

CITY OF DELTA, UTAH  
REGULAR CITY COUNCIL MEETING  
MARCH 4, 2010

PRESENT

Gayle Bunker	Mayor
Robert Banks	Council Member
Bruce Curtis	Council Member
John Niles	Council Member
Tom Stephenson	Council Member
Betty Jo Western	Council Member

ABSENT

Gregory Jay Schafer	City Recorder
Alan Riding	Public Works Director

ALSO PRESENT

Kaela Jackson	City Attorney
Karen Johnson	Assistant City Recorder
Phil Lambertson	City Resident
Aaron Petersen	Boy Scout
Travis Eliason	Boy Scout
Van Beckstrom, Jr.	Boy Scout Leader
McKade Loe	Boy Scout
Dillon Loe	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 posted at the City Building, on the Utah Public Notice web site and provided to the Millard County Chronicle/Progress and to each member of the City Council at least two days prior to the meeting.

Council Member Betty Jo Western provided 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 18, 2010 were presented for consideration and approval. Council Member Robert Banks noted a typographical error on page 3, line 32. Council Member Bruce Curtis MOVED to approve the minutes of the Regular City Council Meeting held February 18, 2010, as corrected. 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.

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 Robert Banks MOVED to approve the accounts payable, dated March 4, 2010, in the amount of \$53,169.43. The motion was SECONDED by Council Member John Niles. 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

Phil Lambertson reported a problem with speeding vehicles on 100 West Street and requested that something be done to slow down the vehicles. Mr. Lambertson noted that he has an autistic daughter who does not have a great understanding of safety and he worries about her safety with speeding vehicles traveling by his home on a regular basis. Mayor Bunker responded that we would work with the Sheriff's Office to see what can be done to slow traffic on the street. Council Member Western suggested that we provide a sign on the street indicating that a special needs child lives in the area to raise awareness for motorists. Mayor Bunker requested that Mr. Lambertson let people know in a few weeks whether anything has happened to reduce vehicle speed on his street.

UNFINISHED BUSINESS

MAYOR GAYLE BUNKER: ORDINANCE NO. 10-246 ALLOWING FOR A NON-CONFORMING PERMIT TO KEEP POULTRY FOR PERSONAL USE OR FAMILY FOOD PRODUCTION ON RESIDENTIAL LOTS

Mayor Bunker indicated that the Planning & Zoning Commission held a public hearing for the purpose of receiving public comment regarding the proposed ordinance allowing keeping poultry for personal use on residential lots and had drafted language to be used for the ordinance. The Planning & Zoning Commission recommended that the Council adopt the ordinance subject to the maximum number of chickens on a 10,000 square foot lot include fourteen chickens and the same number of chicks under the age of six months of age, with the expectation that the chicks will be butchered to provide meat and that up to two roosters be allowed, subject to provisions of the noise ordinance.

Council Members discussed the proposed ordinance and recommendations of the Planning & Zoning Commission at the previous meeting and determined that they would allow up to fourteen chickens on a 10,000 square foot lot, twelve chickens on a 9,000 square foot lot, ten chickens on an 8,000 square foot lot, eight chickens on a 7,000 square foot lot, and six chickens on a 6,000 square foot lot. Chickens will not be allowed on lots less than 6,000 square feet. The ordinance also includes distances which pens and runs must be from property lines and requires written consent of adjacent property owners before a permit will be issued and prohibits keeping roosters. The ordinance will apply to all residential zones.

Following discussion, Council Member John Niles MOVED to adopt Ordinance No. 10-246 allowing for a non-conforming permit to keep poultry for personal use or family food production on residential lots. 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 vote was as follows:

Robert Banks	Yes
Bruce Curtis	Yes
John Niles	Yes
Tom Stephenson	Yes
Betty Jo Western	Yes

The motion passed unanimously.

#### NEW BUSINESS

#### MAYOR GAYLE BUNKER: APPOINTMENT OF TWO MEMBERS TO PLANNING & ZONING COMMISSION

Mayor Bunker explained that the terms of Vance Bishop and R. Dale Roper had expired the first part of February, 2010. Mayor Bunker has spoken to both of them and they are willing to serve another term in order to complete the amendment to the zoning ordinance which is in process at this time. Mayor Bunker recommended that Vance Bishop and R. Dale Roper be appointed to fill another term on the Planning & Zoning Commission, with terms expiring in February, 2014.

