

CITY OF DELTA, UTAH
REGULAR CITY COUNCIL MEETING
JUNE 2, 2011

PRESENT

Gayle Bunker	Mayor
Bruce Curtis	Council Member
Tom Stephenson	Council Member
Betty Jo Western	Council Member

ABSENT

Robert Banks	Council Member
John Niles	Council Member
Alan Riding	Public Works Director

ALSO PRESENT

Todd Anderson	City Attorney
Gregory Jay Schafer	City Recorder
Ken Clark	Assistant Public Works Director
Steve Pratt	City Resident

Mayor Bunker called the meeting to order at 7:10 p.m. and noted that the meeting had been delayed due to the length of a Millard School District public hearing held in the Council Chambers just prior to the City Council Meeting. He stated that notice of the meeting time, place and agenda had been posted at the City Building and on the Utah Public Meeting Notice web site and 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 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 Budget Work Session held May 18, 2011 were presented for consideration and approval. Following review, Council Member Bruce Curtis MOVED to approve the minutes of the Budget Work Session held May 18, 2011, as presented. 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 with Council Members Bruce Curtis, Tom Stephenson and Betty Jo Western voting in favor and Council Members Robert Banks and John Niles being absent.

The proposed minutes of a Public Hearing held May 18, 2011, regarding building inspection services, were presented for consideration and approval. Following review, Council Member Tom Stephenson MOVED to approve the minutes of the Public Hearing held May 18, 2011, as presented. 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 Bruce Curtis, Tom Stephenson and Betty Jo Western voting in favor and Council Members Robert Banks and John Niles being absent.

The proposed minutes of a Public Hearing held May 19, 2011, regarding the Delta City Amended Budget for Fiscal Year 2010-2011, were presented for consideration and approval. Following review, Council Member Bruce Curtis MOVED to approve the minutes of the Public Hearing held May 19, 2011, 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 Bruce Curtis, Tom Stephenson and Betty Jo Western voting in favor and Council Members Robert Banks and John Niles being absent.

The proposed minutes of a Regular City Council Meeting held May 19, 2011 were presented for consideration and approval. Following review, Council Member Betty Jo Western MOVED to approve the minutes of the Regular City Council Meeting held May 19, 2011, as presented. 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 Bruce Curtis, Tom Stephenson and Betty Jo Western voting in favor and Council Members Robert Banks and John Niles being absent.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a copy of which had been provided to them two days prior to the meeting. Following review, Council Member Betty Jo Western MOVED to approve the accounts payable dated June 2, 2011, in the amount of \$ 42,673.86. 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 with Council Members Bruce Curtis, Tom Stephenson and Betty Jo Western voting in favor and Council Members Robert Banks and John Niles 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

MILLARD COUNTY SCHOOL DISTRICT: BUILDING NEEDS OF MILLARD SCHOOL DISTRICT

Millard School District held a public hearing just prior to this meeting, following which they elected to not make an additional presentation to Council Members.

MAYOR GAYLE BUNKER: CONTRACT WITH SUNRISE ENGINEERING FOR BUILDING INSPECTION SERVICES

Mayor Bunker noted that Council Members had received a copy of a contract with Sunrise Engineering for technical services, which had been signed in 2002, and they also had a copy of an addendum, titled Work Release, which would include building inspection services. There are some items on the work release which require clarification. Mayor Bunker requested that City Attorney Todd Anderson explain those items. City Attorney Anderson felt that we need to negotiate a hold harmless clause for situations such as Delta City recently faced with the Morris home construction. City Attorney Anderson would also like to have more specific language included regarding cost pro-ration of the portion of the job that have been completed. The issues are rather minor but City Attorney Anderson has not yet had an opportunity to address them with Sunrise Engineering. Mayor Bunker and City Attorney Anderson will be meeting with Sunrise Engineering in the near future.

Mayor Bunker asked that approval of this matter be tabled until we have discussed these issues with Sunrise Engineering. Mayor Bunker advised Council Members that a letter has been mailed to Millard County advising them of our intent to discontinue their building inspection services as of Monday, June 6th. Mayor Bunker talked with Millard County Commissioner Daron Smith today. Commissioner Smith was aware of our intent but did not make any attempt to encourage Delta City to continue with Millard County building inspection services. Mayor Bunker stated that we will be using Sunrise Engineering for building inspection services beginning on Monday, even though we need to further discuss these items. City Attorney Anderson agreed that the indemnification clause is included in the over-arching agreement with Sunrise Engineering but he would like to have it specifically included in the agreement for building inspection services. City Attorney Anderson stated that the main terms necessary to begin using their services, for a short term basis, are okay on a verbal basis for the few weeks it will take for final negotiations and document preparation for Council approval. Council Member Western had questions regarding some aspects of the agreement which were clarified by City Attorney Anderson.

