

## SPECIAL CITY COUNCIL MEETING

MARCH 27, 2000

PRESENT

R. Dale Roper  
 Wesley Bloomfield  
 Gayle Bunker  
 Bruce Curtis  
 Robert Dekker  
 Glen Swalberg

Mayor  
 Council Member  
 Council Member  
 Council Member  
 Council Member  
 Council Member

ABSENT

None

ALSO PRESENT

Gregory Jay Schafer  
 Neil Forster  
 Richard Waddingham  
 Alan Riding  
 Ken Clark  
 Phil Sabey  
 Brian & Casey Bunker  
 Gary Bunker  
 Hal & Marie Young & Grandson

City Recorder  
 Public Works Director  
 City Attorney  
 Asst. Public Works Director  
 Public Works Employee  
 Planning & Zoning Commission Member  
 City Residents  
 City Resident  
 City Residents

Mayor Roper called the meeting to order at 6:00 p.m. He stated that notice of the meeting time, place, and agenda was posted at the City Building, located at 76 North 200 West, and was provided to the Millard County Chronicle/Progress, KNAK Radio, and to each member of the City Council, at least two days prior to the meeting. Gregory Jay Schafer, City Recorder, acted as secretary.

Council Member Robert Dekker offered an invocation, after which Mayor Roper led those in attendance in the Pledge of Allegiance.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a copy of which had been provided to them two days prior to the meeting. Following review, Council Member Gayle Bunker MOVED to approve the accounts payable, in the amount of \$82,556.19. The motion was SECONDED by Council Member Robert Dekker. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

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UNFINISHED BUSINESSMAYOR R. DALE ROPER: BRIAN BUNKER APPEAL OF PLANNING & ZONING COMMISSION DECISION REGARDING REQUEST FOR CONDITIONAL USE PERMIT TO ALLOW PLACEMENT OF MODULAR HOME ON PROPERTY LOCATED AT 98 WEST MAIN STREET

Mayor Roper reminded the Council that discussion of this item was tabled at the last meeting in order to allow time for completion of a numerical evaluation, as required by the appeals process. Public Works Director Neil Forster and Asst. Public Works Director Alan Riding have completed the numerical evaluation and it was included in the information provided to Council Members. Brian Bunker provided Council Members with a drawing showing the proposed placement of a modular home on property at the rear of his business, located at 98 West Main Street. Mr. Bunker explained that the main office for the business would be located within the home, with a doorbell at the business which would ring in to the home. This arrangement would allow Mrs. Bunker to care for their young children at home, while also being available to take care of customers coming into the business.

Council Member Glen Swalberg stated that, having struggled as a businessman in Delta for many years, he would be in favor of allowing Mr. and Mrs. Bunker to place a modular home behind their business, unless there is a restriction against such use. Council Member Wesley Bloomfield asked about the modular home which had been placed near the Deltan Inn. Public Works Director/Zoning Officer Neil Forster stated that the Deltan Inn had obtained a Conditional Use Permit to place that modular home there to be used as the motel manager's residence/office.

Council Member Bloomfield felt that, inasmuch as the home would be located behind the business and would not be facing Main Street, it would be acceptable because there are areas in Delta City where residences are located very close to Main Street. Council Member Swalberg agreed with Council Member Bloomfield. Mr. Bunker advised the Council that the Planning & Zoning Commission had stated that the use he is proposing would be acceptable in an R-4 zone, but they did not want to allow a residence between two commercial properties. However, in checking the records, the parcel of property on the north side of Mr. Bunker's property is currently zoned R-4.

Council Member Bloomfield suggested the possibility of changing the zoning for properties located one lot off of Main Street, to allow residential use, while maintaining the central business district on Main Street. City Attorney Richard Waddingham suggested that, if the Council wants to allow Mr. Bunker's request, the zone should be changed on his property. City Attorney Waddingham expressed concern regarding allowing Mr. Bunker's proposed use under the current ordinance because the ordinance states that dwellings may be in businesses, not that businesses may be in dwellings. Council Member Robert Dekker felt that the Council should do whatever needs to be done, legally and expeditiously, in order to accommodate Mr. Bunker.

Following very lengthy discussion, Council Member Glen Swalberg MOVED to recommend to the

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Planning & Zoning Commission that they consider rezoning Mr. Bunker's specified one-half lot to an R-4 zone, in order to allow placement of a modular home on the property. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. Council Members Wesley Bloomfield, Bruce Curtis, Robert Dekker, and Glen Swalberg voted in favor of the motion. Council Member Gayle Bunker abstained from voting due to a conflict of interest in the matter. Mayor Roper stated that the motion carried.

