

CITY OF DELTA, UTAH  
REGULAR CITY COUNCIL MEETING  
SEPTEMBER 20, 2012

PRESENT

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

ABSENT

Tom Stephenson	Council Member
Alan Riding	Public Works Director

ALSO PRESENT

Gregory Jay Schafer	City Recorder
Ken Clark	Assistant Public Works Director
Todd Anderson	City Attorney
Jane Beckwith	Topaz Museum

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 a Regular City Council meeting held September 6, 2012 were presented for consideration and approval. Following review, Council Member Steven Pratt MOVED to adopt the minutes of the Regular City Council meeting held September 6, 2012, 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, John Niles and Steven Pratt voting in favor and Council Members Tom Stephenson and 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 and discussion, Council Member Steven Pratt MOVED to approve the accounts payable, dated September 20, 2012, in the amount of \$325,368.69. 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 Betty Jo Western voting in favor and Council Member Tom Stephenson being absent.

Council Member Betty Jo Western arrived at the meeting during discussion of accounts payable.

PUBLIC COMMENT PERIOD

There were no comments from the public.

MAYOR GAYLE BUNKER: LEASE OF AIRPORT PROPERTY FOR HANGAR CONSTRUCTION

Mayor Bunker advised Council Members that they had received copies of the hangar lease agreement currently used by Delta City, as well as a copy of the lease agreement suggested by the Delta Pilots Club. Mayor Bunker felt that Council Members needed to discuss whether or not we want to change our lease agreement policy and allow pilots to construct their own hangar, maintain ownership and pay annual lease fees to the City. The proposal provides for five year lease periods with an indefinite option to renew for additional five year periods. Our current policy provides that pilots can construct their own hangar but after twenty years, the hangar becomes the property of Delta City.

Mayor Bunker had concerns regarding some of the provisions of the proposed agreement. There was discussion as to whether the lease amount would be based on a square foot basis or frontage foot basis and whether to change our existing lease agreement policy to allow pilots to maintain ownership of the hangar and lease the ground space. It was suggested that changing the current lease policy may create construction of additional hangars at the airport. Council Member Steven Pratt noted that, in the past, most municipal airports used the policy that Delta City is now using but many of the airports have amended their hangar lease policies to allow pilots to maintain ownership of their hangars. It appears the change has encouraged an increase of hangar construction at airports that have changed their policies.

Council Members agreed to go forward with creation of an airport board, consisting of a member of the City Council, a member of the City staff, and three members of the local flying club. This board would be responsible for discussing and making recommendations to the Council regarding airport operations. Decisions on recommendations from the airport board would be made by the City Council. Council Members felt we should amend and adopt a hangar lease policy that would be

conducive to additional hangar construction at the airport. Council Member Pratt suggested we ask Delta Pilots Club to submit names of three individuals to be assigned to the airport board. Council Member Pratt was instructed to contact Delta Pilots Club and request they submit the names of three individuals for appointment to the airport board.

MAYOR GAYLE BUNKER: UTAH LEAGUE OF CITIES & TOWNS CONFERENCE

Mayor Bunker asked Council Members for any comments they had on the recent Utah League of Cities and Towns Conference. Mayor Bunker noted that he had attended a session on emergency preparedness where they talked about having generators. Mayor Bunker said he had instructed Public Works employees that we need to get a generator set up for use at the City Building. Assistant Public Works Director Ken Clark advised Council Members that our generator is on a trailer and, in the event of a power outage at the City Building, the generator can be hooked up and operating the City Building within approximately 15-20 minutes. We have another generator that will be permanently hooked to the City Building which will kick in whenever there is a power outage. Mayor Bunker reported that the session had also encouraged City Councils to stress the importance of residents having 72-hour kits. They also mentioned everyone should include some cash in their 72-hour kits.

Council Member John Niles stated the session had also taught that when construction of a pharmacy is planned, building departments should require that a back-up generator be included in the plans so residents can obtain medicines during an emergency or power outage. Council Member Niles had not previously considered the need for pharmacies to be able to conduct business during an emergency. Mayor Bunker commented that we live in a situation now where we are so dependent upon electronics that, during a power outage, most businesses cannot operate.

Council Member Betty Jo Western mentioned that, in the same session, they had remarked that we need to make certain we understand our "vulnerable" population, including the elderly, the poor, and the disabled. They also said that 42% of the U.S. population lives within twenty miles of the ocean or coast line, the Mississippi River, or Great Lakes. She enjoyed the presentation on emergency preparedness. Council Member Western also commented on a couple of other sessions she attended, including the appeal authority training. There is a new book that has been made available regarding land use and contains some excellent information. The book will be made available online.

City Attorney Anderson reminded Council Members that, under the newly adopted zoning ordinance, the Council has the option to appoint a person to hear and make decisions on applications for variances. Council Member Western stated that, in the land use session, they asked how many municipalities had appointed a person to hear those applications and found that most municipalities have appointed an outside person as a hearing officer. City Attorney Anderson advised that appointing an outside person would allow the person to make a decision based on the legal issues rather than the emotional side. Mayor Bunker and Council Members agreed that we should appoint an outside person to handle variance requests.

Council Member Western commented on a couple of round table discussions she attended, one of which discussed support of local businesses.

City Recorder Greg Schafer reported he had attended several excellent sessions and appreciated the opportunity to participate in the training.

