

CITY OF DELTA, UTAH  
REGULAR CITY COUNCIL MEETING  
JUNE 16, 2011

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

Alan Riding	Public Works Director
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ALSO PRESENT

Todd Anderson	City Attorney
Gregory Jay Schafer	City Recorder
Ken Clark	Assistant Public Works Director
Jacob Anderson	

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 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.

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

MINUTES

The proposed minutes of a Regular City Council Meeting held June 2, 2011 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 2, 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 Robert Banks, Bruce Curtis, John Niles, and Tom Stephenson voting in favor and Council Member Betty Jo Western being absent.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a copy of which had been provided to them at least two

days prior to the meeting. Following review, Council Member Robert Banks MOVED to approve the accounts payable, dated June 16, 2011, in the amount of \$122,474.67. 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 Tom Stephenson voting in favor and Council Member Betty Jo Western being absent.

PUBLIC COMMENT PERIOD

Jacob Anderson proposed to the Council that Delta City provide a community activity on the July 4<sup>th</sup> weekend. The activity proposed would be an outdoor movie in the City Park and Mr. Anderson would provide the activity as a service. He plans to provide a movie for the 4-H Mentoring program on Friday, July 1<sup>st</sup> and there is an open invitation for the public to attend the movie. Mr. Anderson is willing to provide a public movie on Saturday, July 2<sup>nd</sup>, at a cost of \$150. Mr. Anderson will provide the screen but he does not provide seating. Those attending would need to bring their own seating.

Mayor Bunker stated that we would be discussing the Fourth of July celebration later in the meeting and suggested that this be discussed at that time.

UNFINISHED BUSINESS

There were no items of unfinished business on the agenda.

NEW BUSINESS

MAYOR GAYLE BUNKER: RESOLUTION NO. 11-338 ADOPTING THE DELTA CITY FINAL BUDGET FOR FISCAL YEAR 2011-2012

Mayor Bunker introduced the following resolution:

RESOLUTION NO. 11-338

A RESOLUTION ADOPTING A FINAL BUDGET FOR THE CITY OF DELTA, UTAH FOR THE FISCAL YEAR BEGINNING JULY 1, 2011

Following discussion, Council Member Robert Banks MOVED to adopt Resolution No. 11-338, a resolution adopting a final budget for the City of Delta, Utah for the fiscal year beginning July 1, 2011, in the amount of \$4,709,187. 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	Absent

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

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

Mayor Bunker noted that he is having some difficulty finding individuals to fill the Planning & Zoning Commission appointments. He is attempting to find individuals who live in different areas of town. Mayor Bunker asked Council Members to let him know of any individuals they know who might be willing to serve on that board.

Following discussion Council Member John Niles MOVED to table appointment of members to the Planning & Zoning Commission until the next 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 Robert Banks, Bruce Curtis, John Niles and Tom Stephenson voting in favor, and Council Member Betty Jo Western being absent.

MAYOR GAYLE BUNKER: FOURTH OF JULY CELEBRATION

Mayor Bunker noted that Jacob Anderson has asked if we would be interested in doing a movie in the park on Saturday evening, July 2<sup>nd</sup>. The 4-H program is sponsoring a movie in the park on Friday, July 1<sup>st</sup>. Mayor Bunker indicated that the cost would be \$150 for one movie and an additional \$50 for a second movie. Council Member John Niles felt that, with the additional people we will have in town for the celebration, a movie might be a better place for young people to assemble than having them running around town. Council Member Betty Jo Western asked when the movie would start. Mr. Anderson said the movie would start as soon as it is dark enough to see a movie outside, which would probably be around 9:30 p.m. City Attorney Todd Anderson felt that it would be another inexpensive event for families on the Fourth of July weekend. City Attorney Anderson also noted that Mr. Anderson would be the last person cleaning up and leaving the park following the movie and he would be there to make sure everyone was leaving rather than loitering in the park. Council Member Tom Stephenson stated that we will have a volleyball tournament going on at the same time. Council Member Robert Banks noted that the volleyball tournament will take one segment of the population and the movie could be a draw for another segment.