Council Member Betty Jo Western stated that she had received interest from some residents to serve on the Planning & Zoning Commission and asked how these people could become commission members. Council Member Western asked if we were giving other qualified electors the opportunity to serve on the Planning & Zoning Commission. Mayor Bunker responded that he would like to have the names of individuals who are willing to serve because we are always looking for new people to fill vacancies on the Planning & Zoning Commission. However, in this particular instance, Mayor Bunker would like to reappoint Mr. Bishop and Mr. Roper to allow them to complete the pending amendment to the zoning ordinance. Mayor Bunker advised Council Members that he prefers to have individuals serve on the planning commission who do not come with their own agenda for what needs to be done because it is a difficult position to remove yourself and your interests from discussion and consider only the requests coming before the planning commission as they pertain to the zoning ordinance.

Following discussion, Council Member Robert Banks MOVED to reappoint Vance Bishop and R. Dale Roper as members of the Planning & Zoning Commission to fill terms expiring February, 2014. The motion was SECONDED by Council Member Tom Stephenson. 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: COMPLETE COUNT COMMITTEE (U.S. CENSUS)

Mayor Bunker advised Council Members that he had received a copy of a letter from Governor Gary Herbert requesting that we form a Complete Count Committee in order to make certain that every resident of our area is counted in the U.S. Census next month. The information suggests that we hold a census rally or parade, ethnic media luncheon, census unity forum for youth or interfaith breakfast and weekend events. Mayor Bunker suggested that we may be able to get the Latinos in Action group involved in getting people to complete and mail the census form.

Council Members discussed ways to encourage people to complete and return their census forms.

Following discussion, Council Member Betty Jo Western MOVED to table further discussion of this matter until the next meeting of the 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: EASTER EGG HUNT PLANS

Council Member Robert Banks indicated that he and his family will be responsible for managing the Easter Egg hunt and Delta City will provide the candy and eggs. Council Member Banks requested some lathe stakes to put up signs.

MAYOR GAYLE BUNKER: AGREEMENT BETWEEN DELTA CITY AND WEST MILLARD MUSEUMS AND COMMUNITY CENTER

Mayor Bunker distributed copies of a proposed agreement to be signed by Delta City, Great Basin Museum, Topaz Museum and Daughters of Utah Pioneers indicating that they will equitably participate in fund raising for the project. The agreement reads as follows:

We, Delta City, agree to jointly pursue the West Millard Museums and Community Center and endowment, in the range of \$7 million. We further agree to negotiate an equitable fund raising commitment of this amount between Delta City, Great Basin Museum, West Millard Company Daughters of Utah Pioneers, and Topaz Museum. All parties will work together to raise a minimum of \$1.5 million by March 1, 2011 and a total of \$3 million by March 1, 2012 for groundbreaking ceremonies, and will continue to raise the rest of the \$7 million.

The committee will identify a particular entity from which funding will be requested and the amount to be requested will be determined. The committee will then identify which individuals would be best suited to make a presentation to the entity. Fund raising will not be done by letter; it will be done by personal visits to the entities identified.

Council Member Western asked if fund raising is being requested for the individual parties or is it

being done for the entire group. Mayor Bunker indicated that fund raising will be done for the entire group rather than for the individual parts of the project. Mayor Bunker advised Council Members that we have again requested federal assistance for the project on the basis that the Topaz Internment Camp was situated in the Delta area by the federal government during World War II and the government should help provide a memorial for the history of Topaz. Mayor Bunker feels that, once we get some money coming in, the effort will grow and others will become more interested in supporting construction of the facility. Some people have asked why the city is involved in the project. Mayor Bunker indicated that the city is involved because we are facilitating bringing all the museums together to provide a tourist attraction which will bring people to the area. If people come to our area, it helps our local economy. We have Great Basin National Park located to the west of Delta and we are located on a federally designated heritage highway (U.S. Route 50). There is a great deal of nothing between Great Basin National Park and Delta, Utah which means that many visitors to the park will stop here for either a break or an overnight stay and statistics show that approximately 90,000 people visited Great Basin National Park last year. In addition, our Main Street needs to have some vacant areas built up so the community appears prosperous and well cared for.

Following discussion, Council Member Bruce Curtis MOVED to approve signing the agreement between Delta City and the West Millard Museums and Community Center Board. The motion was SECONDED by Council Member John Niles. 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.

