

CITY OF DELTA, UTAH
REGULAR CITY COUNCIL MEETING
FEBRUARY 16, 2006

PRESENT

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| Gayle Bunker | Mayor |
| Robert Banks | Council Member |
| Kiley Chase | Council Member |
| Bruce Curtis | Council Member |
| Glen Swalberg | Council Member |
| Betty Jo Western | Council Member |

ABSENT

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| Richard Waddingham | City Attorney |
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ALSO PRESENT

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| Alan Riding | Public Works Director |
| Ken Clark | Asst. Public Works Director |
| Gregory Jay Schafer | City Recorder |
| Travis Stanworth | City Employee |
| Betty Carter | City Resident |
| Carl & Nancy Anderson | City Residents |
| Chris Hansen | City Resident |
| Michael Burr | Boy Scout |
| Joseph Visser | 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 Kiley Chase 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 February 2, 2006 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 2, 2006, as presented. 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.

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 Kiley Chase MOVED to approve the accounts payable dated February 16, 2006, in the amount of \$71,104.39. 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 unanimously.

UNFINISHED BUSINESS

MAYOR GAYLE BUNKER: RESOLUTION ELIMINATING THE DITCH TAX AND ADOPTING A USER FEE FOR THE UPCOMING IRRIGATION SEASON

Mayor Bunker asked Public Works Director Alan Riding to review the annual cost of providing irrigation water to users. Public Works Director Riding noted that the City has paid a major share of the cost of providing irrigation water for residents' use and this resolution would shift the cost of providing the irrigation water to those who use it rather than all taxpayers sharing the cost of providing the service. The cost of providing irrigation water is approximately \$15,790 per year, which includes cost of operating the vehicle, propane for ditch maintenance, and approximately \$3,000 in wages. The ditch tax and water rental fees collected each year amount to about \$1,700 as an offset of the \$15,790 expenditure. It is suggested that the ditch tax of \$35 be eliminated and a user fee of \$100 be adopted in order to shift more of the cost of irrigation water to those who utilize the irrigation system. This increase will only result in collection of approximately \$6,000, compared to the \$1,700 collected in the past.

Mayor Bunker advised Council Members that each of them had received a copy of a letter which had been sent to all irrigation users advising them of this proposal being discussed at this meeting. Mayor Bunker invited those irrigation users present at the meeting to comment on the matter. City Resident Chris Hansen asked how much irrigation water the school district and Delta City use and requested copies of expenditures for past years. Public Works Director Riding responded that the school district uses approximately 13.34 acre feet (running a two foot stream for eight hours) and the city uses approximately 21.67 acre feet (running a two foot stream for thirteen hours). Mr. Hansen requested written figures of expenditures for the past five years to use for comparison.

Nancy Anderson stated that she is concerned about the cost of raising a garden if she is required to pay a \$100 user fee, in addition to seeds, tilling, fertilizer, etc. She questioned what the city would do if thirty of the sixty irrigation water users decided that they could not afford the cost of irrigation water. Mayor Bunker told Mrs. Anderson that the possibility of people deciding not to use irrigation water has been discussed and thanked her for her comments.

Mayor Bunker recommended that no action be taken on this matter at this time and that Council Members think about comments made this evening and put the matter on the agenda for discussion at the next meeting.

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Council Member Glen Swalberg MOVED to table further discussion and action on this matter until the next meeting of the City Council. 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: ARTICLES OF INCORPORATION FOR PROPOSED CIVIC CENTER

Mayor Bunker stated that the purpose of providing Articles of Incorporation for the proposed civic center is to form a tax exempt foundation which would be entitled to grants and other funding. Mayor Bunker noted some changes which need to be made to the proposed Articles of Incorporation.

