

CITY OF DELTA, UTAH  
REGULAR CITY COUNCIL MEETING  
JUNE 19, 2008

PRESENT

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

ABSENT

Alan Riding	Public Works Director
-------------	-----------------------

ALSO PRESENT

Kaela Jackson	City Attorney
Gregory Jay Schafer	City Recorder
John & Kaye Niles	City Resident
Jerry Blanch	City Resident
Dean Draper	Millard County Chronicle/Progress
Cathy Fox	City Resident
Cami Finlinson	City Resident

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 Jay Schafer acted as secretary.

Council Member Bruce Curtis provided opening remarks following which Mayor Bunker led those in attendance in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Public Hearing held June 5, 2008 were presented for consideration and approval. Following review, Council Member Betty Jo Western MOVED to approve the minutes of the Public Hearing held June 5, 2008, with corrections showing that Council Member Western was in attendance and Mayor Bunker's title changed from "Council Member" to "Mayor". 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.

The proposed minutes of a Regular City Council Meeting held June 5, 2008 were presented for consideration and approval. Following review, Council Member Bruce Curtis MOVED to approve the minutes of the Regular City Council Meeting held June 5, 2008, as presented. 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.

#### 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 payable dated June 19, 2008, in the amount of \$734,692.31. 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 COMMENT PERIOD

There was no comment from the public.

#### UNFINISHED BUSINESS

##### MAYOR GAYLE BUNKER: OFF-HIGHWAY VEHICLE USE ON PUBLIC HIGHWAYS AMENDMENTS BEING CONSIDERED BY UTAH STATE LEGISLATURE

City Attorney Kaela Jackson advised Council Members that the proposed legislation will allow street legal all-terrain vehicles on highways that have one lane in each direction in cities with a population of less than 7,500 and all counties except those designated as first class. City Attorney Jackson noted that there is no provision for cities to "opt out" of allowing street legal all-terrain vehicles on city streets, however, the requirements for being "street legal" are rather stringent. The legislation becomes effective October 1, 2008 and will allow these vehicles on city streets and allow them to cross our Main Street to access other streets.

#### NEW BUSINESS

##### MAYOR GAYLE BUNKER: RESOLUTION NO. 08-323, A RESOLUTION REVISING THE MONTHLY SERVICE CHARGES FOR USE OF THE DELTA CITY SEWER SYSTEM

#### RESOLUTION NO. 08-323

#### A RESOLUTION REVISING THE MONTHLY SERVICE CHARGES FOR USE OF THE DELTA CITY SEWER SYSTEM

Mayor Bunker stated that Council Members had discussed this service charge increase during the

Budget Work Session. The resolution increases the rate for a single family residence by \$1.00; multiple family residences by \$1.00 per unit; mobile home parks by \$1.00 per unit, and restaurants and churches by \$5.00. The rate increase is needed to pay for the cost of operating the sewer system. The rate increase will become effective July 1, 2008.

Following discussion, Council Member Robert Banks MOVED to adopt Resolution No. 08-323, a resolution revising the monthly service charges for use of the Delta City sewer system.. 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
Betty Jo Western	Yes

The motion passed unanimously.

MAYOR GAYLE BUNKER: POSSIBLE PARKS PAVILION USER FEE

Mayor Bunker advised Council Members that the unwritten policy for use of the pavilions in the City Park does not allow commercial ventures to use any of the city owned parks or property. Use has been allowed for bake sales and garage sales for charitable purposes, Snow Goose Festival craft show, Fourth of July vendors, and the annual Car Show. We currently have a request to use the pavilion for a craft show. Mayor Bunker asked Council Members what policy should be enforced for use of the pavilions and parks.

Cathy Fox, who has been doing craft shows for many years, indicated that she would gladly pay a fee to use the park pavilion and would obtain temporary sales tax permits for all vendors. Ms. Fox limits her craft shows to vendors who make the items being sold rather than allowing individuals to bring in products which can be purchased from a retail outlet.

Council Members agreed to allow Cathy Fox to use the City Park pavilion for a craft show to be held in August as long as temporary sale tax permits are provided to all vendors and items being sold are handmade rather than purchased from a retail outlet.

MAYOR GAYLE BUNKER: APPOINTMENT OF CANDIDATE TO FILL CITY COUNCIL VACANCY

Mayor Bunker reported that four applications had been received from individuals interested in being considered for appointment to fill the vacancy on the City Council. The four applications were Jerry Blanch, Dan Kapelos, Ralph Newberry and John Niles. Mayor Bunker asked each of the applicants to address the Council, for up to five minutes, and tell why they are interested in being a City

Council member and any other information they would like to share.

Jerry Blanch and John Niles advised Council Members of their interest in being a Council Member and qualities they felt would help them as a Council Member. Dan Kapelos did not attend the meeting.

Ralph Newberry advised Mayor Bunker that he had a previous commitment to care for out-of-town grandchildren this evening but provided a telephone number and agreed to speak to the Council by telephone. Mayor Bunker attempted to contact Mr. Newberry by telephone but was unable to obtain an answer.

Mayor Bunker suggested that the Council adjourn to Executive Session to discuss the appointment of an individual to fill the vacant City Council seat. Council Member Betty Jo Western MOVED to adjourn to Executive Session. 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. The Council adjourned to Executive Session at 8:08 p.m.

Council Member Robert Banks MOVED to adjourn to open City Council Meeting. 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. The Council adjourned to open City Council Meeting at 8:30 p.m.

After consideration of all candidates, Mayor Bunker recommended that John Niles be appointed as a Council Member to fill the seat vacated by the passing of Rodger Scoville. Mayor Bunker advised Council Members that this appointment will be effective until January, 2010.

Council Member Kiley Chase MOVED to immediately appoint John Niles as a Council Member to fill the seat vacated by the passing of Rodger Scoville, with the appointment being effective until January, 2010. 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 DIRECTOR ALAN RIDING: UPDATE ON PUBLIC WORKS PROJECTS

In the absence of Public Works Director Alan Riding, Mayor Bunker reported that work is being done to eliminate the weeds growing against the City Building by creating a decorative concrete pad around the building. Public Works employees will be chip-sealing streets on Monday and Tuesday next week. A good portion of the graffiti around town has been cleaned by Public Works employees; Council Member Western reported some new graffiti she had seen on a building.

The Ridge Top Well water tank walls were poured on Wednesday, June 18<sup>th</sup>; the forms will be removed on Monday, June 23<sup>rd</sup>.

Preparations are underway for the Fourth of July celebration. Mayor Bunker asked Council Members for any ideas they had for decorating a City Council float for the theme "Together We Rise." Council Member Banks suggested a float with a sunrise and some figures of children and adults holding hands, which would symbolize the theme. Council Member Chase suggested that Council Members could have a child or grandchild sitting with them on the float to symbolize the theme.

OTHER BUSINESS

Council Member Bruce Curtis reported that bids for a new fire truck for Delta City were opened at a Millard County Fire District meeting held June 18<sup>th</sup>. Pierce Equipment submitted the accepted bid at a price of just under \$350,000.

----

Council Member Betty Jo Western reported that she had received comments expressing concern about some run down buildings and houses which need to be destroyed and cleaned up and complaints about junk cars sitting around houses.

----

Council Member Betty Jo Western requested permission for the Millard County Fair to use tents and canopies owned by Delta City during the County Fair. The Council agreed to allow use of Delta City tents for the county fair.

----

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 8:34 p.m.

  
\_\_\_\_\_  
GAYLE BUNKER, Mayor

  
\_\_\_\_\_  
GREGORY JAY SCHAFFER, MMC, City Recorder