

CITY OF DELTA, UTAH
SPECIAL CITY COUNCIL MEETING
MARCH 22, 2012

PRESENT

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| Gayle Bunker | Mayor |
| Robert Banks | Council Member |
| John Niles | Council Member |
| Steven Pratt | Council Member |
| Tom Stephenson | Council Member |
| Betty Jo Western | Council Member |

ABSENT

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| Alan Riding | Public Works Director |
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OTHERS PRESENT

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| Gregory Jay Schafer | City Recorder |
| Todd Anderson | City Attorney |
| Kyle Rowley | City Resident |
| Jake Smith | City Resident |
| Bruce Curtis | City Resident |
| Lorie Skeem | Delta Area Chamber of Commerce |
| Dean Draper | Millard County Chronicle/Progress |

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 and was 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 Betty Jo Western 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 March 1, 2012 were presented for consideration and approval. Following review, Council Member John Niles MOVED to approve the minutes of the Regular City Council Meeting held March 1, 2012, 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 John Niles, Steven Pratt, Tom Stephenson and Betty Jo Western

voting in favor and Council Member Robert Banks being absent.

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 and discussion, Council Member Betty Jo Western MOVED to approve the accounts payable, dated March 14, 2012, in the amount of \$102,725.05. 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 John Niles, Steven Pratt, Tom Stephenson and Betty Jo Western voting in favor and Council Member Robert Banks being absent.

PUBLIC COMMENT PERIOD

Dean Draper, Millard County Chronicle/Progress, stated that he and several other individuals had heard the water system at Sherwood Shores does not meet current drinking water standards and asked if Council Members had a statement they could make about what is being planned to correct the situation with Sherwood Water Company. Mr. Draper asked if Delta City was going to provide water for Sherwood Shores or was it going to be annexed into Delta City or if some other solution was being discussed. Mayor Bunker reported that, at the recent Rural Utah Water Association meeting in St. George, the owners of Sherwood Water Co. talked with representatives from the Division of Drinking Water and the Drinking Water Board. The owners of Sherwood Water Company received funding to purchase water from Delta City but they do not want to take on that financial responsibility. The Drinking Water Board advised that a special service district can be formed which would allow Delta City to provide water to Sherwood Shores and any other outlying entity who wanted to pay Delta City to provide water. A meeting is scheduled next Monday between Sherwood Water Company and individuals from the Drinking Water Board to explore what options are available. Sherwood Water Company is required to have the arsenic content in their drinking water in compliance with new standards by the end of this year.

Mayor Bunker told Mr. Draper there is no discussion regarding annexation of Sherwood Shores but there are talks regarding how Delta City may be able to assist Sherwood Water Company. City Attorney Anderson noted that a special service district will allow Delta City to provide water outside city limits and would be a good avenue of getting non-arsenic culinary water to the residents and property owners of Sherwood Shores. If that happened, we would operate and bill for use of the system. At this point we do not have any solid information because we are in the early stages of discussion. City Attorney Anderson said that Delta City is in the best position to assist with making arsenic-free water available to Sherwood Water users and the State of Utah appears to be in favor of assisting Delta City in the effort. Mayor Bunker felt that the same funds available to Sherwood Water Company to correct deficiencies in the system may be available to Delta City.

UNFINISHED BUSINESS

There were no items of unfinished business on the agenda.

NEW BUSINESS

KYLE ROWLEY, PAHVANT BUTTE ESTATES SUBDIVISION: PAHVANT BUTTE ESTATES SUBDIVISION PHASE 2 FINAL PLAT

Mayor Bunker stated that this subdivision had been discussed at the previous meeting and said that water lines, sewer lines, and storm drains have been installed and the subdivider is preparing to install road base. Delta City has received a cash deposit of \$145,494 to guarantee completion of the remaining improvements and Mr. Rowley is requesting the final plat for Phase 2 be approved at this time. Mayor Bunker advised Council Members that sidewalks will not be required until construction is completed to avoid having construction trucks driving over sidewalks. Council Member Steven Pratt asked about providing sidewalks so that people building on interior lots can access sidewalks rather than walking in the street. Mayor Bunker noted that Mr. Rowley has provided a copy of a Declaration of Restrictions, to be recorded with the plat, which specifies that sidewalk installation is the responsibility of each property owner and will be required prior to issuance of an occupancy permit. Mayor Bunker requested the motion to approve the plat included language that an occupancy permit will not be issued until the sidewalk is installed. City Attorney Todd Anderson requested that the motion include a waiver of subdivider sidewalk requirement (Section 7.4 of the Subdivision Ordinance), conditioning approval of the final plat upon recording of the Declaration of Restrictions, that no occupancy permits be granted until the sidewalk is installed, and accept the deposit of \$145,494 with Delta City as being a sufficient amount to guarantee additional improvements.