Mayor Bunker presented the following resolution:

RESOLUTION NO. 06-304

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DELTA, UTAH
AUTHORIZING DELTA CITY TO BECOME A PARTY TO BUILDING THE DELTA CITY
CIVIC CENTER, ESTABLISHING THE DELTA CITY CIVIC CENTER FOUNDATION,
AND AUTHORIZING EXECUTION OF DOCUMENTS ON BEHALF OF DELTA CITY TO
CARRY OUT SUCH PURPOSE.

Following review, Council Member Glen Swalberg MOVED to adopt Resolution No. 06-304, as corrected, adopting Articles of Incorporation for the proposed civic center. 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 roll call vote. The vote was as follows:

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| Robert Banks | Yes |
| Kiley Chase | Yes |
| Bruce Curtis | Yes |
| Glen Swalberg | Yes |
| Betty Jo Western | Yes |

The motion passed unanimously.

ASSISTANT PUBLIC WORKS DIRECTOR KEN CLARK: ADOPTION OF DELTA CITY EMERGENCY OPERATIONS PLAN

Mayor Bunker reviewed the following resolution:

RESOLUTION NO. 06-305

A RESOLUTION OF THE CITY COUNCIL OF DELTA, UTAH ADOPTING THE DELTA
CITY EMERGENCY OPERATIONS PLAN

Mayor Bunker noted that all Council Members had been given a copy of the Delta City Emergency Operations Plan at the previous meeting and were asked to review the plan to determine whether it could be adopted at this meeting. Council Members discussed updating telephone lists, ambulance roster and fire department rosters. It was determined that the document will be updated in January of each year with new lists and rosters to be included at that time.

Following discussion, Council Member Bruce Curtis MOVED to adopt Resolution No. 06-305, a resolution of the City Council adopting the Delta City Emergency Operations Plan.. 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 voting was as follows:

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|------------------|-----|
| Robert Banks | Yes |
| Kiley Chase | Yes |
| Bruce Curtis | Yes |
| Glen Swalberg | Yes |
| Betty Jo Western | Yes |

The motion passed unanimously.

MAYOR GAYLE BUNKER: ORDINANCE AMENDING THE DELTA CITY ZONING
ORDINANCE BY DISSOLVING THE BOARD OF ADJUSTMENT AND TRANSFERRING
THOSE RESPONSIBILITIES TO THE CITY COUNCIL

Council Members reviewed the following ordinance:

ORDINANCE NO. 06-227

AN ORDINANCE AMENDING THE REVISED ORDINANCES OF DELTA CITY (1981 EDITION) AS AMENDED, ("DELTA CITY ORDINANCES") TITLE 1, CHAPTER 12, SECTION 330, ENTITLED "BOARD OF ADJUSTMENT" BY DISSOLVING DELTA CITY'S CURRENT BOARD OF ADJUSTMENT AND ESTABLISHING THE DELTA CITY COUNCIL AS THE NEW BOARD OF ADJUSTMENT.

Mayor Bunker noted that the Council had recently agreed to dissolve the Board of Adjustment as suggested by recent changes to land use management laws. Responsibilities previously handled by the Board of Adjustment will be transferred to the City Council.

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Following review, Council Member Robert Banks MOVED to adopt Ordinance No. 06-227, an ordinance amending the Revised Ordinances of Delta City (1981 Edition) as amended, (Delta City Ordinances”) Title 1, Chapter 12, Section 330, entitled “Board of Adjustment” by dissolving Delta City’s current Board of Adjustment and establishing the Delta City Council as the new Board of Adjustment. The motion was SECONDED by Council Member Kiley Chase. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

| | |
|------------------|-----|
| Robert Banks | Yes |
| Kiley Chase | Yes |
| Bruce Curtis | Yes |
| Glen Swalberg | Yes |
| Betty Jo Western | Yes |

The motion passed unanimously.

NEW BUSINESS

PUBLIC WORKS DIRECTOR ALAN RIDING: UPDATE ON PUBLIC WORKS PROJECTS

Public Works Director Alan Riding reported that Council Members had toured proposed sites for placement of the new “Welcome to Delta” signs and decided that one of the signs should be placed along Highway 6 across from the airport. That sign will be erected as soon as possible

Preparations are being made for the annual Snow Goose Festival. Public Works employees are currently working on putting up the banners along Main Street.

