

CITY OF DELTA, UTAH
REGULAR CITY COUNCIL MEETING
JUNE 1, 2006

PRESENT

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

None

ALSO PRESENT

Richard Waddingham	City Attorney
Alan Riding	Public Works Director
Gregory Jay Schafer	City Recorder
Stanley K. Robison	Justice Court Judge

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 was 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 Betty Western 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 May 18, 2006 were presented for consideration and approval. Following review, Council Member Kiley Chase MOVED to approve the minutes of the Regular City Council Meeting held May 18, 2006, 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

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accounts payable, dated June 1, 2006, in the amount of \$105,106.18. 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

There were no items of unfinished business on the agenda.

NEW BUSINESS

MAYOR GAYLE BUNKER: MISS LIBERTY, 2006 AND ATTENDANTS

Mayor Bunker advised Council Members that some of the Miss Liberty royalty were unable to be in attendance so this matter will be continued until the next Council meeting.

STANLEY K. ROBISON, JUSTICE COURT JUDGE: STATUS OF JUSTICE COURTS IN UTAH

Judge Robison expressed his appreciation for the Council's support of the justice court system and the Delta City Justice Court. Judge Robison reported that there are several instances in which justice courts are being challenged as being illegal and pressure is being applied to do away with justice courts. There are also those who want the justice court system to be replaced by a state court system. The judges' association is expecting a dramatic change to the justice court system in coming years, whether to a county system or to a state system. Judge Robison explained that he is making this report so Council Members will be informed of the status of justice courts and determine what their position will be.

Mayor Bunker thanked Judge Robison for the information.

COUNCIL MEMBER BRUCE CURTIS: MEMORANDUM OF UNDERSTANDING BETWEEN UTAH DIVISION OF FORESTRY, FIRE AND STATE LANDS AND DELTA CITY FIRE DEPARTMENT

Council Member Bruce Curtis reported he had given the memorandum of understanding to City Attorney Waddingham for review. City Attorney Waddingham stated he had reviewed the document and recommended it be approved subject to clarification of one or two provisions.

Following review, Council Member Glen Swalberg MOVED to authorize Mayor Bunker to sign the Memorandum of Understanding Between Utah Division of Forestry, Fire and State Lands and Delta City Fire Department, subject to City Attorney Waddingham's clarification of one or two items. 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.

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The motion passed unanimously.

MAYOR GAYLE BUNKER: SET PUBLIC HEARING REGARDING THE DELTA CITY FINAL BUDGET FOR FISCAL YEAR 2006-2007

Mayor Bunker stated that a public hearing needs to be set regarding the Delta City Final Budget for Fiscal Year 2006-2007 and suggested that it be scheduled on June 15th, prior to the next Council Meeting.

Following review, Council Member Robert Banks MOVED to scheduled a public hearing on Thursday, June 15, 2006 at 6:45 p.m. for the purpose of receiving public comment regarding the proposed Delta City Final Budget for Fiscal Year 2006-2007. 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 vote. The motion passed unanimously.

MAYOR GAYLE BUNKER: SET PUBLIC HEARING REGARDING THE DELTA CITY AMENDED BUDGET FOR FISCAL YEAR 2005-2006

Mayor Bunker suggested that a public hearing regarding the Delta City Amended Budget for Fiscal Year 2005-2006 also be scheduled on June 15th, following the public hearing on the final budget.

Following review, Council Member Robert Banks MOVED to schedule a public hearing on Thursday, June 15, 2006, at 6:55 p.m. for the purpose of receiving public comment regarding the proposed Delta City Amended Budget for Fiscal Year 2005-2006. 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 vote. The motion passed unanimously.

PUBLIC WORKS DIRECTOR ALAN RIDING: UPDATE ON PUBLIC WORKS PROJECTS

Public Works Director Alan Riding reported that the "Welcome to Delta" signs are now complete, including lighting. There will be some cleaning up around the base of the three signs, as time permits.

City clean up was completed on May 20th, following nine hours of hauling fifty dump truck loads of debris from the north side of Delta. This is an excellent program for citizens and is a great public relations tool.

The canopy, which was ordered to replace the one that was blown down, has arrived so shade will be provided for the American Cancer Society Walk for Life and the Fourth of July celebration in the park.

A water leak has been located at the north end of town, near the old Northrup King building, where an agreement has been made between Delta City and Michael Provstgaard to share the cost of

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extending the water main and replace a two inch service line that has been leaking and is badly deteriorated. This will involve installation of approximately eight hundred feet of eight inch main line in the area.

