

CITY OF DELTA, UTAH
REGULAR CITY COUNCIL MEETING
MARCH 17, 2005

PRESENT

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

ABSENT

Bruce Curtis	Council Member
Richard Waddingham	City Attorney

ALSO PRESENT

Alan Riding	Public Works Director
Ken Clark	Asst. Public Works Director
Gregory Jay Schafer	City Recorder
Mike Barney	Contractor
Grant & Louise Nielson	City Residents
Pam & Rosie Goodrich	County Residents
Tom & Anita Rucker	City Residents
Bill Nelson	City Resident
Steve Wilstead	City Resident
Rita Byrd	Public Works Secretary
Cody Schafer	Boy Scout

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 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 Glen Swalberg offered opening remarks following which Mayor Bunker led those in attendance in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Public Hearing held February 17, 2005 were presented for consideration and approval. Following review, Council Member Wesley Bloomfield MOVED to approve the minutes of the Public Hearing held February 17, 2005, as presented. 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.

The proposed minutes of a Regular City Council Meeting held February 17, 2005 were presented for consideration and approval. Following review, Council Member Glen Swalberg MOVED to approve the minutes of the Regular City Council Meeting held February 17, 2005, 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 Wesley Bloomfield MOVED to approve the accounts payable dated, March 17, 2005, in the amount of \$77,450.81. 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.

UNFINISHED BUSINESS

There were no items of unfinished business on the agenda.

NEW BUSINESS

PAM GOODRICH: TOBACCO FREE PARKS

Pam Goodrich introduced her daughter Rosie, who has been traveling throughout Millard County with her mother to assess parks in the area. Mrs. Goodrich reported that the public health push at this time, in the war against tobacco use, is limiting exposure to smoking as much as possible. The program is currently working to limit children's exposure to smoking in outdoor areas. Many communities throughout the United States are adopting tobacco free policies for their parks and outdoor arenas. Mrs. Goodrich distributed sample tobacco free policies for review by the Council, noting that some areas are assessing fines for smoking in public parks, some are setting aside playground areas as smoke free zones, and some are designating smoking areas in parks. Mrs. Goodrich encouraged the Council to consider making the city parks tobacco free and asked that the Council advise her as to their decision. Council Members felt that they would like to know what the community feeling is regarding possible tobacco free parks in our area. Council Members thanked Mrs. Goodrich and her daughter for their presentation and decided they would discuss this issue further at a later date.

GRANT NIELSON: TOPAZ CONDOMINIUMS, PHASE FOUR, FINAL PLAT

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Mayor Bunker advised the Council that it had been noted today that the final plat does not include two sewer line easements but, other than that item, the final plat appears to be in order. Mike Barney, contractor for Topaz Condominiums asked if approval could be given, subject to having the two easements included on the plat prior to obtaining signatures and having the plat recorded. Mayor Bunker recommended that the plat be approved subject to the two easements being included on the plat.

Following review, Council Member Wesley Bloomfield MOVED to approve Topaz Condominiums, Phase Four, Final Plat with the condition that the two sewer easements be drawn on the final plat prior to obtaining required signatures and filing the plat. 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 ZONE CHANGES FOR DEVELOPMENT DISTRICTS

Mayor Bunker noted that a public hearing had been held regarding these proposed zone changes on February 17, 2005 after which Council Members requested time to study the proposed zone changes prior to taking any action to adopt the changes. The matter has been put on the agenda at this time for approval. Mayor Bunker noted that the proposed zone changes reflect how property in the various areas is being developed and used at this time. Mayor Bunker reviewed the proposed zone changes and noted that the changes will provide for better regulation of growth in those areas. The current development zones were put into effect approximately twenty-five years ago, prior to the areas being developed as they are at this time.

Mayor Bunker invited Tom Rucker to address the Council regarding his concern for the zone change which is proposed for his property located adjacent to Highway 50. Mr. Rucker would like his property to remain zoned Rural Residential because he cannot understand why the zone change is necessary. In addition, he has concern regarding business being invited to build along the highway rather than in the downtown area.

Council Members felt that they needed additional time to discuss and study the matter prior to making a decision.

Following review, Council Member Wesley Bloomfield MOVED to table a decision on this matter until the next meeting of the City Council in order to allow additional study prior to making a decision. 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.

COUNCIL MEMBER ROBERT BANKS: PROPOSED DELTA CITY MASTER ANNEXATION POLICY PLAN

Council Member Robert Banks advised Council Members that the Planning & Zoning Commission

had reviewed the proposed Delta City Master Annexation Policy Plan and the corresponding annexation map, which includes the area within an approximate five mile radius of existing city boundaries. The Planning & Zoning Commission has recommended that the proposed plan and corresponding annexation map be adopted by the City Council. Council Members reviewed the annexation policy plan and map.

Following review, Council Member Wesley Bloomfield MOVED to approve adoption of the Delta City Annexation Policy Plan and corresponding Annexation Map, 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.

