feet to the service district and the service district will pay Delta City the cost to purchase water at the rate of \$1,000 per acre foot. There was discussion regarding the amount of water to be dedicated to the special service district and the amount remaining available for possible future growth of Delta City. It was determined that there is adequate water available for both.

City Attorney Todd Anderson outlined the process for creating a special service district. The first step is adopting a resolution stating intent, then hold a public hearing and allowing the opportunity to petition against creating the special service district. City Attorney Anderson expected we would receive some petitions against the special service district and those petitions will be considered in making a decision. We also must provide public notice regarding what the district will be about, that fees will be charged and that taxes may be imposed. After these steps are complete, then a resolution can be passed to create the special service district. The governing board can be chosen by the entity that creates the district.

Council Member John Niles reported he had talked with a Sherwood Shores resident who was against Delta City providing their water service. However, the resident appears to not be against the proposal now. The person told Council Member Niles that Mrs. Johnson approached Sherwood Shores residents and told them she would sell them the entire water system for \$ 650,000, with the condition that she would have free water for all her lots. The residents told her they were not interested in purchasing the system at that price.

City Attorney Anderson plans to have a resolution of intent to create a special service district prepared for the next meeting and having the Council set a public hearing and determine a name and boundaries for the district.

Following discussion, Council Member Robert Banks MOVED to instruct City Attorney Todd Anderson to draft a resolution of intent to create a special service district for Sherwood Shores. 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, John Niles, Steven Pratt and Tom Stephenson voting in favor and Council Member Betty Jo Western being absent.

MAYOR GAYLE BUNKER: FOURTH OF JULY CELEBRATION

Mayor Bunker will be requesting that Council Member Betty Jo Western be in charge of the Patriotic Program for the celebration. We will have Grant Nielson, Grand Marshall, speak for about five minutes, the Miss Liberty Royalty will speak and Ed Lyman has been asked to speak about the Declaration of Independence for five to ten minutes.

The flyover has been approved and we will hear later this month what time it is scheduled; the fish have been ordered for the fish catch; and the splash pad will be ready for use. The pad will have a colored non-slip surface. Water for the splash pad will not be re-circulated - it will be trapped in a tank and used to water the grass. All water coming through the nozzles and sprayers will be fresh, chlorinated drinking water.

Council Member Steven Pratt suggested we have a grand opening for the splash pad on the Fourth of July. Council Members discussed having a grand opening celebration on the weekend prior to the Fourth of July. Mayor Bunker stated that we are talking about having a barbecue on June 25th for our employees and their families and allow them to use the splash pad at that time. That will be an opportunity to make sure everything is working properly. It was decided we will have a community grand opening on June 30th at 11:00 a.m., with fire trucks pumping arcs of water over the splash pad.

Mayor Bunker asked Council Members what hours they want to allow the splash pad to operate. There is a push button that will activate the water for seven minutes, then shut off until it is pushed again. There is also a clock which will only allow it to operate during pre-set hours. Council Members decided to operate the splash pad from 10:00 a.m. to 8:00 p.m.

PUBLIC WORKS DIRECTOR ALAN RIDING: UPDATE ON PUBLIC WORKS PROJECTS

Public Works Director Alan Riding reported that during the last week we have had a man using equipment to clean sand out of the Ridge Top Well storage tank. We had him do a camera inspection a few weeks ago and found several piles of sand in the storage tank. He returned with his sand removal equipment and has been working to remove the sand for several days. Today is the ninth day of sand removal and it was found there is more sand than was expected. It will probably require another two weeks to remove all of the sand. We would like to have him continue working to get all of the sand out, then further sand removal should not be necessary for about five years. After removing the sand, we will take steps to reduce the amount of sand being pumped into the storage tank. There are other methods of removing sand from the storage tank but they are all expensive and other methods require taking the well off line while it is cleaned, followed by disinfecting the tank. Disinfection requires keeping the entire inside surface of the tank wet with a chlorine solution for thirty minutes. Public Works Director Riding asked for confirmation from Council Members to have the sand removal continued until the tank is clean. Council Members agreed that we should continue the current sand removal until the storage tank is completely clean.

Council Member Stephenson said he had three people talk to him about the number of "quimps" in the city. Flowers and gardens are being eaten and residents want to know if there is anything the city can do. Public Works Director Riding questioned whether the "quimps" were a protected species. City Attorney Todd Anderson said he thought the animals were known as "white tailed gopher" because the term "quimp" is unknown outside of the Delta area. Public Works Director Riding did not know if the city could do anything about the animals.

OTHER BUSINESS

Mayor Bunker advised Council Members that, for a number of years, Delta City has purchased culinary water shares from Intermountain Power Service each year. We have received a letter that the water shares will no longer be available for purchase. Each time a home is constructed in areas that have been annexed into the city, the property owner is required to pay \$1,000 for water development fees. Those funds are then used to purchase water shares from Intermountain Power Service. However, last year we had funds available so we purchased 250 acre feet of culinary water due to questions as to future availability.

Mayor Bunker said he would like to solicit bids from selected firms rather than open bidding for engineering and drawings for the proposed community center. This is because most architectural firms require fees of five to ten percent of the total project cost and it would save money to hire a firm that will provide a flat fee for the work. Mayor Bunker asked for suggestions from Council Members. Council Members felt that we should attempt to find someone who will give us a fee up front, as long as they are experienced and credible. Council Member Steven Pratt provided the name of a firm for the Mayor to contact.

Mayor Bunker advised Council Members that the bond attorney has told him we cannot limit bidding to local contractors because we are using funding from the State of Utah. We must advertise in the local newspaper for two weeks so we will be receiving bids of contractors from all over the state. All bids must be obtained prior to closing our loan with the Permanent Community Impact Fund Board. City Attorney Todd Anderson will contact the bond attorney to clarify funding stipulations.

Mayor Bunker told Council Members that Topaz Museum will hold a groundbreaking ceremony for their building on August 4, 2012, in conjunction with the Topaz Pilgrimage. The governor has been invited but, at this time, we do not know whether he will be coming. Mayor Bunker asked if Council Members wanted to do a groundbreaking ceremony at the same time. Council Members wanted to wait to hold a groundbreaking when we are ready to begin construction.

The next meeting will be held June 21st, at which time we will adopt the Amended Budget for Fiscal Year 2011-2012 and the Final Budget for Fiscal Year 2012-2013.

There being no further business, Council Member Robert Banks MOVED to adjourn the meeting. 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 with Council Members Robert Banks, John Niles, Steven Pratt and Tom Stephenson voting in favor and Council Member Betty Jo Western being absent.

Mayor Bunker declared the meeting adjourned at 8:40 p.m.



GAYLE BUNKER, Mayor



GREGORY JAY SCHAFFER, MMC, City Recorder

MINUTES APPROVED: RCCM 06-21-12