

CITY OF DELTA, UTAH
REGULAR CITY COUNCIL MEETING
JUNE 21, 2012

PRESENT

Gayle Bunker	Mayor
Robert Banks	Council Member
John Niles	Council Member
Steven Pratt	Council Member
Tom Stephenson	Council Member
Betty Jo Western	Council Member

ABSENT

Alan Riding	Public Works Director
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ALSO PRESENT

Gregory Jay Schafer	City Recorder
Todd Anderson	City Attorney
Ken Clark	Assistant Public Works Director
Don Watts	Rocky Mountain Power
Lynn Ashby	Fire Chief
Travis Stanworth	Assistant Fire Chief
Dean Draper	Millard County Chronicle/Progress

Mayor Bunker called the meeting to order at 7:00 p.m. He stated that notice of the time, place and agenda of the meeting had been posted at the City Building and on the Utah Public Notice website 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 John Niles provided opening remarks, following which Mayor Bunker led those in attendance in the Pledge of Allegiance.

MINUTES

The minutes of Public Hearing #1 held June 7, 2012 were presented for consideration and approval. Following review, Council Member Robert Banks MOVED to approve the minutes of Public Hearing #1 held June 7, 2012, 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,

John Niles, Steven Pratt and Tom Stephenson voting in favor and Council Member Betty Jo Western being absent.

The minutes of Public Hearing #2 held June 7, 2012 were presented for consideration and approval. Following review, Council Member Robert Banks MOVED to approve the minutes of Public Hearing #2 held June 7, 2012, as presented. The motion was SECONDED by Council Member Steven Pratt. 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, John Niles, Steven Pratt and Tom Stephenson voting in favor and Council Member Betty Jo Western being absent.

The minutes of a Regular City Council meeting held June 7, 2012 were presented for consideration and approval. Following review, Council Member Tom Stephenson MOVED to adopt the minutes of the Regular City Council meeting held June 7, 2012, 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, John Niles, Steven Pratt and Tom Stephenson voting in favor and Council Member Betty Jo Western being absent.

Council Member Betty Jo Western arrived at 7:07 p.m.

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 John Niles MOVED to approve the accounts payable, dated June 21, 2012, in the amount of \$82,121.18. 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, John Niles, Steven Pratt, Tom Stephenson and Betty Jo Western voting in favor.

PUBLIC COMMENT PERIOD

Don Watts, of Rocky Mountain Power, reported that they are doing some projects which will affect the Delta area. They are constructing a new Black Rock substation, off of Highway 257, which is slated for completion by the end of 2013. It will reinforce growing demand on the existing system. Another project is rebuild of the Delta to Holden transmission line to serve agricultural irrigation growth in the Holden area. In addition, a back up generator is planned for the Delta area to be used in case of extreme summer power demand that could cause low voltage. Council Members asked if there was any information available about upgrading our street lighting to energy-efficient bulbs. Mr. Watts said Rocky Mountain Power does not have any standards in place for LED lighting because it is new technology and industry standards are not set. Rocky Mountain Power fears bringing in a

street light standard and having industry standards change, which would require that all lights in their system be changed to meet whatever the industry standard may be. If Delta City would like to install and maintain their own street light system, Rocky Mountain Power has a lighting vendor the City could contact.

NEW BUSINESS

MAYOR GAYLE BUNKER: RESOLUTION NO. 12-347 ADOPTING THE DELTA CITY AMENDED BUDGET FOR FISCAL YEAR 2011-2012

Mayor Bunker called attention to the following resolution:

RESOLUTION NO. 12-347

A RESOLUTION AMENDING RESOLUTION 11-338 AND THE BUDGET ADOPTED THEREBY TO PROVIDE FOR AMENDMENTS TO THE FISCAL YEAR 2011-2012 BUDGET OF THE CITY OF DELTA, UTAH

City Recorder/Finance Director Gregory Schafer reviewed the amendments included in the amended budget, the total of which was \$4,763,745. The amendment is a representation of the year's actual expenditures and revenues.

Following discussion of the amendments, Council Member Robert Banks MOVED to adopt Resolution No. 12-347, a resolution amending Resolution 11-338 and the budget adopted thereby to provide for amendments to the fiscal year 2011-2012 budget of the City of Delta. The motion was SECONDED by Council Member Steven Pratt. 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, John Niles, Steven Pratt, Tom Stephenson and Betty Jo Western voting in favor.