Following discussion and review, Council Member Betty Jo Western MOVED to approve Pahvant Butte Estates Subdivision Phase 2 Final Plat with the following conditions: 1) that Section 7.4 of the Subdivision Ordinance regarding the subdivider sidewalk requirement be waived; 2) that the Declaration of Restrictions substantially similar to those provided by Kyle Rowley be recorded in the Millard County Recorder's Office along with the final plat; 3) that occupancy permits will not be issued for any lot until sidewalks are installed on said lot; and 4) accept the deposit of \$145,494 with Delta City as a sufficient amount to guarantee installation of additional improvements. 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, Tom Stephenson and Betty Jo Western voting in favor and no one voting against.

MAYOR GAYLE BUNKER: COMMUNITY CENTER

Mayor Bunker distributed drawings of an alternate layout for the community center. Mayor Bunker and Council Member Steven Pratt came up with the proposed layout earlier this week. Mayor Bunker

felt the layout was more attractive and it provides approximately 400 square feet more than the previous layout. This plan places the building on the property so it faces the City Park and makes the lobby area more inviting, The size of all rooms remains the same.

Mayor Bunker requested that Council Members review and discuss the proposed layout until the next meeting and it will be discussed further at that time. Mayor Bunker has shown the layout to a number of people and has received positive comments.

Lorie Skeem, Delta Area Chamber of Commerce, proposed selling bricks, engraved with the purchaser's name, to be placed in the walkway in front of the building. The bricks would cost approximately \$15 to \$20, depending on the type used, and could be sold for \$50. This would give residents the opportunity to have their name displayed as supporters of the Community Center. Ms. Skeem has talked about the idea with several people and many expressed interest in purchasing a brick for the walkway.

MAYOR GAYLE BUNKER: FOURTH OF JULY CELEBRATION

Mayor Bunker advised Council Members that we have received approval of our application for a military flyover and Grant and Louise Nielson have agreed to serve as Grand Marshals for the celebration. The Miss Liberty pageant is scheduled for Tuesday, April 10th and will be held at The Gathering Place at 6:30 p.m.

Council Member Tom Stephenson asked if the splash park will be ready by the Fourth of July. Mayor Bunker stated that the public works employees were laying out the park yesterday they plan to have the splash park ready to use by the Fourth of July.

OTHER BUSINESS

Mayor Bunker asked Bruce Curtis, Delta City representative on the Millard County Fire District Board, to address the Council. Mr. Curtis advised Council Members that the State of Utah has determined that, rather than having contracts with individual fire departments, they will have one contract for wildland firefighting with Millard County Fire District. The fire district has done the billing for wildland fire fighting in the past and they will continue doing that in the future, but payments will come directly to the City. The amount of funding has been increased from \$95/hour to \$118/hour, which will help with increased fuel costs. Mr. Curtis requested the opportunity to have this item on the agenda for the next City Council meeting so he could obtain Council approval for the contract. Mr. Curtis will be placed on the next agenda for Council approval.

Mayor Bunker advised Council Members that the Six-County Economic Summit is April 4th in Richfield. The summit begins at 8:00 a.m. and it is always an interesting meeting to attend.

Mayor Bunker stated we need to finalize our review of the proposed zoning ordinance at the next meeting. City Attorney Anderson will have a final draft prepared for review.

Mayor Bunker advised Council Members that Public Works employees have almost completed the new door at the airport hangar.

Council Member Betty Jo Western asked why our Delta City website contains only text information. She recalled that we had paid someone to create a new website for the City. City Recorder Gregory Schafer said that he is working on the website. The graphics have been created and it is ready to be populated but he has not done that yet. He did not want to launch the new website until all the information was available.

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, John Niles, Steven Pratt, Tom Stephenson and Betty Jo Western voting in favor and no one voting against.

Mayor Bunker declared the meeting adjourned at 8:19 p.m.



GAYLE BUNKER, Mayor



GREGORY JAY SCHAFFER, MMC, City Recorder

MINUTES APPROVED: RCCM 04-15-12