

CITY OF DELTA, UTAH
REGULAR CITY COUNCIL MEETING
AUGUST 18, 2005

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
Gregory Jay Schafer	City Recorder

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 Wesley Bloomfield 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 July 21, 2005 were presented for consideration and approval. Following review, Council Member Robert Banks MOVED to approve the minutes of the Regular City Council Meeting held July 21, 2005, as presented. 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.

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 Bruce Curtis MOVED to approve the accounts

City of Delta, Utah Regular City Council Meeting Minutes 08-18-05
Page 2

payable dated August 18, 2005, in the amount of \$401,872.75. 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

COUNCIL MEMBER ROBERT BANKS / JOSHUA NELSON: PROPOSED SINGLE LOT SUBDIVISION LOCATED AT APPROXIMATELY 470 NORTH 350 EAST

Council Members reviewed the plat for Nelson One Lot Subdivision located on 350 East at approximately 470 North. The property is located in the A-1 zone, which requires minimum lot size of one acre. Mr. Nelson has been instructed to have the plat redrawn to show the utility easements on the property. The Planning & Zoning Commission has reviewed the proposed single lot subdivision and recommended approval, subject to the plat being redrawn to include utility easements.

Following review, Council Member Wesley Bloomfield MOVED to approve the single lot subdivision requested by Joshua Nelson, located at approximately 470 North 350 East, subject to providing a plat showing utility easements on the property and an agreement to provide improvements on the property as per subdivision ordinance requirements. The motion was SECONDED by Council Member Glen Swalberg. Mayor Bunker asked if there were any comments or questions regarding the motion. City Attorney Richard Waddingham advised the Council that there is no requirement under state law for recording subdivision plats on subdivisions of less than ten lots. Other procedures are outlined to replace recording plats under ten lots. City Attorney Richard Waddingham suggested amending our procedures to comply with state law will make the process less cumbersome and time consuming. Mayor Bunker asked if there were any other comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR GAYLE BUNKER: LIMITING STREET PARKING ON 450 NORTH STREET BY DELTA HIGH SCHOOL SOCCER / FOOTBALL FIELD

Mayor Bunker stated that he had mixed feelings about limiting parking on 450 North Street; he first thought parking should be restricted on the south side of the street, then later thought that may not be a good idea. Council Members discussed the difficulty of seeing children on the sidewalk when vehicles are parked along the street. Mayor Bunker requested that Council Members observe activity on the street and be prepared to discuss the matter further at the next meeting. City Attorney Waddingham stated that the Council could have the Millard County Sheriff's Office do a speed study to determine whether the speed limit should be reduced on the street.

Council Member Wesley Bloomfield MOVED to have Public Works Director Alan Riding contact Millard County Sheriff's Office to request a speed study be conducted along 450 North Street to determine whether the speed limit should be reduced to 20 miles per hour and that signs be installed indicating only parallel parking is allowed on 450 North Street. 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: ORDINANCE NO. 05-222, AN ORDINANCE RESTRICTING OVERNIGHT PARKING ON CITY PROPERTIES

Council Members reviewed the following proposed ordinance:

ORDINANCE NO. 05-222

AN ORDINANCE REGULATING THE OVERNIGHT PARKING OF VEHICLES ON DELTA CITY STREETS AND OTHER CITY PROPERTY

Mayor Bunker explained that this ordinance prohibits overnight parking of recreational vehicles on Delta City park property and restricts parking on Delta City streets without a parking permit issued by Delta City. Mayor Bunker reviewed the proposed Special Event Permit and Parking Permit which have been provided for review by Council Members.

Following review, Council Member Wesley Bloomfield MOVED to adopt Ordinance No. 05-222, an ordinance regulating the overnight parking of vehicles on Delta City streets and other City property. 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 roll call vote. The vote was as follows:

Robert Banks	Yes
Wesley Bloomfield	Yes
Bruce Curtis	Yes
Robert Droubay	Yes
Glen Swalberg	Yes

The motion passed unanimously.

MAYOR GAYLE BUNKER: ORDINANCE NO. 05-223, AN ORDINANCE ADOPTING FINANCE DISCLOSURE REGULATIONS FOR POLITICAL CANDIDATES

Council Members reviewed the following ordinance:

ORDINANCE NO. 05-223

AN ORDINANCE OF THE CITY OF DELTA, UTAH REPEALING ORDINANCE NO. 01-196 IN ITS ENTIRETY AND ADOPTING A NEW ORDINANCE ESTABLISHING CAMPAIGN FINANCE DISCLOSURE REQUIREMENTS

Mayor Bunker noted that this ordinance adopts new requirements which have been set forth by the state for political candidate campaign finance disclosure.

Following review, Council Member Wesley Bloomfield MOVED to adopt Ordinance No. 05-223, an ordinance of the City of Delta, Utah repealing Ordinance No. 01-196 in its entirety and adopting a new ordinance establishing campaign finance disclosure requirements. 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 roll call vote. The vote was as follows:

Robert Banks	Yes
Wesley Bloomfield	Yes
Bruce Curtis	Yes
Margaret Dutson	Yes
Glen Swalberg	Yes

The motion passed unanimously.

