

CITY OF DELTA, UTAH
REGULAR CITY COUNCIL MEETING
NOVEMBER 18, 2010

PRESENT

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

ABSENT

Tom Stephenson	Council Member
Alan Riding	Public Works Director

ALSO PRESENT

Kaela Jackson	City Attorney
Ken Clark	Assistant Public Works Director
Gregory Jay Schafer	City Recorder
George Lee	Central Telecom Services, LLC
Eddie Cox	Central Telecom Services, LLC
Branch Cox	
Steve Styler	Attorney

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

MINUTES

The proposed minutes of Public Hearing #1 held November 4, 2010 were presented for consideration and approval. Following review, Council Member Bruce Curtis MOVED to approve the minutes of Public Hearing #1 held November 4, 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 Robert Banks, Bruce Curtis, John Niles and Betty Jo Western voting in favor and Council Member Tom Stephenson being absent.

The proposed minutes of Public Hearing #2 held November 4, 2010 were presented for consideration and approval. Following review, Council Member Robert Banks MOVED to approve the minutes of Public Hearing #2 held November 4, 2010, as presented. 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 Robert Banks, Bruce Curtis, John Niles and Betty Jo Western voting in favor and Council Member Tom Stephenson being absent.

The proposed minutes of a Regular City Council Meeting held November 4, 2010 were presented for consideration and approval. Following review, Council Member Bruce Curtis MOVED to approve the minutes of the Regular City Council Meeting held November 4, 2010, as presented. 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, with Council Members Robert Banks, Bruce Curtis, John Niles and Betty Jo Western voting in favor and Council Member Tom Stephenson being absent.

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 John Niles MOVED to approve the accounts payable dated November 18, 2010, in the amount of \$125,318.94. 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 Robert Banks, Bruce Curtis, John Niles and Betty Jo Western voting in favor and Council Member Tom Stephenson being absent.

PUBLIC COMMENT PERIOD

There were no comments from the public.

UNFINISHED BUSINESS

There were no items of unfinished business on the agenda.

NEW BUSINESS

GEORGE LEE, CENTRAL TELECOM SERVICES, LLC: PROPOSED FRANCHISE AGREEMENT

George Lee invited Eddie Cox to assist in the presentation. They provided a short history of Central Telecom Services. They have been in the telecommunications business for over one hundred years and have begun branching into the cable television industry. Their service area currently includes

all of Sanpete and Sevier Counties, Santaquin, Goshen, Eureka, Wendover and Ely, Nevada and they are excited about the package of service they are preparing for Millard County. They will be bringing fiberoptic cable into Delta and Fillmore to rebuild the existing cable television service. The new service will allow up to 100 megabytes into homes, thus providing cable television and high speed internet, along with telephone service to compete with the existing telephone service provider. Central Telecom specializes in providing service to rural areas. A franchise agreement will be sent to Delta City, from the attorney representing Central Telecom, in the near future and it is hoped the franchise agreement will be approved. Mr. Lee is the cable television manager and Mr. Cox is the president.

Mr. Lee and Mr. Cox answered questions from Council Members regarding programming, cable replacement and timing of having the service available in Delta.

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

Mayor Bunker reminded Council Members to be at 400 West Main Street on Friday, November 26th to ride the Council float in the Light Parade.

Mayor Bunker reported that we had mailed letters to Intermountain Power Service Corp., Questar Gas, Brush Resources, Graymont, Ash Grove, and Delta Egg Farm requesting assistance in paying the cost of providing the New Years Eve celebration. We have received a small donation from Questar and hope to get additional funds from the other companies.

Council Member Betty Jo Western advised Council Members that she has signed the contract for Charley Jenkins band. They have requested that we provide four motel rooms for them on New Year's Eve. Council Members felt that was a reasonable request so Council Member Western will arrange for the rooms. Council Member Western has found that it will cost between \$800 and \$1200 to bring additional talent in on New Year's Eve, such as a magician, for a 45 minute show. Mayor Bunker felt that we need the additional entertainment. Council Members agreed that we need to have additional entertainment. Council Member Western will contract with a magician to entertain at the celebration.