Council Member Tom Stephenson MOVED to table further discussion of this matter until the agreement has been modified as outlined. 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 Bruce Curtis, Tom Stephenson and Betty Jo Western voting in favor and Council Members Robert Banks and John

Niles being absent.

MAYOR GAYLE BUNKER: PROPOSED PURCHASE OF SANDER

Mayor Bunker noted that purchase of this items was included in the budget for the current fiscal year. Our sales tax report came in last week and was better than had been expected so the sander can be purchased from the current year budget. One of our sanders is almost completely rusted out and this purchase would replace it with a stainless steel sander for \$14,140, which is the state contract price.

Following discussion, Council Member Bruce Curtis MOVED to approve purchase of a replacement stainless steel sander, at a price of \$14,140. 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 Bruce Curtis, Tom Stephenson and Betty Jo Western voting in favor and Council Members Robert Banks and John Niles being absent.

MAYOR GAYLE BUNKER: FOURTH OF JULY CELEBRATION

Council Member Betty Jo Western has not been able to make contact with Karen Banks because her family is out of town and she did not know if Karen has selected any individuals to help with planning the celebration. Mayor Bunker stated that Karen had given us a couple of names but no contact had been made with them. He requested that Council Member Western contact those people to help with the celebration.

Mayor Bunker stated that Representative Bill Wright will also be here on the Fourth of July and will speak for five minutes on the Patriotic Program. Lt. Governor Greg Bell will be our main speaker for the program. Mayor Bunker talked with Howard Clayton to see if he would be willing to transport the Lt. Governor in one of his antique cars for the parade. Mr. Clayton agreed but we still need to find transportation for Rep. Wright. We have the flyover approved and a unit has agreed to do the flyover. The fish catch has been arranged for 1:00 p.m.; the Miss Liberty royalty will be getting their dresses in the next few days. Increased power for the food pavilion is being taken care of. We are also ordering mesh vests for celebration helpers so they are easily recognized by the public.

PUBLIC WORKS DIRECTOR ALAN RIDING: UPDATE ON PUBLIC WORKS PROJECTS

Assistant Public Works Director Ken Clark reported that Public Works Director Alan Riding has not returned to work. He returned to work for one day and began having problems. The doctor told him to stay home but he continued to have problems so he went back to the doctor. They found that he had a leak in his spinal cord and was leaking spinal fluid. He had an additional surgery last Thursday and is recuperating at home now. He is doing well but has been instructed to stay off work for an additional three weeks.

Assistant Public Works Director Clark advised Council Members that the rain last week shut down the Main Street sidewalk project. Approximately twenty-eight yards were poured this morning and one small section, in front of the log cabin, still needs to be completed. We are installing a handicap ramp at that location. The ramp and final section of the sidewalk should be completed on Monday and sod will be replaced by the end of next week. Public Works employees are working diligently at getting the park ready for the Fourth of July celebration.

Employees will begin making asphalt patches around town next week. The new hangar door is scheduled to be here in mid-June and will be installed early this fall, after summer projects are completed.

The street sweeper will be out cleaning streets and the gyro will begin cutting weed patches in the near future.

Council Members discussed the problem of cats around open dumpsters. Suggestion was made that we pass an ordinance requiring that dumpster lids be closed in order to deter cats, especially around food establishments. Another suggestion was that fences be required around dumpsters. It was determined that we will contact Delta Garbage Service and advise them that we plan to require lids on all dumpsters. We will ask them how much time they need to make certain all of their dumpsters have lids.

OTHER BUSINESS

Mayor Bunker reported that he had attended the gathering to recognize members of National Guard Unit 222 who are being deployed to Iraq. There are several members from Delta City who are being deployed and Mayor Bunker noted that, in the past, when head-of-household residents are called to active duty, we have waived water and sewer charges for the period of time the resident is deployed. Mayor Bunker asked for Council approval to make the waiver available to those who are now deployed. At present, Mayor Bunker knew of only two families who would be affected. If Council Members know of additional residents who are deployed, we need to offer that waiver to them also.

Council Member Western asked if we had selected members to be appointed to the Planning & Zoning Commission. Mayor Bunker noted that he had been waiting to discuss the proposed appointments with Zoning Officer Riding when he returns to work.

Mayor Bunker asked if there were any comments, questions, or other items to be discussed. There being none, he called for a motion. Council Member Betty Jo Western 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 with Council Members Bruce Curtis, Tom Stephenson and Betty Jo Western voting in favor and Council Members Robert Banks and John Niles being absent.

Mayor Bunker declared the meeting adjourned at 8:13 p.m.



GAYLE BUNKER, Mayor



GREGORY JAY SCHAFFER, MMC, City Recorder

MINUTES APPROVED: RCCM 06-16-11