

REGULAR CITY COUNCIL MEETING

MARCH 18, 2004

PRESENT

Gayle Bunker	Mayor
Robert Banks	Council Member
Wesley Bloomfield	Council Member
Bruce Curtis	Council Member
Margaret Dutson	Council Member
Glen Swalberg	Council Member

ABSENT

None

ALSO PRESENT

Richard Waddingham	City Attorney
Alan Riding	Public Works Director
Ken Clark	Asst. Public Works Director
Judy & Phil Sabey	City Treasurer and Spouse
Gregory Schafer	City Recorder
Mike Smith	Public Works Employee
Leonard Hardy	Public Works Employee
Scott Bassett	Principal, Delta North Elementary School
Robert Droubay	City Resident

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 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 offered 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 4, 2004 were presented for consideration and approval. Following review, Council Member Wesley Bloomfield MOVED to approve the minutes of the Regular City Council Meeting held March 4, 2004, 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 unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a copy of which had been given to them two days prior

to the meeting. Following review, Council Member Glen Swalberg MOVED to approve the accounts payable, dated March 18, 2004, in the amount of \$33,514.16. 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 unanimously.

UNFINISHED BUSINESS

COUNCIL MEMBER WESLEY BLOOMFIELD: AWARD BID FOR CARPET CLEANING AT CITY BUILDING

Council Member Wesley Bloomfield MOVED to award the bid for carpet cleaning at the Delta City Building to Wild West Steamers, at a rate of \$650.00. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

NEW BUSINESS

MAYOR GAYLE BUNKER: PRESENTATION OF CERTIFICATION CERTIFICATES TO PUBLIC WORKS EMPLOYEES

Mayor Bunker requested that Mike Smith, Leonard Hardy, Dent Kirkland and Travis Stanworth come forward to receive their certificates in Collection 11 & Restricted Waste Water Operator and Small Lagoons System Waste Water Operator. Mayor Bunker presented the certificates to the Public Works Employees and expressed appreciation for the work the men put forth in studying and obtaining certification in their responsibilities.

SCOTT P. BASSETT, PRINCIPAL, DELTA NORTH ELEMENTARY SCHOOL: REQUEST FOR INSTALLATION OF STOP SIGN AT 50 EAST 100 NORTH

Mr. Bassett addressed the Council to express his concerns regarding safety of children coming to school from the west. After crossing Center Street and passing the church building, there is a large church parking lot between the church and school. Mr. Bassett felt that installation of barriers along the north side of the church parking lot and a "stop" sign on 50 East at 100 North would provide more safety for children walking to school from the west. Mr. Bassett has approached church leaders to request installation of barriers along the north side of their parking lot, but has not received an answer from them at this time. Council Members discussed possible solutions to the safety problem, including use of traffic cones and determined that further study needs to be done to determine how to control vehicles cutting across the church parking lot to access the school parking lot. Council Members felt that the "stop" sign requested by Mr. Bassett should be installed.

City Attorney Richard Waddingham advised the Council that installation of a "stop" sign requires a recommendation from law enforcement and an ordinance for installation of the sign. Council Member Bloomfield suggested that an ordinance be written to include installation of the "stop" sign requested by Mr. Bassett, that the school proceed with painting the cross walk and that Public Works

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replace the "yield" at 100 North and Center Street with a "stop" sign.

Council Member Wesley Bloomfield MOVED to direct City Attorney Waddingham to prepare an ordinance authorizing installation of a "stop" sign on the southeast corner of 100 North 50 East and to authorize painting a stop line on the road at 100 North and 50 East. Also, to authorize the school to paint a cross walk from the church parking lot to the sidewalk along 50 East street. 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 unanimously.

COUNCIL MEMBER ROBERT BANKS: NOTCH PEAK VIEW SUBDIVISION PHASE ONE FINAL PLAT

Council Member Robert Banks advised the Council that the Planning & Zoning Commission had reviewed the Notch Peak View Subdivision Phase One Final Plat and had recommended that it be approved, subject to engineer approval of the sewer and storm drainage construction plan.

Council Member Wesley Bloomfield MOVED to approve Notch Peak View Subdivision Phase One Final Plat, subject to engineering approval of the sewer and storm drain plan and approval of all entities required on the plat. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR GAYLE BUNKER: OPENING REMARKS POLICY

Mayor Bunker noted that the Council has received an additional letter from Utah Athiests stating objection to the manner in which meetings have been conducted in the past. Council Member Bloomfield noted that the letter stipulates requirements for being in compliance with state law but also states their own opinion as to how the meetings should be conducted. Council Member Bloomfield suggested that the Council set a policy to draw a name from those who are in attendance to offer opening remarks at Council meetings.

