

CITY OF DELTA, UTAH
REGULAR CITY COUNCIL MEETING
OCTOBER 7, 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

None

ALSO PRESENT

Kaela Jackson	City Attorney
Alan Riding	Public Works Director
Ken Clark	Assistant Public Works Director
Gregory Jay Schafer	City Recorder
Mitch Myers	City Resident
Klell Ekins	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 posted at the City Building and on the Utah Public Notice website, mailed to the Millard County Chronicle/Progress, and provided to each member of the City Council at least two days prior to the meeting. City Recorder Gregory Schafer acted as secretary.

Council Member John Niles 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 September 2, 2010 were presented for consideration and approval. Following review, Council Member John Niles MOVED to approve the minutes of the Regular City Council Meeting held September 2, 2010, 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, with Council Members Banks, Curtis, Niles, Stephenson and Western voting in favor.

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 October 7, 2010, in the amount of \$803,803.91 . 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, with Council Members Banks, Curtis, Niles, Stephenson and Western voting in favor.

PUBLIC COMMENT PERIOD

There were no comments from the public.

UNFINISHED BUSINESS

MAYOR GAYLE BUNKER: DELTA CITY SLOGAN

Mayor Bunker called attention to the list of slogans which had previously been discussed by Council Members. Council Members further discussed the suggestions which had been presented.

Following discussion, Council Member Betty Jo Western MOVED to adopt “Exploration, Recreation, Open Spaces and Friendly People” as the Delta City slogan to be placed on the city website. 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 with Council Members Banks, Curtis, Niles, Stephenson and Western voting in favor.

MAYOR GAYLE BUNKER: ELECTRONIC MEETINGS ORDINANCE

Mayor Bunker introduced the following ordinance:

ORDINANCE NO. 10-247

AN ORDINANCE ESTABLISHING THE AUTHORIZATION OF AND PROCEDURES FOR
ELECTRONIC MEETINGS TO CONDUCT THE BUSINESS AND AFFAIRS OF DELTA
CITY.

This ordinance provides for use of electronic meetings when a Council Member is unable to physically attend a meeting at the regular location.

Following discussion, Council Member Betty Jo Western MOVED to adopt Ordinance No. 10-247, an ordinance establishing the authorization of and procedures for electronic meetings to conduct the

business and affairs of Delta City. 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 roll call 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: DISCLOSURE STATEMENTS

Mayor Bunker requested that all Council Members turn in their completed disclosure statements to City Recorder Gregory Schafer.

DAVID DETTON, MAGNUM HOLDINGS, LLC: REVISED CONTRACT

Mayor Bunker called attention to copies of the agreement entitled "First Amended and Restated Surplus Water Purchase Agreement" between Magnum Holdings, LLC and Delta City. Mayor Bunker explained that this agreement changes the number of acre feet being used per year from 1,800 acre feet to 1,871 acre feet. The agreement also contains a clause which states that if Magnum Holdings does not begin utilizing the water by July 16, 2011, an additional payment of \$93,580 shall be due, which amount will not be applied to the first year lease of the water.

Following discussion, Council Member John Niles MOVED to accept the First Amended and Restated Surplus Water Purchase Agreement between Magnum Holdings, LLC and Delta City, dated October 7, 2010, 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 with Council Members Banks, Curtis, Niles, and Stephenson voting in favor and Council Member Betty Jo Western voting against.

MITCH MYERS / KLELL EKINS: MAIN STREET WATER LINE EXTENSION FROM LOCUST AVENUE TO MANZANITA AVENUE

Klell Ekins presented a proposal to extend the existing water line along Main Street from Locust Avenue to Manzanita Avenue. Mr. Ekins stated that he is constructing a home adjacent to Gunnison Bend Veterinary and, in order to utilize the existing well to supply both the clinic and the home, the well will require extensive repairs. Mr. Ekins would rather expend funds to extend the water line and

hook into city water service than repair the existing well. Mr. Ekins and Mr. Myers would provide the materials for the water line extension, if city personnel would be willing to provide labor for installation. Mr. Ekins felt that extending the line further to the east would ultimately benefit Delta City by allowing an additional loop in the water system. The project would involve installation of approximately 1,000 feet of water line and would tie into an existing line at Locust Avenue and Main Street.