MAYOR GAYLE BUNKER: CITY PARK PROJECT LIGHTS AND TREES

Mayor Bunker suggested that two or three lights be purchased, similar to the ones we currently have in the parking area of the City Building, to be installed near the waterfall and stream bed in the City Park to light up that area at night. Council Member Wesley Bloomfield felt the additional lighting in the park would be very nice. Mayor Bunker also suggested that the area on the north side of the waterfall be designated as an area where individuals or groups can purchase and plant trees in memory of a loved one who has passed away. He proposed that plaques be erected by the trees to honor those who have purchased the trees and that the Landscape Committee be given responsibility to identify what types of trees should be placed in the area. After a tree has been purchased, our Public Works Department would plant and care for the trees. Council Members determined that the project would work better if funds for a tree were donated to Delta City, then the tree can be purchased and planted by Delta City on behalf of the individual or group who wishes to donate a tree.

Following review, Council Member Wesley Bloomfield MOVED to authorize the Mayor and Public Works Department to purchase and install lighting fixtures in the City Park and to establish a program whereby residents can donate funds for purchase of trees to be planted in the City Park and to have plaques erected honoring those who have donated those trees. 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.

CITY RECORDER GREGORY SCHAFFER: LAPEL PINS

City Recorder Gregory Schaffer requested approval to order 500 lapel pins decorated with the Delta City logo for \$500, or 1,000 pins for \$800.

Following review, Council Member Robert Banks MOVED to authorize purchase of 1,000 Delta City lapel pins at a cost of \$800. The motion was SECONDED by Council Member Wesley Bloomfield. 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.

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CITY RECORDER GREGORY SCHAFFER: BUSINESS LICENSING ENFORCEMENT

City Recorder Gregory Schaffer reported on the efforts which have been made to bring unlicensed businesses into compliance with our licensing ordinance. A number of letters were sent out in January, with several of the recipients responding by licensing their businesses, others have made contact but not yet licensed and still others have protested the requirement for licensing. City Recorder Schaffer requested guidance from Council Members as to whether another letter should be sent requesting compliance or whether the list of individuals who have not licensed should be forwarded to the City Attorney for handling. In addition, he requested direction as to whether or not piano instructors will be required to obtain business licenses.

Council Member Wesley Bloomfield felt that our licensing ordinance should be enforced in the interest of fairness to all businesses. If we are going to require licenses for some businesses, we need to require them for all businesses. Council Member Robert Banks agreed that licensing needs to be fair for all businesses but felt that a \$35.00 licensing fee for piano teachers is high and suggested a \$20 fee for licensing piano teachers. There was lengthy discussion as to licensing fees and the discretion left to the Mayor to reduce or waive fees on an individual basis.

Following discussion, Council Member Wesley Bloomfield MOVED to approve the discussed business license fee structure and require licensing for any person or entity conducting business, as described in the Delta City Business License Ordinance. The motion died for lack of a SECOND.

Following further discussion, Council Member Wesley Bloomfield MOVED to table further discussion of this matter until the next meeting of the City Council. 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.

ASSISTANT PUBLIC WORKS DIRECTOR KEN CLARK: PROPOSED PURCHASE OF BUDGETED WATER SERVICE TRUCK

Assistant Public Works Director Ken Clark advised the Council that the purchase of a new water service truck was discussed during the budgeting process last year, resulting in \$40,000 being set aside for purchase of the vehicle. Asst. Public Works Director Clark called attention to bids for the vehicle which had been received and placed in Council Members' meeting packets. The Public Works Department is requesting approval to purchase a four door, ½ ton, four wheel drive pickup, which would have adequate room to take several employees to classes, conferences or job sites. From the bids received, the Public Works Department feels that the Ford F-150 pickup is the best buy, after having dropped the Dodge pickup from consideration due to lack of cab size. The Chevrolet pickup bid was approximately \$750 more than the Ford. Assistant Public Works Director Clark requested approval to purchase the Ford F-150 four door, four wheel drive pickup at a price of \$24,243. Assistant Public Works Director Clark also requested approval of additional funds for

purchase of tool box, emergency lights and grill guard for installation on the pickup.

Council Member Wesley Bloomfield MOVED to approve purchase of a new water service truck as bid by Sahara Motors for a 2005 Ford F-150 four door, four wheel drive pickup at a price of \$24,243. 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.

PUBLIC WORKS DIRECTOR ALAN RIDING: REQUEST FOR AUTHORIZATION TO WRITE OFF UNCOLLECTIBLE UTILITY ACCOUNTS

Public Works Director Alan Riding advised the Council that there are currently twelve water/sewer accounts which are considered uncollectible, in the total amount of \$1,652.83, of which \$734.59 is accrued penalties. Extensive efforts have been made to collect the accounts but for numerous reasons, which are included on the list of accounts, it is deemed that the accounts are uncollectible. If, at some time in the future, any of these individuals request water/sewer service, they will be required to pay these balances prior to receiving new service. Public Works Director Riding requested permission to write off the accounts included on the list.

Following review, Council Member Wesley Bloomfield MOVED to authorize the list of uncollectible utility accounts, in the amount of \$1,652.83, to be written off. 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.