We have purchased a number of games for the celebration so that we do not have to travel to pickup and return the games. We have also purchased prizes and give-away items for the games. We will be setting up at the Palladium on Thursday, December 30th beginning at 1:00 p.m. and will do cleanup on Monday, January 3rd at 9:30 a.m.

MAYOR GAYLE BUNKER: PUBLIC WORKS ACTIVITIES UPDATE

Assistant Public Works Director Ken Clark reported that public works employees have been working diligently to get the Christmas decorations in place and they will begin lighting them on Monday,

November 22nd. It appears that everything will work well this year.

We had clean up days on November 12th and 13th with only six loads going to the landfill and the rest being weeds, tree limbs, etc. It appeared to be mostly yard waste that was being put out for pickup so maybe we have gotten a lot of the trash and garbage hauled on previous clean up days.

We have new doors installed on the city office. The power has been run to the doors so they will operate automatically, but the installers need to come back and do some adjustments to make sure everything works correctly.

Assistant Public Works Director Clark reported that a new owner of a property here in town wants two blue spruce trees removed from the property and has asked the city to remove the trees. Public Works employees have discussed the possibility of transplanting those trees to the park and asked Council Members if they would be willing to spend \$1500 to transplant the trees in the park. Assistant Public Works Director Clark has received one call back regarding transplanting the trees; the company is located in Saratoga Springs and their price would be \$1500. Council Members felt that we should not spend that amount of money trying to transplant a tree that probably has a small chance of survival.

Assistant Public Works Director Clark stated that he had received a telephone call from a gentleman who wanted to know how we handle animal control in trailer parks. Up to this time, we have not controlled animals in trailer parks because it is private property so, unless there has been a dog bite or a specific reason to go into a trailer park, we do not go on private property to pick up an animal. Assistant Public Works Director Clark asked Council Members how they want animal control to deal with animals in trailer parks. He told the caller that, if he owns a trailer park and does not want to allow animals, it is the owners responsibility to work with renters to eliminate animals.

MAYOR GAYLE BUNKER: PROPOSED NEW DELTA CITY PLANNING & ZONING ORDINANCE

Mayor Bunker suggested that Council Members spend a few minutes discussing the proposed new Delta City Planning & Zoning Ordinance. Council Members reviewed the section titled "General Provisions" and saw no problems with that section. They next reviewed the section titled "Definitions" with City Attorney Kaela Jackson noting that, where our definition is different than the language in the state statute, we should use language in the state statute. City Attorney Jackson reviewed these changes and will make certain they are corrected in the final copy for adoption.

Mayor Bunker advised Council Members that they will review the next two sections of the proposed ordinance during the second meeting in January and asked Council Members to review pages 47 to 80 for the January meeting.

OTHER BUSINESS

Mayor Bunker advised Council Members that Delta City owns a small pie-shaped parcel of land adjacent to 500 West Street which is .12 acres. The owners of the property next to the Delta City property would like to gain ownership to the parcel and has asked to purchase the property. City Attorney Jackson stated that, if we do not have an ordinance specifying what the city deems to be a "significant parcel," we probably need to go through the process of noticing the property for sale. City Attorney Jackson will check the statute further to make certain what the process will be.

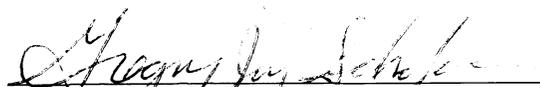
Council Member Betty Jo Western stated that she had received more complaints about a resident who appears to be holding a perpetual yard sale. Mayor Bunker said that he would check for an update on that situation.

Mayor Bunker advised Council Members that Great Basin Museum has exercised their option to withdrawn from the West Millard Museums and Community Center board. Mayor Bunker reported that a short meeting of the board will take place on Monday, November 22nd if any Council Members would like to attend.

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 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, with Council Members Robert Banks, Bruce Curtis, John Niles and Betty Jo Western voting in favor and Council Member Tom Stephenson being absent.

Mayor Bunker declared the meeting adjourned at 8:35 p.m.


GAYLE BUNKER, Mayor


Gregory J. Schafer, MMC, City Recorder

MINUTES APPROVED: RCCM 12-02-10