Concrete work in the park is complete, as well as a pad for a bike rack outside the library and pads around the skate park for bleachers. All of the flower planting is complete and an exceptional job has been done. The drinking fountain in the park is being replaced so it will be ready for the Fourth of July celebration. The sprinkling system around the skate park has been completed and preparations are underway for installation of sod. Arrangements have been made with Millard County Sheriff's Office to have inmate labor assist with laying the sod on the east and south sides of the skate park.

Mayor Bunker reported that he had received a telephone call regarding a dilapidated home, located at 300 West and 100 North, and asked what steps need to be taken to demolish the structure. City Attorney Waddingham advised that we should first attempt to get the owner's permission for demolition. If the owner does not give permission, the city must obtain a court order. Mayor Bunker requested that we obtain owner information from the County Recorder and attempt to get permission to destroy the structure.

OTHER BUSINESS

Mayor Bunker presented a report to the City Council outlining three possible water rate schedules that are being considered to increase the current Delta City water rate schedule based on a \$3 million Community Impact Fund Board loan for a new well and water conveyance system. He requested that Council Members study the schedules and become familiar with them prior to the public hearing scheduled on June 15th. Council Members requested that Public Works Director Riding explain and review the proposed schedules. He noted that Delta City has one of the lowest water rates in the state but, no matter what rate schedule is adopted, people are going to be upset. Mayor Bunker noted that all Delta City water users will receive a letter in their next billing statement explaining the upcoming changes in water rates.

Mayor Bunker reported that the proposed annexation is still in process. There have been some concerns regarding protests being made but City Attorney Waddingham stated that the only protests which will be received are those from an affected entity; i.e., Millard County, the school district, the mosquito abatement district, etc. Individuals cannot protest the annexation through the boundary commission. There is apparently a petition protesting the annexation being circulated but it will have no affect on the proposed annexation. An annexation public hearing will be set at the next Council meeting.

Mayor Bunker reported that a letter had been sent to Marlin Yates who had not paid rent for nine of the ten years covered in his hangar lease agreement. In discussing the situation with Mr. Yates, it was determined that he could maintain the lease for an additional ten years but the rental rate would be increased to \$1,000 per year. Mr. Yates signed the lease and returned it, along with a check in payment of back rental payments.

Mayor Bunker stated that a movie will be filmed in Delta next week and they have requested permission to film in the City Building next Tuesday or Wednesday.

Mayor Bunker noted that he had been trying to decide what to use for a council float for the Fourth of July parade. He expressed some of his ideas for portraying the theme of "Pioneer Dreams Fulfilled" for Council Member consideration. Mayor Bunker suggested the possibility of displaying banners noting the improvements which have come into being during the last century.

Mayor Bunker informed Council Members that Bunker Hill Motocross is holding a race this weekend and Governor Huntsman will be in town for the race. Mayor Bunker is hoping to have the opportunity to remind him of the upcoming Delta City centennial celebration and invite the governor and his family to attend the 2007 Fourth of July celebration.

Mayor Bunker told Council Members that we have been approved for the fighter jet flyover for our Fourth of July Celebration again this year.

Mayor Bunker reminded Council Members that the Budget Work Session will be held Monday, June 5th at 4:00 p.m. Council Members should plan to take a short dinner break while working on the budget.


Council Members discussed placement of the new projection screen which has been purchased for the Council Chambers. It was determined that it should be installed along the east wall of the Council Chambers to allow Council Members an unobstructed view for any presentations.

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Council Member Chase reported he had received several questions regarding the status of ATV routes in Delta City. Mayor Bunker stated that, until a route is established for ATVs to exit the city and connect with county trails, there is no need for ATV routes inside the city. Mayor Bunker has discussed the matter with Millard County Commissioners and they have determined that there are serious problems providing routes into and out of Delta City. Many of the roads in the county are privately owned. Millard County has an easement for use of the roads but they have no right to approve ATV trails adjacent to the roads; individual property owners would be required to give their consent to allow ATV riders to use property adjacent to such roads. Obtaining all of the approvals would require a tremendous amount of time and effort.

Mayor Bunker asked if there were any comments, questions or other items to be discussed. There being none, Council Member Bruce Curtis 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 8:12 p.m.



GAYLE BUNKER, Mayor


GREGORY/JAY SCHAFFER, City Recorder

MINUTES APPROVED: RCCM 06-15-06