PUBLIC WORKS DIRECTOR ALAN RIDING: UPDATE ON PUBLIC WORKS PROJECTS

Public Works Director Alan Riding reported that 450 North Street has been completed and is ready for school traffic.

Several of the new airport taxiway lights were vandalized last weekend. It appears that someone with a bat or club of some type broke out several lights on each side of the taxiway. The lights have been repaired, at a cost of \$200 - \$300, using old parts for repairs. If new parts had been purchased, the repair cost could have been \$2,000 - \$3,000. Public Works Director Riding indicated that vandalism of airport property is a federal offense. Mayor Bunker suggested that signs be erected at the airport indicating that damage of any property is a federal offense. If additional damage is found, a video camera will be installed to monitor activity at the facility.

Public Works Director Riding stated that he and City Attorney Waddingham have been negotiating a new contract with Verizon Airfone. Verizon leases a building and tower on the airport property and the previous lease will expire at the end of August. The new contract will be written which will include automatic increases in the lease price by 2 ½% per year and automatic renewal if lease payments are made in a timely manner.

OTHER BUSINESS

Mayor Bunker advised Council Members that the lights which were ordered for the waterfall area of the park have been received but have not been installed. Mayor Bunker has questioned whether the lights are necessary in that area. He recently spent some time in the park after dark and felt there is adequate light without the additional lights. Mayor Bunker requested that Council Members take the time to visit the park after dark to see if they feel additional light is needed. Mayor Bunker felt there may be other areas in the park where the lights could be put to better use.

Mayor Bunker reported that eighteen new trash containers have been ordered to be placed throughout the parks. The containers will match the concrete trash containers along Main Street.

Mayor Bunker referred to copies of a letter which City Attorney Waddingham had sent to Marlin Yates regarding an airport hangar lease. Mr. Yates has not renewed his hangar lease and it has been determined that payment on the lease has not been received for several years. Mayor Bunker received a call from Mr. Yates after he received the letter. Mr. Yates acknowledged that he had not paid his lease payment for nine years and blamed the error on an accountant who overlooked the payment. Mr. Yates agreed that he was in arrears and offered to pay the missed lease payments, along with interest and penalties, and requested that he be allowed to sign a new lease. Council Members discussed possible terms for a new lease. Council Members agreed to collect funds which are in arrears and negotiate a new contract with Mr. Yates and, in the event he does not agree to the terms presented, take the property under the terms of the original lease agreement.

Mayor Bunker asked if Council Members had noticed the change in parking at the Delta Middle School. Mayor Bunker felt that the change made a much better situation for dropping children off at school but he and Public Works Director Riding had some concerns about all of the traffic being diverted onto 150 East, which is a narrow, residential, dead end street with no turnaround. Mayor Bunker and Public Works Director Riding approached the School District about their concerns last week. We will monitor the situation this year to see how it works but the School Board has been made aware of our concerns.

Mayor Bunker reported that title to the Law property was recorded last week. Mr. Law has one year to clean up the property, after which Delta City will have the right to remove and dispose of any remaining property.

City of Delta, Utah Regular City Council Meeting Minutes 08-18-05
Page 6

Mayor Bunker and City Attorney Waddingham have discussed forming a 501 charitable trust to improve eligibility for grants, low interest loans, etc. for construction of a building on the recently purchased Law property. The two museum boards are already classified as 501 charitable trusts. The Topaz Museum Board is still negotiating for purchase of one additional parcel of property.

Mayor Bunker noted that in May, 1980, the City Council took action to no longer allow water or sewer service to residences located outside Delta City limits. The state has put new restrictions on water rights requiring that the rights be utilized or they will be forfeited. Mayor Bunker asked Council Members whether they were favorable to allow water access to individuals outside Delta City limits, inasmuch we currently have water which is not being utilized.


Mayor Bunker told Council Members that he had talked with Senator Orrin Hatch when the Senator was in Delta on Tuesday. The topic of discussion was the new drinking water arsenic standards. Senator Hatch did not give much encouragement, noting that they do not have sufficient votes in Congress to overturn the EPA on the arsenic standards. He did ask Mayor Bunker to send him information regarding the cost of meeting the new standards and reasons why we feel that the requirements should not be enforced.

Mayor Bunker said that he had been approached by the Six County Association of Governments regarding low income housing. The 1,000 - 1,200 square foot homes are constructed and rented to moderate income families who rent the home for fifteen years then have the right to purchase it. Homes have been constructed in Sevier and Sanpete Counties; Mayor Bunker was asked if we would be interested in having homes constructed in Delta City. Mayor Bunker asked Council Members to talk about the program to determine whether there would be any interest in our area.

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.

City of Delta, Utah Regular City Council Meeting Minutes 08-18-05
Page 7

Mayor Bunker declared the meeting adjourned at 8:10 p.m.


GAYLE BUNKER, Mayor


GREGORY JAY SCHAFFER, City Recorder

MINUTES APPROVED: RCCM 09-01-05

