

CITY OF DELTA, UTAH
REGULAR CITY COUNCIL MEETING
OCTOBER 18, 2007

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

Alan Riding	Public Works Director
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ALSO PRESENT

Kaela Jackson	City Attorney
Ken Clark	Asst. Public Works Director
Gregory Jay Schafer	City Recorder
Mike Steele	Sunrise Engineering
Dean Draper	Millard County Chronicle/Progress

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 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 September 20, 2007 were presented for consideration and approval. Following review, Council Member Kiley Chase MOVED to approve the minutes of the Regular City Council Meeting held September 20, 2007, 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 Betty Jo Western MOVED to approve the accounts payable dated October 18, 2007, in the amount of \$111,157.74. 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.

UNFINISHED BUSINESS

There were no items of unfinished business on the agenda.

NEW BUSINESS

MIKE STEELE, SUNRISE ENGINEERING: UPDATE ON PROGRESS OF RIDGE TOP WELL PROJECT

Mike Steele, representing Sunrise Engineering, reported that drilling of the Ridge Top well has been completed and the casing and screen have been put in place. The contractor was packing gravel around the casing today. Test pumping should begin late next week, after which water samples will be taken for testing. When test results are received and found to be acceptable, bids will be advertised on the balance of the project. Mayor Bunker thanked Mr. Steele for his report.

MAYOR GAYLE BUNKER: RESOLUTION NO. 07-319, A RESOLUTION AMENDING RESOLUTION NO. 06-310 WHICH ESTABLISHES SEWER RATES BY AMENDING THE DESIGNATION OF "OCCUPIED MOBILE HOME SPACE" IN SECTION 2.c. TO READ "LICENSED MOBILE HOME SPACE"

Mayor Bunker presented the following resolution:

RESOLUTION NO. 07-319

A RESOLUTION OF THE CITY OF DELTA, UTAH AMENDING RESOLUTION NO. 06-310 WHICH ESTABLISHES SEWER RATES BY AMENDING THE DESIGNATION OF "OCCUPIED MOBILE HOME SPACE" IN SECTION 2.c. TO READ "LICENSED MOBILE HOME SPACE."

Mayor Bunker noted that the purpose of this resolution is to change the sewer charge for mobile home parks to charge for licensed spaces rather than occupied spaces due to the difficulty in keeping track of how many spaces are occupied. Knowing how many spaces are occupied requires a visual count being made on a regular basis. This is the only change in the existing resolution.

Following review, Council Member Glen Swalberg MOVED to adopt Resolution No. 07-319 amending Resolution No. 06-310 which establishes sewer rates by amending the designation of

“occupied mobile home space” in Section 2.c. to read “licensed mobile home space.” 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:

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

The motion passed unanimously.

MAYOR GAYLE BUNKER: ORDINANCE NO. 07-236 REGARDING INSTALLATION AND MAINTENANCE OF SEWER LATERAL LINES

Mayor Bunker introduced the following ordinance:

ORDINANCE NO. 07-236

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DELTA, UTAH
PERTAINING TO THE INSTALLATION AND MAINTENANCE OF SEWER LATERALS
WITHIN DELTA CITY.

City Attorney Kaela Jackson advised Council Members that this ordinance transfers responsibility for maintenance of some sewer facilities to property owners, including sewer facilities on their premises and the sewer laterals that connect to the main sewer lines in adjacent streets. This is a practice that is being adopted in cities and towns throughout Utah due to the fact that, in most instances, problems with blocked sewers originates in a house and, in an attempt to clear the blocked lines, the homeowner pushes the blockage into the right-of-way. When this happens, the blockage becomes the responsibility of the city, even though the problem originated in the home and was forced into the sewer lateral lines.

Following review, Council Member Glen Swalberg MOVED to adopt Ordinance No. 07-236, an ordinance pertaining to the installation and maintenance of sewer laterals within Delta City. 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
Kiley Chase	Yes
Bruce Curtis	Yes
Glen Swalberg	Yes
Betty Jo Western	Yes

The motion passed unanimously.

MAYOR GAYLE BUNKER: ORDINANCE NO. 07-237 ADDING A NEW SECTION 10-337 TO THE REVISED ORDINANCES OF DELTA CITY PROVIDING FOR REMOVAL OF GRAFFITI ON BUILDINGS AND STRUCTURES

Mayor Bunker reported that this ordinance is not ready for adoption. It will be presented for adoption at the next meeting.

Council Member Betty Jo Western MOVED to table discussion of 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: MEMORANDUM OF UNDERSTANDING FOR WEST MILLARD MUSEUM AND CIVIC CENTER PARTNERSHIP

Mayor Bunker stated that the proposed Memorandum of Understanding for West Millard Museum and Civic Center Partnership had been discussed with City Attorney Kaela Jackson who felt the memorandum of understanding was not necessary because the items to be covered by the memorandum could be incorporated into the bylaws for the partnership. City Attorney Jackson will be meeting with the museum and civic center board at their next meeting on October 25th.

Council Member Glen Swalberg MOVED to remove this item from future agendas inasmuch as it is not necessary. 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.