#### NEW BUSINESS

#### MAYOR R. DALE ROPER: 450 SOUTH STREET BETWEEN 300 EAST AND 600 EAST

Mayor Roper reported that, following the last City Council meeting, the canal company relinquished their rights to this road. After discussing the matter with City Attorney Waddingham, Mayor Roper decided to close the road because of its unsafe condition. Prior to re-opening the road, it will be necessary to erect a guardrail along the canal. Mayor Roper provided Council Members with cost estimates for providing a guardrail along the canal. The cost of the guardrail would be \$7,811, plus the cost of installation. Mayor Roper proposed that the prison crew be hired to do the installation, which would cost approximately \$600 and would take approximately one week. The cost of concrete barriers (4' x 10') would be \$147 each, for a total of \$17,052. If 2x2x6 are used, the cost would be \$7,733, however, there is no way to tie the 2x2s together. Mayor Roper requested approval of the Council to purchase the guardrail, to have the guardrail installed and, at the same time, straighten the roadway, install street signs, and grade the road. Council Member Wesley Bloomfield MOVED to authorize Mayor Roper to purchase the guardrail, have the guardrail installed, straighten the roadway, install street signs and grade the road. The motion was SECONDED by Council Member Robert Dekker. Mayor Roper asked if there were any comments or questions regarding the motion. Council Member Glen Swalberg asked if funds were available to pay for this project. Mayor Roper responded that the funds are available in the streets budget. City Attorney Waddingham stated that, at some point, action must be taken to dedicate this road to Delta City in order to consider the road as a Delta City public street. Council Member Gayle Bunker suggested that the property owner or owners should be contacted, prior to proceeding with the improvements on the road, in order to determine whether they are willing to convey the property to Delta City. Council Member Wesley Bloomfield recalled his previous motion and MOVED to contact the property owners to determine whether they are willing to convey sixty feet of property to Delta City for use as a public road. Council Member Robert Dekker recalled his previous second. Council Member Robert Dekker then SECONDED the motion. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

#### PUBLIC WORKS DIRECTOR NEIL FORSTER: AWARD OF BID FOR S.C.A.D.A. SYSTEM

Public Works Director Neil Forster directed the attention of the Council to their copies of the low bid which had been received for the S.C.A.D.A System, which was also the bid which received the

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highest score in the evaluation of the bids. Public Works Director Forster noted that the grand total of the bid is \$100,475.00 and reminded the Council that the amount budgeted for this item was \$100,000. In addition, he called attention to Page 6 of the bid, indicating items which need to be obtained for spare parts, in the amount of \$7,140.00. These items would make the total of the low bid \$107,615.00. Public Works Director Forster indicated that, while preparing documents for the bid, it became apparent that an additional \$5,000-\$5,500 in computer and cell phone equipment would be required in order to make the system function. It was anticipated that the S.C.A.D.A. System bids would be in the area of \$80,000 - \$90,000, which would have allowed sufficient budgeted funds for purchase of the additional equipment. It now appears that adequate funds were not budgeted for the project.

Public Works Director Forster requested that the Council accept the bid of \$107,615.00 and also requested approval to purchase two lap top computers, on the state contract, and cell phone service for operation of the system. Following discussion, Council Member Robert Dekker MOVED to accept the bid from Remote Control Systems, for the S.C.A.D.A. System, in the amount of \$107,615.00, and to approve an additional amount, of up to \$5,500.00, for purchase of computer and cell phone equipment for operation of the system. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

PUBLIC WORKS DIRECTOR NEIL FORSTER: ROB DROUBAY WATER LINE UPGRADE

Public Works Director Forster advised the Council that Rob Droubay is constructing a home on property outside the Delta City boundary and is in the process of annexing the property into Delta City. Mr. Droubay has requested that Delta City water service be made available to him. State Fire and Plumbing Codes require that a minimum 6" water main be installed and Mr. Droubay has agreed to pay for the installation from the corner of the cemetery to his home site. Public Works Director Forster feels that it would be in the best interest of Delta City to cooperate and participate with Mr. Droubay in upgrading to an 8" line, which would allow for growth in the area. The cost of materials to install a 6" line would be approximately \$8,845, while the cost of materials for an 8" line would be approximately \$14,647, a difference of \$5,802.26.

Following discussion, Council Member Wesley Bloomfield MOVED to accept the monies to be paid by Rob Droubay for installation of the 6" water line and that Delta City upgrade to an 8" water line and pay the difference, in the amount of \$5,802.26. The motion was SECONDED by Council Member Glen Swalberg. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Roper noted that the reason for holding this meeting at 6:00 p.m., instead of the regularly scheduled 7:00 p.m., was to allow everyone to attend their party caucus meetings and requested a motion to adjourn the meeting at this time. Council Member Gayle Bunker MOVED to adjourn the meeting. The motion was SECONDED by Council Member Robert Dekker. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a

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vote. The motion passed unanimously.

Mayor Roper declared the meeting adjourned at 6:50 p.m.

  
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R. DALE ROPER, Mayor

  
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GREGORY JAY SCHAFER, City Recorder

MINUTES APPROVED: RCCM 04-10-2000