MAYOR GAYLE BUNKER: RESOLUTION NO. 12-348 ADOPTING THE DELTA CITY FINAL BUDGET FOR FISCAL YEAR 2012-2013

Mayor Bunker called attention to the following resolution:

RESOLUTION NO. 12-348

A RESOLUTION ADOPTING A FINAL BUDGET FOR THE CITY OF DELTA, UTAH FOR THE FISCAL YEAR BEGINNING JULY 1, 2012

City Recorder/Finance Director Gregory Schafer reviewed details of the Final Budget, including the total amount of \$6,043,579. The budget includes a General Fund total of \$2,667,974, a Capital Projects fund of \$1,973,141, and Enterprise Funds of \$1,333,646. The forward fund balance is 9.05%, which is well within state guidelines.

Following review and discussion, Council Member John Niles MOVED to adopt Resolution No. 12-348, a resolution adopting the final budget for the City of Delta, Utah for the fiscal year beginning July 1, 2012, in the amount of \$6,043,579. 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, John Niles, Steven Pratt, Tom Stephenson and Betty Jo Western voting in favor.

MAYOR GAYLE BUNKER: ESTABLISH AN ORDINANCE ALLOWING THE SALE OF WATER OUTSIDE CITY LIMIT, AND TO BEGIN THE PROCESS FOR DELTA CITY TO ISSUE BONDS FOR FUNDING THE SHERWOOD SHORES WATER PROJECT

Mayor Bunker reported that, since the previous City Council meeting, we have been advised by Utah League of Cities & Towns Attorney, David Church, that, since this is a gray area in state law, we should have the special service district created by the county and have Delta City manage it. Mayor Bunker, Public Works Director Alan Riding and City Attorney Todd Anderson were not desirous of pursuing that route and determined that, perhaps the best course of action would be to pass an ordinance allowing sale of water outside the City limits and to begin the process of issuing bonds for funding the Sherwood Shores water project. This process would be a simpler method to provide water service. Mayor Bunker requested that Council Members discuss whether they would be in favor of following this process. Council Member Steven Pratt asked if this would obligate Delta City to sell water to someone else that may decide to develop property outside the City limits and request water service from Delta City. City Attorney Anderson advised Council Members that adopting this ordinance will provide that only surplus water could be sold outside the city limits; therefore, it would be at the election of the Council. The ordinance would set up a fee schedule for selling water outside Delta City limits. City Attorney Anderson said it may possibly set a political precedent but not a legal precedent.

Mayor Bunker stated that we want to draft the ordinance so we are not obligated to provide water service to areas outside of city limits. The ordinance would pertain only to Sherwood Shores and any future service would be decided on a case-by-case basis. City Attorney Anderson noted that, by not creating a special service district, we are losing the ability to tax property owners for the system; we can only charge fees for the water usage. The only revenue to pay for debt service and costs is through the fees billed. This process would mean that Delta City is taking the loan and issuing the bonds, versus a special service district doing so. Therefore, Delta City is pledging the revenue of the entire Delta City system to pay the bonds.

Mayor Bunker noted that this information is new to Council Members and requested that they think about the information and it will be discussed further at a future meeting rather than making a decision tonight. It is a matter that needs Council Members to study the proposal before making a decision. Ultimately, Delta City will be incurring an approximate \$600,000 liability for the project.

Following discussion, Council Member Betty Jo Western MOVED to table further discussion of this matter until the next Council 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 with Council Members Robert Banks, John Niles, Steven Pratt, Tom Stephenson and Betty Jo Western voting in favor.

MAYOR GAYLE BUNKER: FOURTH OF JULY CELEBRATION

Mayor Bunker asked if Council Member Western has found musical numbers for the Patriotic Program. Council Member Western stated the program is ready to go. Mayor Bunker asked which Council Members will be riding the Council float. Council Members Robert Banks, Steven Pratt and John Niles will be riding on the float. Council Member Tom Stephenson is scheduled to work that day so he will not be available. Council Member Western will try to be on the float and Mayor Bunker will be riding a Daisy Reaper float entry.

PUBLIC WORKS DIRECTOR ALAN RIDING: REQUEST FOR APPROVAL TO WRITE-OFF UTILITY BILLS CONSIDERED UNCOLLECTIBLE

Assistant Public Works Director Ken Clark presented a list of utility accounts for which collection efforts have been exhausted and are deemed uncollectible. Request is being made at this time for write-off of the accounts, which will terminate additional fees being assessed, then the accounts will be referred to a collection agency for further attempts at collection. The total of the accounts is \$2,110.42, of which \$1,105.41 is late penalties and fees.

Following review, Council Member Tom Stephenson MOVED to approve write off of utility accounts deemed uncollectible, in the amount of \$2,110.42. 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, John Niles, Steven Pratt, Tom Stephenson and Betty Jo Western voting in favor.