MAYOR GAYLE BUNKER: PUBLIC HEARING FOR PROPOSED ZONE CHANGE FROM MOBILE HOME (M-H) TO RESIDENTIAL 4 (R-4) ON PROPERTY LOCATED AT APPROXIMATELY 425 NORTH 600 EAST

Mayor Bunker advised Council Members that the public hearing for this proposed zone change was scheduled at a previous meeting but there have been some problems getting the notice published so it is necessary to re-schedule the public hearing.

Following review, Council Member Betty Jo Western MOVED to re-schedule a public hearing on Thursday, November 15, 2007 at 6:45 p.m. for the purpose of receiving public comment regarding a proposed zone change from Mobile Home (M-H) to Residential 4 (R-4) on property located at approximately 425 North 600 East. 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.

MAYOR GAYLE BUNKER: CENTENNIAL FALL FESTIVAL REVIEW

Mayor Bunker asked for comments from Council Members. Council Members felt the celebration was very successful and have heard many comments from people requesting that the celebration be held every year. Mayor Bunker has also received several comments requesting that the event be held every year. Mayor Bunker requested that the minutes include a "Thank you" to Michelle Burr, the chairperson over the Centennial Fall Festival, for the outstanding job of planning and preparing the event and to Bonnie Shamo, chairperson for all of the centennial year events, for organizing the cemetery "Treasures of Time Tour" for the fall festival.

Mayor Bunker requested that Council Members think about the event to determine whether it should be continued as an annual event. Mayor Bunker and Council Members thanked Dean Draper for reporting the Centennial Fall Festival. Mayor Bunker advised Council Members that he has invited all members of the Centennial Committee to attend the city Christmas Party on December 7th.

CITY RECORDER GREGORY SCHAFFER: APPOINTMENT OF ELECTION JUDGES FOR 2007 MUNICIPAL ELECTION

City Recorder Gregory Schaffer provided a list of election judges to be appointed for the 2007 Municipal Election. He proposed that the following election judges be appointed:

Anita Hahn
Deb Houghton
Dennis Johnson
Linda Kersey
Selma Lazaro
Anne Stoddard

Alternates:
Lorelei Draper
Roberta Dutson

Following review, Council Member Glen Swalberg MOVED to approve appointment of election judges as requested by City Recorder Gregory Schaffer. 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.

PUBLIC WORKS DIRECTION ALAN RIDING: UPDATE ON PUBLIC WORKS PROJECTS

In the absence of Public Works Director Alan Riding, Assistant Public Works Director Ken Clark reported that the Main Street project is almost complete. The contractor for the sidewalk radius work has two or three locations to be completed, then the project should be finished.

The Sugar Factory Well pump motor seized up this past weekend but a new motor has been installed and the well is back online at this time. The Ridge Top Well should be ready to test pump late next week.

The parks and planters are being prepared for winter with flowers being removed and sprinkling systems being drained. Water meters will be read next week for the last time this year. Meter reading will resume in April.

Installation of the jet fuel tank at the airport is complete; four thousand gallons of jet fuel was put in the tank and some leaks were found and repaired. The jet fuel system is now ready for use.

Public Works employees will now begin working on preparing for the Christmas season. Mayor Bunker reported that Council Members will have a new float for the light parade this year. Public Works employees will need some help from Council Members to light the float. The Light Parade will be on November 24th; Millard County Credit Union will be managing the parade and will begin contacting businesses to provide parade entries.

OTHER BUSINESS

Mayor Bunker advised Council Members that he has become aware that many community members do not understand what is being planned for the museum / civic center facility and it has been suggested that a public meeting be held to inform individuals about progress on the building and what is being done to provide funding for construction for the facility. Mayor Bunker suggested that a public information meeting be scheduled at 6:00 p.m. on November 15th to let people know what is being done and how and why it is being done.

Mayor Bunker provided Council Members with copies of a letter he received from Roosevelt City and suggested they read the letter. Mayor Bunker stated the letter explains that Roosevelt City holds certificated rights to more than double the amount of water they have been using. Due to growth and the continued long term water drought in the area, they need more water to meet the demand of the public they service. Roosevelt City has applied to transfer the point of diversion on some of their water rights but the State Engineer has denied the request. Mayor Bunker indicated that Roosevelt City is asking for a \$750.00 donation to assist with legal fees to fight the decision of the State Engineer. Mayor Bunker stated that he is in favor of providing \$1,000 from our water fund to assist Roosevelt City in their fight to reverse the decision of the State Engineer. Mayor Bunker felt that the outcome of this litigation could well affect Delta City at some time in the future when we attempt to utilize water rights currently being held to meet future needs. Council Member Betty Jo Western MOVED to contribute \$1,000 to Roosevelt City Corporation to assist with legal fees in their water right preservation litigation. 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 called attention to copies of a proposal from a group which would assist with obtaining funding from the legislature and other sources for the museum / civic center facility. He requested that Council Members review the proposal and provide input regarding the proposal. This matter will be discussed at a future meeting.

Mayor Bunker asked if there were any comments, questions or other items to be discussed. There being none, Council Member Betty Jo Western MOVED to adjourn the meeting. 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.

Mayor Bunker declared the meeting adjourned at 7:47 p.m.



GAYLE BUNKER, Mayor



GREGORY JAY SCHAFFER, City Recorder

MINUTES APPROVED: RCCM 11-01-07