Following discussion, Council Member Robert Banks MOVED to approve extension of the Main Street water line between Locust Avenue and Manzanita Avenue with Klell Ekins and Mitch Myers paying all costs for the materials and Delta City Public Works employees providing labor to install the line extension. 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 with Council Members Banks, Curtis, Niles, Stephenson and Western voting in favor.

MAYOR GAYLE BUNKER: UTAH LEAGUE OF CITIES AND TOWNS FALL CONFERENCE AND DELTA CAR SHOW

Mayor Bunker asked for comments from Council Members regarding the recent Utah League of Cities and Towns Fall Conference. Council Member John Niles reported on a session he had attended relating to the wind farm in Spanish Fork Canyon and the effort required to get necessary approvals prior to construction. He related this to how difficult it will be to get a museum on our Main Street.

Council Member Betty Jo Western commented on several sessions she attended regarding safeguarding our water, chambers of commerce, recreation, reading literacy and sharing our opinions. She also attended a session regarding Youth City Councils and suggested that we start up a Youth City Council again. Council Member Western volunteered to be the Council advisor over Youth City Council and will provide more information at a future meeting.

Council Member Tom Stephenson felt Millard County Recreation does a great job of offering recreational opportunities in the area but also felt there are some things Delta City could do to help the county bring recreational events to the area.

Mayor Bunker reported he attended a session on emergency preparedness and felt we need to do a better job of being prepared. We need to begin looking at ways to handle emergencies. Mayor Bunker also reported on a session which suggested that the City Council not act as the Board of Adjustment. It is a difficult situation to have a Board of Adjustment when they are only called to meet once or twice each year, or less. Mayor Bunker suggested that Council Members give some thought to how we should handle the Board of Adjustment.

Mayor Bunker reported that the Delta Car Show people did not leave the park as clean this year as

they have in past years. There was good attendance at the car show and he heard that many people enjoy coming to Delta because the facilities we have available. Council Members Niles felt that the attendance was very good this year. Council Member Western felt the crowd was better than usual this year and several local merchants held sales which drew in people who were attending the car show.

MAYOR GAYLE BUNKER: PROPOSED PLANNING & ZONING ORDINANCE

Mayor Bunker advised Council Members that the Planning & Zoning Commission has approved the final draft of the proposed Planning & Zoning Ordinance, held a public hearing and has recommended that the City Council set a public hearing on the proposed document.

Following discussion, Council Member Tom Stephenson MOVED to set a public hearing on Thursday, November 4, 2010 at 6:30 p.m. for the purpose of receiving public comment regarding the proposed Delta City Zoning Ordinance. 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 with Council Members Banks, Curtis, Niles, Stephenson, and Western voting in favor.

MAYOR GAYLE BUNKER: PROPOSED SUBDIVISION ORDINANCE

Mayor Bunker advised Council Members that the Planning & Zoning Commission has approved the final draft of the proposed Subdivision Ordinance, held a public hearing, and has recommended that the City Council set a public hearing on the proposed document.

Following discussion, Council Member Tom Stephenson MOVED to set a public hearing on Thursday, November 4, 2010 at 6:45 p.m. for the purpose of receiving public comment regarding the proposed Delta City Subdivision Ordinance. 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 with Council Members Banks, Curtis, Niles, Stephenson, and Western voting in favor.

MAYOR GAYLE BUNKER: CHRISTMAS LIGHT PARADE AND NEW YEAR'S EVE CELEBRATIONS

Mayor Bunker noted that the Christmas Light Parade has been scheduled for Friday, November 26th. The Chamber of Commerce sent out an e-mail asking local businesses whether they prefer Friday or Saturday for the light parade with most responses indicating they did not have a preference.

Karen Johnson has been involved with organizing the celebration for a number of years but has asked to be relieved of that responsibility. We have asked Rebecca Peterson to take over that part of the celebration and she is excited to be involved.

Mayor Bunker reported that he had sent a letter to Rocky Mountain Power requesting that they sponsor the Charley Jenkins band for the New Year's Eve celebration but he has not yet received a response. Mayor Bunker felt we should have one or two other activities in addition to Charley Jenkins. Council Members felt we should start at 8:00 p.m. with some entertainment and have Charley Jenkins play from 9:00 p.m. to midnight. Mayor Bunker asked Council Member Betty Jo Western to schedule the Palladium for the event and asked her to request that we be allowed until 10:00 a.m. on Monday, following New Years Eve, to clean up the Palladium.