City Attorney Waddingham outlined possible areas where the suggested policy could be construed as discriminatory. The Council felt that more time was needed to determine what opening remarks policy they want to adopt.

Council Member Wesley Bloomfield MOVED to table discussion on this matter at this time and be prepared to discuss policy proposals further and adopt a policy at the next Council meeting and instruct Mayor Bunker to respond to the letter received from Utah Atheists by indicating that the Council is working on the policy and it will be adopted as soon as possible. The motion was SECONDED by Council Member Margaret Dutson. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR GAYLE BUNKER: PROPOSED PURCHASE OF AUDIO EQUIPMENT FOR COUNCIL

CHAMBERS

Mayor Bunker noted that this item includes replacement of the meeting recorder, as well as the sound system in the Council Chambers. The meeting recorder and the sound system have been in service since the building was constructed over twenty years ago. Replacement of the recorder with compact disc technology would cost approximately \$6,600. Replacement of the sound system would cost approximately \$9,500. Mayor Bunker felt that it is important that those in attendance be able to hear what is being said by the Council. Council Member Bloomfield felt that unless the best technology is obtained, it will be outdated in just a few years and will be difficult to repair.

Following discussion, Council Member Wesley Bloomfield MOVED to accept the bid received from Sound Unlimited for renovation of the Council Chambers sound system, in the amount of \$9,491.00, and the bid from Vectra Solutions for replacement of the meeting recording system, in the amount of \$6,500.00. 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 Banks, Bloomfield, Curtis and Swalberg voting in favor and Council Member Dutson voting against.

MAYOR GAYLE BUNKER: SUGGESTIONS FOR VOLUNTEER TO BE HONORED DURING VOLUNTEER WEEK

Mayor Bunker provided a list of suggestions for volunteers to be honored during Volunteer Week, April 18-24, 2004. Mayor Bunker noted that this list was just a short list which could be added to by anyone who has a suggestion. Council Member Margaret Dutson suggested Roberta Dutson be added to the list for her service at the extended care facility. Mayor Bunker felt that we should make this an on-going honor and select two individuals to honor each year. Council Members discussed the community service provided by numerous individuals in the area.

Following discussion, Council Member Margaret Dutson MOVED to honor Roma Thomas and Charlotte Morrison during Volunteer Week this year. 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 unanimously.

MAYOR GAYLE BUNKER: PROPOSED CURB, GUTTER AND SIDEWALK REPLACEMENT POLICY

Council Members discussed a proposed curb, gutter and sidewalk policy which had been provided by Mayor Bunker. Council Member Dutson expressed concern that some individuals have paid the full cost of replacement, some have paid a portion of the cost and others have paid none of the cost. Council Member Dutson requested that a policy be adopted which will encourage residents to make those improvements to their property with the City paying a portion of the cost, if the improvements are installed within a stated period of time.

Mayor Bunker stated that this item is on the agenda for discussion only and encouraged Council Member Dutson to prepare a draft policy to be discussed at the next Council meeting. Council

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Member Bloomfield told the Council that he had contacted several Utah cities, of comparable size, to see what their curb & gutter policies were. He found that all of them had policies which required the owner paying 100% of the cost or that taxes be increased to pay for the improvements.

Mayor Bunker noted that the only way the City can force property owners to install curb, gutter and sidewalk is to form a special improvement district, with the majority of the affected property owners voting in favor of the special improvement district. Council Member Glen Swalberg stated that Milford had installed curb, gutter and sidewalk throughout their town and increased taxes to pay for the improvements.

PUBLIC WORKS DIRECTOR ALAN RIDING: UPDATE ON PUBLIC WORKS PROJECTS

Public Works Director Alan Riding reported that the Fire Department is currently flushing fire hydrants to measure water flow for insurance rating purposes. The flushing has stirred up the water in some of the lines and caused some discoloration. The water is still safe but those who have discolored water should let it run for a few minutes until it runs clear. Notices have been published in the local newspaper and will be published again next week.

The City Park waterfall project is beginning to take shape. The dirt work has been completed to form the base elevation for the stream bed and the Public Works crew has been hauling rocks from Topaz Mountain. The rocks will be stacked and used to construct the base for the waterfall. The water tank and pipe to feed the stream has also been installed.