#### MAYOR GAYLE BUNKER: NEW YEARS EVE CELEBRATION

Mayor Bunker asked whether Council Member Western had any ideas for entertainment at the New Years celebration. Council Member Western noted that her concern was finding out what kind of band we want and whether we want a hypnotist. She has talked with Jason Hewlett, the impersonator we had last year, who has a comedian that works with him, and he has a band, called Local Grown, that has appeared at the Millard County Fair. They play music from the 50s, 60s, 70s, 80s and also include new music and they are available for New Years Eve. Council Member Western asked Council Members for input as to how we want to structure the entertainment for the evening.

Council Members requested that we attempt to get a comedian, followed by the Local Grown band. They determined to begin the entertainment at about 8:00 p.m. and have children's games prior to that time. That way, the entire family can attend the entertainment, if they choose to do so. Council Member Western will pursue these people for entertainment and get price quotes.

#### 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 provided an update on public works projects. During the last couple of weeks, public works crews have been working on the sewer system. He stated that, at the recent Utah Rural Water Association Conference, one of the classes was on new sewer regulations. These regulations will be implemented over the next four years. If there is a sewer leak that flows onto the ground, the spillage is evaluated by the state and fines include \$1/gallon of spillage plus the cost of cleaning the spill. As a result of this conference, public works employees decided to begin using the sewer camera to provide a video rendering of every sewer line in the system. They began the project earlier this week and found problems immediately. Assistant Public Works Director Clark showed Council Members video of the sewer lines they had inspected to this point and outlined problems they had found. At about 250 South and 300 West, there is an eight inch sewer line that was installed in the early 1920s, using 3 foot open joint clay tile pipe. There is a 10-20 foot section that is collapsing. At present, it is collapsed to about four inches and we need to get it repaired as soon as possible. If the line collapsed completely today, we would probably be unable to keep sewer out of basements and this line collects everything from 500 North to about 400 South.

Assistant Public Works Director Clark showed Council Members video images of sewer lines that have been inspected to date.

Public works employees will be cleaning lines with the sewer jet and using the camera to view all sewer lines and creating a long term plan for maintenance of the system. The portion at 250 South and 300 West must be repaired immediately. We have also located a few other areas which need to be repaired before much longer because the sewer gases are eating a fifteen inch concrete line. These are only two of the spots that need repairs at this time and we know additional areas are going to be located as we continue the video inspection. Assistant Public Works Director Clark indicated that repairs to the sewer system will be a priority for the next few years. The section that is collapsing is going to require a temporary bypass so the section can be replaced. Both the pump and pipe for this will be costly. We are looking at all options that may be available and, when all information is received, the Council will be approached for a decision on how to proceed on the project.

Beginning on Monday or Tuesday, work will begin on updating to the airport fuel system. We will probably need to shut the system down for about a week to complete the updates.

#### OTHER BUSINESS

Mayor Bunker advised Council Members that he would like to have the Request for Proposals for a Construction Manager / General Contractor for the Community Center published on October 3<sup>rd</sup> and have the bid opening on Thursday, October 25<sup>th</sup>. Topaz Museum is also ready to send out their Request for Proposal and will be advertising at the same time. It is hoped there will be some advantage to having both projects going simultaneously. After the Construction Manger/ General Contractor is chosen, we will begin the process of obtaining an architect. Council Member Betty Jo Western asked if the only change in the RFP was adding the Topaz Museum information. City Attorney Anderson responded that he had incorporated all the changes discussed at the previous meeting into the current document and removed all language that did not pertain to our project. Mayor Bunker noted that the Topaz Museum RFP also makes reference to the community center project. It hoped that interested parties will provide a bid on both projects. Mayor Bunker asked Council Members to review the RFP and, if any errors are noted, please contact Mayor Bunker by the end of next week.

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With reference to the Sherwood Water Company project, Mayor Bunker explained that we are discussing bringing the water line for Sherwood Shores up into the park area of the development rather than on property belonging to the Johnsons. This plan would provide more room for installation of water line under the reservoir and better access for any future maintenance. The homeowners association has a meeting next week to discuss whether the association can grant an easement for the water line or whether they need to have a vote of the residents. Mayor Bunker noted that we will hold a public hearing on October 4, 2012 to discuss the findings of the Environmental Assessment for the Sherwood Water project.

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Council Member Robert Banks stated that, at the next meeting, he will be requesting Council approval to appoint two members to the Library Board.

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Council Member Betty Jo Western asked if there are water users that are being charged double water rates. Mayor Bunker responded that we do charge double rates for water users who live outside the city limits and he thinks there are currently five such users. Council Member Western reported attending a session at the Utah League of Cities and Towns Conference where she heard there is a new law that we cannot charge double rates for water. Mayor Bunker said he would contact the presenter of the session to get more information and see if she would come to Delta and discuss the matter with us.


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Council Member John Niles thanked the City for allowing him to attend the Utah League of Cities and Towns Conference. He felt there were some excellent sessions and speakers. Mayor Bunker mentioned that he felt the conference is always beneficial for those who attend.

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

Mayor Bunker declared the meeting adjourned at 8:58 p.m.

  
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GAYLE BUNKER, Mayor

  
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GREGORY JAY SCHAFFER, MMC, City Recorder

MINUTES APPROVED: RCCM 10-04-12