Council Member Robert Banks stated that his wife is interested in helping with the games and would like to purchase or make some of the games so we do not have to rent them each year.

We will be discussing these two events at each meeting until both are over.

PUBLIC WORKS DIRECTOR ALAN RIDING: UPDATE ON PUBLIC WORKS PROJECTS

Public Works Director Alan Riding reported that public works employees have been working on maintenance issues and preparing for fall projects. Work has begun on putting a new roof over the City Council Chambers so we can get rid of leaks in the ceiling.

Justin Ashby and Mike Roper have both passed their water certification exams so all public works employees now have water certification. We will now work towards getting all employees certified in waste water management.

Council Member Western asked if anything has been done about a yard on 100 West which is apparently holding a perpetual yard sale. Public Works Director Riding responded that a letter was sent to the property owner this week.

Public Works Director Riding advised Council Members that there has been some problems with activities in the park restrooms. The restrooms will be open through the end of October, then they will be locked until spring. Public Works Director Riding expressed an interest in a security camera that will help catch those responsible for doing damage in the park restrooms. Mayor Bunker noted that we had removed the request for a security camera from the budget but felt that we need to consider investing in a camera in the spring before the restrooms are opened for the summer. We do not like to lock the restrooms but it appears to be a necessity in order to avoid continued damage.

OTHER BUSINESS

Mayor Bunker noted that an individual has expressed appreciation to him for the public works employees and the work they do. Mayor Bunker asked Public Works Director Riding to pass that information on to the public works employees.

Council Member John Niles expressed appreciation to public works employees for sweeping Main Street between 600 East and Locust Avenue prior to the L.D.S. Stake Conference last month. Council Member Tom Stephenson thanked public works employees for patching asphalt on 300 East.

Council Member Robert Banks expressed appreciation to Council Member Bruce Curtis and Delta Fire Department for cleaning the high school tennis courts.

Mayor Bunker advised Council Members that the Delta City Employee Christmas Party is scheduled for Friday, December 3, 2010 beginning at 6:30 p.m., with dinner at 7:00p.m.

Mayor Bunker stated that, since the last City Council Meeting, Judy Sabey's mother passed away in Fillmore, Karen Johnson's husband died unexpectedly last week, and Council Member Bruce Curtis' sister-in-law passed away. Mayor Bunker expressed condolences to all of the employees involved and thanked the employees for their service to Delta City.

Mayor Bunker attended a session at the Utah League of Cities and Towns Conference dealing with edcUtah, which is a private, non-profit agency working for economic development in Utah. The agency has provided us with a request for information regarding a site for a distribution/warehouse facility in Utah, within 100-150 miles radius of Salt Lake City, close proximity to interstate or highway, with rail being strongly preferred. We put together a proposal and learned yesterday that they were impressed with our proposal and it will be forwarded to the company interested in relocating.

Council Member Betty Jo Western talked to a vendor at the Utah League of Cities and Towns Conference about street lights. The vendor provided information on contacting the Utah Department of Transportation. It appears that the Utah Department of Transportation may be willing to participate in upgrading street lighting for our Main Street. Council Member Western will be gathering additional information on this matter and provide it to Council Members at a future meeting.

Sam Granato, Democratic candidate for U.S. Senate, is coming to Delta tomorrow and plans to meet

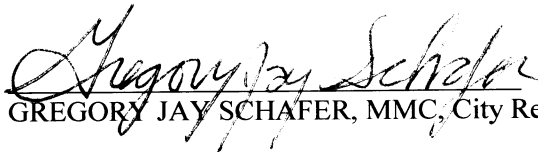
with Mayor Bunker at the City Building at 4:00 p.m. Mayor Bunker invited Council Members to come and meet with Mr. Granato.

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 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 with Council Members Banks, Curtis, Niles, Stephenson and Western voting in favor.

Mayor Bunker declared the meeting adjourned at 8:44 p.m.



GAYLE BUNKER, Mayor



GREGORY JAY SCHAFFER, MMC, City Recorder

MINUTES APPROVED: RCCM 11-4-10