#### OTHER BUSINESS

Mayor Bunker advised Council Members that Magnum Energy, LLC met with the Millard County Planning & Zoning Commission last evening in order to obtain whatever permits are necessary for their salt cavern project. They expect to begin the drilling process approximately July 1, 2010. Delta City has agreed to rent water to Magnum Energy at the rate of approximately \$180,000 per year and Mayor Bunker would like to see these funds directed toward construction of the museum. He does not want to tax residents for either construction or maintenance and operation of the facility. The matter will be placed on the agenda for discussion at the next meeting. Council Members Bruce Curtis and Robert Banks were in favor of using the funds for the museum facility. Council Member John Niles was in agreement. Council Member Western was in favor of using some of the funds for the museum facility but felt that residents should have the opportunity to express their feelings as to how the funds should be used. Mayor Bunker responded that we welcome input for use of all funds but we have held numerous public hearings on various matters with little or no response from the public. Council Member Niles felt that, if something comes up and we need to make a purchase, we should absolutely use part of the funds for that purpose. Council Member Western stated that she would like to actively pursue getting an updated programable information sign on Main Street to announce local happenings. Council Member Western felt that if we have these additional funds, they should be used to purchase a new information sign for the city. Mayor Bunker noted that we need to make a commitment to providing funds for the facility in order to obtain additional funding.

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Mayor Bunker stated that Public Works Director Alan Riding and Assistant Public Works Director Ken Clark are in St. George obtaining education credits to keep up their water and waste water certifications. Mayor Bunker advised Council Members that public works employees have been working on a water leak on 100 West at approximately 450 North. The repair has been completed and they are now working on the airport fence project.

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Mayor Bunker noted that he had attended a Rural Water Association of Utah awards banquet in St. George last evening at which Karen Johnson received the 2009 Office Person of the Year award. Rural Water Association of Utah includes almost all of the water entities in the state with the possible exception of Salt Lake City and other large water service providers. This is an honor for Delta City to have one of their employees receive the award.

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Mayor Bunker reminded Council Members that he had previously mentioned a discussion with Congressman Jason Chaffetz regarding the possible name change for the Delta post office to the McCullough post office. McCullough is the name of the first post master in Delta and the cabin located in the City Park was built by the McCullough family. Mayor Bunker will be receiving paperwork to apply for the change and asked Council Members to think about whether they want to change the name and, if so, to what name.

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Mayor Bunker reported that there is a leadership conference being held on Wednesday, April 7<sup>th</sup> in Richfield. The conference is free of charge. Mayor Bunker encouraged any Council Members who are interested to attend the conference.

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Mayor Bunker requested that Council Members advise Karen Johnson whether their partners are attending the Utah League of Cities and Towns Mid-Year Conference in St. George in April. We need to know whether partners need to be registered or if additional meal tickets are needed.

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Council Member John Niles reported that the Manzanita Avenue street sign is missing on Main Street.

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Council Member Betty Western suggested that we try to update the street lights on our Main Street. She would like to upgrade the street lights to more efficient and decorative lighting, Mayor Bunker noted that he had noticed the upgraded lighting in Milford yesterday and thought they looked very nice. He indicated that our current lighting is owned and maintained by Rocky Mountain Power and they charge us a fee for the lights. Council Member Western will obtain additional information and prices for Council approval.

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Council Member Western requested clarification regarding subdivision improvements and whether it is the responsibility of the subdivision owner to provide improvements. Mayor Bunker stated that it is the responsibility of the subdivider to provide improvements but, in the case of single lot subdivisions, we have not required they be installed until the property is ready to be used. The improvements must be installed at the time property owners are ready to build and the subdivider can include the cost of improvements in the price of the property or the purchaser can agree to install and pay for the improvements. In a regular subdivision, the subdivider must post a cash or property bond to guarantee the improvements will be completed.

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Mayor Bunker asked if there were any comments, questions or other matters to be discussed. There being none, Council Member John Niles MOVED to adjourn the meeting. The motion was SECONDED by Council Member Tom Stephenson. 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 8:06 p.m.

  
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GAYLE BUNKER, Mayor

  
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GREGORY JAY SCHAFER, MMC, City Recorder

MINUTES APPROVED: RCCM 03-18-10