Public Works employees are also involved in equipment maintenance, making sure that equipment is ready for warm weather use.

Work is being done on the waterfall in the park. A leak has been detected and the water will be shut off until the leak is repaired.

OTHER BUSINESS

Mayor Bunker requested that a public hearing be set to receive public comment regarding a proposed amendment to the Delta City Budget for Fiscal Year 2005-2006. Council Member Glen Swalberg MOVED to schedule a public hearing on Thursday, March 2, 2006, at 7:10 p.m. for the purpose of receiving public comment regarding a proposed amendment to the Delta City Budget for Fiscal Year 2005-2006. 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 Glen Swalberg stated that he had heard about a state grant, which may be available this year, that could be used toward the civic center.

Mayor Bunker reported that he had received a call from Pat Shea, who has been assisting with funding for the cosmic ray project. Mr. Shea advised Mayor Bunker that funding could be available for the civic center from the state, in conjunction with the cosmic ray project. In addition, there will be an open house at the cosmic ray center, located on the west side of the overpass, on March 20th. Mayor Bunker will obtain additional information and report back to Council Members.

Mayor Bunker stated that the proposed annexation on the west side of Delta is progressing. We have obtained signatures on the annexation petition from owners of about 60% of the property value in the proposed annexation area. State law requires that the owners of 1/3 of the property value in the annexation area be in agreement with the petition for annexation. The annexation map is currently being drawn.

Mayor Bunker advised Council Members that it is now being required that all members of local government, who may be involved in emergency management during a disaster situation must complete the National Incident Management System course designated as IS-700. Each Council Member has been given a copy of the course book and final test questions for their use in completing the course. Once the material has been read and answers to the questions have been determined, the final test must be completed on the internet. We currently have four employees who have completed the course and passed the test. Alan Riding, Ken Clark, Rita Byrd and Karen Johnson have all completed the course and have received their completion certificates. Council Member Betty Jo Western reported that she has also completed the course and brought a copy of her certificate for our records. Mayor Bunker noted that if we do not all complete this course, we could become ineligible for any or all grants which may become available.

Mayor Bunker instructed Council Members to read the first three lessons in the National Incident Management System course by the next meeting of the City Council, scheduled for Thursday, March 2nd. At that time, a short overview of the Incident Command System (ICS) will be presented in preparation for a table top mock disaster, which will be presented at the City Council meeting scheduled for March 16, 2006.

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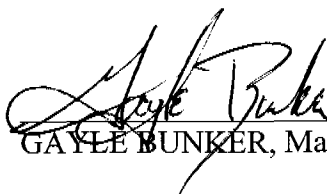
Mayor Bunker reported that he had attended a meeting of the Millard County Commissioners and Mayors last evening. At the meeting, they discussed the possibility of requesting federal appropriations to assist with meeting arsenic requirements and a request for appropriation is being filed on behalf of Delta City and the Deseret/Oasis Special Service District.

Mayors and Commissioners briefly discussed a proposal for a restaurant tax to provide funding for tourism. They reported that the transient room tax provided \$89,000 in the county last year. The transient room tax rate is 3% and cities are allowed to adopt a 1% transient room tax on motels, if desired. Mayor Bunker asked Council Members to think about the possibility of adopting the 1% transient room tax.

Council Member Bruce Curtis reported that the Millard County Service Fire District audit for 2004 had been completed. Council Member Bruce Curtis MOVED to accept the independent auditor's report for Millard County Fire Service District for the year 2004. 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 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 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 unanimously.

Mayor Bunker declared the meeting adjourned at 8:17 p.m.



 GAYLE BUNKER, Mayor



 GREGORY JAY SCHAFFER, City Recorder

MINUTES APPROVED: RCCM 03-02-06