PUBLIC WORKS DIRECTOR ALAN RIDING: REQUEST FOR PURCHASE OF BUDGETED PARKS DEPARTMENT LAWN MOWER

Public Works Director Alan Riding discussed two bids which had been received for purchase of a parks department lawn mower. This lawn mower purchase is included in the budget for the current year at \$15,000. Public Works Director Riding suggested that a sunshade be purchased for the mower, at a price of \$130.

Following review, Council Member Glen Swalberg MOVED to approve purchase of a Grasshopper Lawn Mower from Rocky Mountain Turf at a price of \$14,120 and a sunshade at a price of \$130. 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.

PUBLIC WORKS DIRECTOR ALAN RIDING: UPDATE ON PUBLIC WORKS PROJECTS

Public Works Director Alan Riding reported that the past couple of weeks have been spent finishing installation of the storm drain on 450 North Street. There are two inlet boxes yet to be installed, as

well as a fire hydrant, which will be done as soon as locations have been staked by the engineer. This project is a cooperative effort between Delta City and Millard School District, with the city supplying labor and the school district providing materials. The project should be completed later this year.

The new sewer camera has been received and was used earlier this week to determine the cause of a sewer problem which came up over the weekend. In addition, the camera has been used to check some other trouble spots in the system to determine what needs to be done to alleviate those problems.

The concrete around the skate park will be poured in the next week or two. The ground is almost dry enough to do the concrete work.

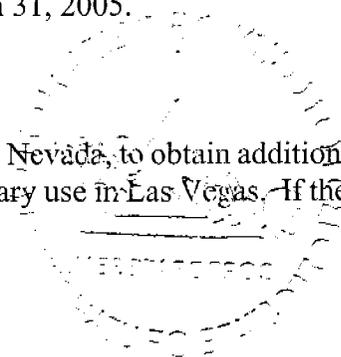
Water needs to be drained from the water tank in the White Sage Subdivision area so that an inspection and repairs can be done prior to the summer water usage season. It is hoped this project can be completed within the next few weeks.

OTHER BUSINESS

Council Member Wesley Bloomfield reported that he had attended the most recent meeting of Mayors and County Commissioners. Council Member Bloomfield noted that there was a discussion regarding the cricket infestation which is predicted this summer. Cricket bait is being sold by the County for \$15.00 per bag. The County will also be spraying for the crickets. In addition, they discussed the problem with emergency calls to the 9-1-1 system from cellular telephones. When emergency calls come in via cellular telephone, the 9-1-1 system cannot provide the location the call is originating from. Currently, Millard County is working on a GPS addressing system which can be utilized for cellular telephone calls. The County has a group who will be spraying noxious weeds along roadways for a nominal fee. Millard County is attempting to get the wilderness study area designation removed from several areas in the western desert of Millard County. They are working with people in Washington County, who are dealing with the same issue, to get Congress to consider removal of the designation.

Mayor Bunker reported that he, along with Council Member Dutson, Ken Clark and Karen Johnson, will be attending the CERT Mock Disaster being held in Moab on April 8th and 9th. Mayor Bunker noted that, for this reason, the Regular City Council Meeting scheduled for April 8th will be canceled and a Special City Council Meeting will be held on Thursday, March 31, 2005.

Mayor Bunker discussed the attempt by Clark County and Las Vegas, Nevada, to obtain additional water appropriations from White Pine and Lincoln Counties for culinary use in Las Vegas. If they

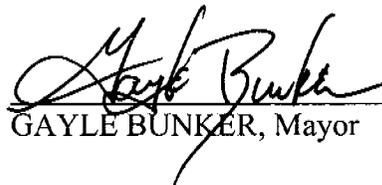


are successful in obtaining water from those counties, they will be allowed to obtain additional Colorado River water. Millard County Commissioners attended a meeting held at West Desert High School because allowing these appropriations will affect wells in the Garrison and Eskdale area, and possibly even in the Delta area.

Council Member Robert Banks noted that City Councils in communities around the state are doing something special for the men and women returning from the war in Iraq. He expressed a desire to recognize in City Council or do something in the City to let local individuals know how much we appreciate their service and safe return. Mayor Bunker noted that most of those celebrations have taken place in cities where National Guard units are located. Mayor Bunker also mentioned that we occasionally hear about individuals returning but, most often, we are not aware until they have been back for some time. Mayor Bunker felt that we should recognize those individuals, but we must be careful to not omit anyone. Many of our citizen soldiers get called to active duty and we never know about them. It would be much easier when an entire unit returns to the area but all of our soldiers are associated with different units located throughout the state.

Mayor Bunker asked if there were any comments, questions or other items to be discussed. There being none, Council Member Margaret Dutton MOVED to adjourn the 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 unanimously.

Mayor Bunker declared the meeting adjourned at 8:54 p.m.



GAYLE BUNKER, Mayor



GREGORY JAY SCHAFFER, CMC, City Recorder

MINUTES APPROVED: SCCM 03-31-05