Mayor Bunker did not object to having the movie on Saturday, nor did Council Members. Council Members approved having Mr. Anderson provide the movie in the park on Saturday, July 2<sup>nd</sup>. Council Member Betty Jo Western will work with Mr. Anderson to determine what movie will be shown. Delta City is responsible to obtain the movie. Council Member Betty Jo Western advised Council Members that they need to obtain a public license to show any movie outside of a home

setting. There is a fee of about \$200 to obtain the license and there are companies that process the licensing for showing a public movie.

Council Member Betty Jo Western stated that Jayleen Hoggard will be helping Karen Banks with the Fourth of July celebration. Council Member Betty Jo Western will take care of the Patriotic Program. She is still waiting to hear from a couple who she wants to do a special musical number.

Mayor Bunker noted that he had talked with Matt Loe about using the empty lot in front of Lake Philgas to stage the parade. We are going to ask the fire departments and horses to line up on 400 East, south of Main Street. We plan to block off 350 East Street at Main Street and force parade entries to come from the north to 100 North and 350 East. We will have the parade sign up at that intersection, assign numbers and line parade entries, facing east, in three or four lanes in the vacant lot. The only vehicles to line up on 400 East will be the first 10-12 entries then we can bring entries in from the empty lot onto 400 East and Main Street. We will publish a map of the parade sign up in the newspaper next week so that those who read it will have fair warning of the change in parade line up.

Assistant Public Works Director Ken Clark advised Council Members that all of the sod has been replaced in the park; the water fall has been completed; we are in the process of installing additional power to the food vendor pavilion and that should be done next week. We will be spraying the park for mosquitoes next Thursday and will spray again on the Thursday prior to July 4<sup>th</sup>.

We have attempted to contact Kevin Morris at Millard County to see if we can use their mobile bleachers on the Fourth of July. Mr. Morris was not available today so we will contact him next week. It is hoped we can use the mobile bleachers on the city owned property on the south side of Main Street between 100 West and Center Street. The bleachers are too large to use in the City Park during the parade. Assistant Public Works Director Clark noted that one person had advised him the County is discussing charging a rental fee for use of the bleachers. We will make certain whether or not there is a rental fee and, if so, how much it is, prior to using the bleachers during the parade. When the parade is over, we will need to take them back to Millard County so they can be set up for the demolition derby that evening.

Assistant Public Works Director Clark advised Council Members that the Public Works employees are going to install a series of three posts on each side of the seating area, in front of the bowery, to hold the shade they install for the celebration each year. A temporary center pole will be installed and they will run cables between the posts to hold the shade up. We are getting some new soft fall chips coming for both playgrounds in the park and new bark chips to place around the plants at the waterfall.

Mayor Bunker asked Council Member to mention anything that they think has been forgotten in preparation for the celebration.

ASSISTANT PUBLIC WORKS DIRECTOR KEN CLARK: REFERRAL OF DELINQUENT UTILITY ACCOUNTS FOR COLLECTION

Assistant Public Works Director Ken Clark stated that, in the past, we have written off utility accounts deemed uncollectible in order to avoid continuous penalties being charged to the accounts. Attempting collection through small claims court has resulted in additional costs with little or no money being collected. City Attorney Todd Anderson has requested that, instead of writing off the delinquent accounts, we refer them to a collection service, which will attempt collection in exchange for a portion of the funds collected. The Public Works Department feels this is a good option.

City Attorney Todd Anderson noted that the collection agency will take a 30% fee from any monies collected with zero up front costs and set up fees. Our responsibility is to refer the accounts to the collection service and they will keep 30% of anything they collect. City Attorney Anderson felt that we need to set up a policy whereby we will make referral of delinquent accounts in three or six months after delinquency. We will then allow those accounts to be pursued by the collection agency for a set amount of time before being returned for Council approval to write off the balances.

City Attorney Anderson is working with the Public Works Department to update service agreements where fees are set up to include collection costs into the delinquency fees. City Attorney Anderson noted that we may not collect anything but felt that it is better to utilize the collection agency option before writing off delinquent accounts.