PUBLIC WORKS DIRECTOR ALAN RIDING: UPDATE ON PUBLIC WORKS PROJECTS

In the absence of Public Works Director Alan Riding, Assistant Public Works Director Ken Clark reported that public works employees have been working steadily on installation of the splash pad. The pad is complete and we now need to complete pouring sidewalks and mow strips and install the fence. They will then check the nozzles and drainage prior to opening the splash pad. There has been a great deal of public interest in the splash pad while it is being constructed.

Council Member John Niles asked if we will be sweeping streets prior to the Fourth of July celebration. Assistant Public Works Director Clark said he will sweep Main Street one more time and sweep the streets for at least one block off of Main Street.

Assistant Public Works Director Clark said we had received complaints from a condominium owner asking if the City can do anything to get the weeds cleaned up on the vacant lot between the condominiums and the motel on Topaz Blvd. The condominium owners are concerned about fire danger being so close to their properties. City Attorney Anderson suggested that the Nuisance Officer declare the property a nuisance and send them a requiring that the weeds be removed.

Mayor Bunker advised Council Members that the City employee party we had planned for Monday, June 25th at the Splash Pad has been moved to Thursday, June 28th at 6:00 p.m. We will have hamburgers, hotdogs, salads, chips and cookies.

Council Member Steven Pratt asked if we had a final total of what has been expended on the splash pad. He was advised that we do not yet have a final total. Assistant Public Works Director Clark asked what we want to do about traffic on the street between the park and the splash pad. There was a suggestion that we install a gate on the west end of the street, which could be closed when the splash pad is open to restrict thru traffic on the street but opened during the winter. The gate to the splash pad is on the west side so that children cannot come out of the splash pad directly into the street. Council Members will further discuss what steps to take to protect children walking between the park and the splash pad.

OTHER BUSINESS

Mayor Bunker advised Fire Chief Lynn Ashby that we are planning a grand opening celebration for our splash pad on June 30th at 11:00 a.m. and requested that the Fire Department provide a fire truck to shoot water arcs over the splash pad.

Council Member Betty Jo Western advised Council Members that Dave Frandsen has been unable to meet with the Council to request approval to hold the car show at the City park in September. They request permission to use the park beginning Thursday evening, Friday, Saturday and Sunday the third week of September. Council Members approved use of the park for the car show.

Council Member Western asked if we had adequate power in the pavilions for the Fourth of July vendors. Assistant Public Works Director Clark noted that we had increased power at the pavilions last year.

Council Member Western said that a citizen had contacted her regarding a group of travel trailers that were parked in front of the Church of Christ. There is now one trailer there and the others have

moved behind the building. The citizen was concerned as to whether we allow people living in travel trailers outside of a designated trailer park. Council Member Pratt stated that he had also seen the trailers but it appeared to him the people were here working on an addition to the church building. Assistant Public Works Director Clark said there had been a travel trailer at the church for most of last year. City Attorney Anderson noted that we have adopted ordinances in the past to deal with this situation but they are not as detailed as the new ordinance that has been drafted but has not yet been adopted. If this is an issue we want to enforce, the Council needs to instruct the City staff and the City Attorney to be more diligent in enforcing the ordinance. City Attorney Anderson suggested that a good time to begin strict enforcement is when we adopt the new Planning & Zoning Ordinance but, if the Council wants that to happen now, they need to instruct the staff and attorney to do so.

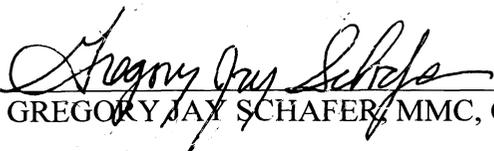
Council Member Western said she had heard concerns about the shooting range. The concerns were that "stuff" was falling off and it is being "trashed" rather than it being used respectfully. Council Member Pratt noted that his nephew had done an Eagle Scout project two years ago and replaced all the rubber belting, but a shooting range requires a fair amount of maintenance. City Attorney Anderson suggested installing a sign offering a reward for reports of destruction and prosecuting those who are destroying public property. We have a local Deputy Sheriff who does quite a bit of maintenance at the shooting range but, because of the location, unless someone reports that maintenance needs to be done, our employees do not know about it. Public Works employees will work on repairing the shooting range this winter.

Mayor Bunker asked if there were any comments, questions, or other items to be discussed. There being none, Council Member Robert Banks 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 with Council Members Robert Banks, John Niles, Steven Pratt, Tom Stephenson and Betty Jo Western voting in favor.

Mayor Bunker declared the meeting adjourned at 9:07 p.m.



GAYLE BUNKER, Mayor



GREGORY JAY SCHAFFER, MMC, City Recorder

MINUTES APPROVED: RCCM 07-05-12