The contractor who has been cleaning sewer mains is in town cleaning more lines. They are getting close to being completed and have removed a great deal of debris from the lines. The sewer lines are probably in better shape than they have been since they were first installed, but some problems were found which may need to have camera work done to isolate the problem areas so they can be repaired. This will ultimately extend the life of the lines.

The airport project has been completed. All of the parts have arrived and have been installed. There are a few small items which need to be completed but the system is fully functional. The engineer will be here on April 9th to do a final inspection on this project and a pre-bid on the project for next year. This will complete the lighting of runways and taxiways.

Public Works Directing Riding asked Council Members to think about the possibility of erecting "Business License Required" signs at the entrance to Delta informing out-of-town sales people that they must obtain a business license. Mayor Bunker requested that City Attorney Waddingham assist in determining wording for the signs.

The Utah Department of Transportation has asked if the City Council would like them to conduct a study to determine whether the traffic light on Main Street is still necessary. Council Members felt that if a study were to show that the traffic light is not warranted, we may be in danger of losing it. Prior to making a decision as to whether or not to request the survey, Public Works Director Riding was instructed to ascertain whether a survey showing that the traffic light is not warranted would result in the State removing the light.

Mayor Bunker asked when clean up days should be scheduled. Council Member Bloomfield suggested that the Public Works Department determine the best time and advise Mayor Bunker so that clean up can be scheduled when convenient for the Public Works employees.

Public Works Director Riding advised the Council that he is working on a water conservation plan inasmuch as he found that it was supposed to have been done in 1999. In working on the plan, he has been discussing the possibility of renting surplus water rights to farmers who could use the water not currently being utilized for culinary purposes. Public Works Director Riding requested input from the Council as to whether these rights should be offered for bid or a rental price be set. Council Members felt that the rights should be offered for bid, in minimum 500 acre foot blocks, with the option to reject any and all bids and the provision that the water cannot be sub-let or sub-leased.

Council Member Bloomfield asked Public Works Director Riding about results of arsenic removal tests in the water system. He reported that one company is shipping their samplers back to repeat tests of the Deseret-Oasis water system because the results were not as good as they desired. Another company's test results were very good with a pH adjustment.

Mayor Bunker reported that he had received complaints of motorcycles riding on private property on the west side of the new extended care facility near White Sage Subdivision. Mayor Bunker asked if there was anything that could be done to control riding in the brush on private property. City Attorney Waddingham advised the Council that the riders could be cited under the disorderly conduct statute for creating unreasonable noise in a private place which can be heard in a public place. City Attorney Waddingham will discuss the matter with law enforcement personnel and ask them to patrol more closely in that area and advise them as to citations which could be issued.

OTHER BUSINESS

Council Member Margaret Dutson distributed copies of a budget proposal from Jackie Nielson of the Youth and Families with Promise program. Ms. Nielson is attempting to raise an additional \$5,000 in funding for the program and has asked Delta City to assist in raising those funds. City Attorney Waddingham advised the Council that the City must receive dollar for dollar value for any funds expended. City Attorney Waddingham will research the supreme court decision on this matter and report back at the next Council meeting.

City Recorder Gregory Schafer reported that he has completed the request for proposal for re-codification of our ordinances. He noted that \$10,000 had been budgeted for codification and the process will take approximately one year for completion. The codification will include all ordinances, will provide ten ring-bound copies, on-line access and will require on-going service for amendments and changes in ordinances. City Recorder Schafer requested that City Attorney Waddingham review the request for proposal so that it can be sent out.

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Mayor Bunker noted that we will begin planning for Fourth of July festivities in the near future and asked Council Members to be thinking about how returning service men and women could be honored during the celebration.

Mayor Bunker advised Council Members that La Pasadita was recently cited for selling alcohol to minors and for selling tobacco products without a State of Utah stamp. Mayor Bunker asked City Attorney Waddingham if any action could be taken regarding a sixteen year old person being the only cashier in the store without having the beer cooler locked. City Attorney Waddingham advised the Council that they need to decide whether to take action on the business license at this time or whether to wait until court action on the violation has been completed. City Attorney Waddingham will do some research to determine what the state law requires for tobacco sales by underage persons.

Mayor Bunker asked if there were any comments, questions or other items to be discussed. There being none, Council Member Wesley Bloomfield MOVED to adjourn the meeting. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Bunker declared the meeting adjourned at 9:13 p.m.



GAYLE BUNKER, Mayor



GREGORY JAY SCHAFFER, CMC, City Recorder

MINUTES APPROVED: RCCM 04-01-04