Following discussion Council Member Tom Stephenson MOVED to refer delinquent utility accounts to Bonneville Specialists Collection Agency for collection. 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, Tom Stephenson and Betty Jo Western voting in favor, and no one voting against.

#### ASSISTANT PUBLIC WORKS DIRECTOR KEN CLARK: UPDATE ON PUBLIC WORKS PROJECTS

Assistant Public Works employees have begun patching asphalt and preparing for the Fourth of July.

Public Works Director Alan Riding has been checking in this week and is doing much better. He will not come back to work until the doctor releases him and that will be at least another week.

Council Member Tom Stephenson expressed appreciation to the public works crew for the work they do to make all the City functions run smoothly, as well as making the City Park look great.

#### MAYOR GAYLE BUNKER: REVIEW OF PROPOSED DELTA CITY ZONING ORDINANCE PAGES 141 THROUGH 152

Council Members reviewed pages 141 through 148 of the proposed Delta City Zoning Ordinance. Council Members will begin with page 149 at the next meeting.

OTHER BUSINESS

Mayor Bunker advised Council Members that he had received word yesterday that the grant which Topaz Museum applied for has been denied, but they were encouraged re-apply in six months. An individual with the Parks Service will be helping to refine the grant request for the next submission.

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Council Member John Niles reported three different groups of people who stop and throw rocks at the water tank on the corner of 450 South and Manzanita Avenue and the last group were adults. Council Member Niles asked if we could install a sign advising people that throwing rocks at the municipal water tank is vandalism. City Attorney Anderson suggested that those individuals be reported to the Millard County Sheriff's Office and he will send a letter to the Sheriff's Office advising that we will be reporting these incidents and request that citations be issued. Signs could also be posted.

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Council Member Tom Stephenson has had people ask about an update on the siren notification project. Assistant Public Works Director Clark said he had finally contacted the Boy Scout who is in charge of delivering the information and found that all the information will be delivered on Tuesday, June 21<sup>st</sup>.

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Council Member Tom Stephenson asked if any complaints have been received regarding the turkey buzzards. He has had a lady complaining to him about her concern regarding health issues with turkey buzzard droppings. Assistant Public Works Director Clark stated that the turkey buzzards do not stay year around; they come during the spring and leave after several weeks.

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Council Member Tom Stephenson asked why the gate to the dump is always locked. Assistant Public Works Director Clark advised Council Member Stephenson that we have eight keys to the lock that people can come into the City Office and check out when they need one. They are instructed to return the key after using the dump and are given a list of items that are not allowed at the dump site. We have had a lot of problem with people dumping their household garbage, couches, beds, televisions, and every other kind of item which is not allowed. We have signs indicating that the site is for yard debris but we end up with all kinds of items that are not allowed. That is the reason for locking the gate and requiring those using the site to come into the office and pick up a key before going to the dump site.

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Council Member Betty Jo Western asked if we know why the Delta cemetery is not being watered. Mayor Bunker reported that the cemetery district has installed a pump to pump water from the canal up to the cistern and, ultimately, into the sprinkling system. As far as Mayor Bunker knew, the cemetery district has everything in place and they just need to use the system. Council Member Betty Jo Western suggested that, if there is anything Delta City can do, we need to help them because most people believe the cemetery is the Delta City's responsibility. Mayor Bunker stated that he has offered our assistance if there is any way we can help but we have heard nothing from them.

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Council Member Betty Jo Western advised that she had been contacted by Darlene Scott, who is in charge of the 4-H program with the USU Extension office. They are applying for a \$500 grant and requested support of Delta City for a 4-H centennial program. Council Members agreed to support the grant application for a 4-H centennial program.

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Mayor Bunker asked if there were any comments, questions, or other items 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 with Council Members Robert Banks, Bruce Curtis, John Niles, Tom Stephenson and Betty Jo Western voting in favor.

Mayor Bunker declared the meeting adjourned at 9:05 p.m.

  
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GAYLE BUNKER, Mayor

  
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GREGORY JAY SCHAFFER, MMC, City Recorder

MINUTES APPROVED: RCCM 07-07-11