

CITY OF DELTA, UTAH
REGULAR CITY COUNCIL MEETING
MAY 2, 2013

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
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ALSO PRESENT

Alan Riding	Public Works Director
Gregory Jay Schafer	City Recorder
Ken Clark	Assistant Public Works Director
Todd Anderson	City Attorney
David Peterson	Millard County Raceway
Howard Western	City Resident

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, on the Utah Public Notice website, the Delta City website, 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.

Council Member Robert Banks provided opening remarks, following which Mayor Bunker led those in attendance in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Regular City Council Meeting held April 18, 2013 were presented for consideration and approval. Following discussion, Council Member Steven Pratt MOVED to adopt the minutes of the Regular City Council Meeting held April 18, 2013, as presented. The motion was SECONDED by Council Member Robert Banks. 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.

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 discussion, Council Member Betty Jo Western MOVED to approve the accounts payable, dated May 2, 2013, in the amount of \$86,987.20. 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 Betty Jo Western voting in favor and Council Member Tom Stephenson being absent.

PUBLIC COMMENT PERIOD

David Peterson, representing Millard County Raceway, advised Council Members that they had been made aware of the ordinance the City has to control loud noises after 10:00 p.m. Mr. Peterson noted that, during the 2012 racing season, there were about three races that lasted beyond the 10:00 p.m. curfew. Mr. Peterson has attempted to abide by the ordinance and have races end by 10:00 p.m. Two of the races that lasted until after 10:00 p.m. were the first race of the season and the last race of the season, both of which are their largest events. The opening race this season brought 65 cars to race, only seven of which were from the Delta area. Seventy-five percent of the drivers come from two hours away and they attempt to run the shows as quickly and efficiently as possible. However, sometimes unforeseen things happen and cause the event to run later than 10:00 p.m.

Mr. Peterson asked if Council Members would consider amending the ordinance or creating some type of agreement to allow events, such as car races, to be completed within a reasonable amount of time so they are not in violation of the noise ordinance. Mr. Peterson felt that the races benefit the businesses in the community by bringing a number of people into town. He realized there are some people who see the race track as a nuisance but hoped those people recognized the amount of revenue that is brought into the area by the race track.

Mayor Bunker noted that the people who see the race track as a nuisance do not recognize the revenue being brought into the area. Mr. Peterson stated that they schedule Friday races beginning at 7:00 p.m. and Saturday races are scheduled at 6:00 p.m. Mayor Bunker said he had received a complaint after the most recent race that, after the races were completed, around 10:10 p.m., one of the cars went back onto the track and ran numerous laps. There are eleven races scheduled this season and two have already been completed. Council Member Betty Jo Western stated she had talked with the Tourism Board about the races. The Tourism Board is very supportive of the races and would like to see them continue. Council Member Western wanted Council Members to come to an agreement with the raceway so the races can continue and we not lose the activity to some other area. City Attorney Todd Anderson stated that the Sheriff's Office is receiving complaints about noise after ten o'clock and would like instruction from the Council as to whether or not to enforce the noise ordinance at the raceway. City Attorney Anderson suggested the possibility of issuing some

type of event permit for some events, or amend the time parameters of the noise ordinance to a later time on Saturday.

Mayor Bunker and Council Members felt it would be advisable to amend the noise ordinance to go into effect at a later time on Fridays and Saturdays. Mayor Bunker requested that the matter be placed on the agenda for discussion at the May 16th meeting.

BUSINESS

MAYOR GAYLE BUNKER: TENTATIVE BUDGET FOR 2013-2014 FISCAL YEAR

Mayor Bunker stated that the tentative budget for the fiscal year beginning July 1, 2013 totals \$5,392,289. The budget is balanced and is subject to change at our budget work session, but needs to be adopted at this time.

Council Member John Niles MOVED to adopt the Delta City Tentative Budget for the 2013-2014 Fiscal Year, in the amount of \$5,392,289. 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.

Council Member Steven Pratt left the meeting at 7:30 p.m.

CITY RECORDER GREGORY JAY SCHAFFER: DECLARATION OF NON-VALUE FOR OLD COMPUTER EQUIPMENT

City Recorder Gregory Schaffer advised Council Members that he has recently replaced his laptop computer because it was no longer functional. He requested approval of Council Members to declare the computer of no value and have the hard drive destroyed prior to being discarded. Council Member Western asked if the computer could be used if a new hard drive were installed. City Recorder Schaffer stated someone could attempt to install a new hard drive and use the computer if they so desired.

Council Member Betty Jo Western MOVED to remove the hard drive from the old computer and donate it for repairs and possible re-use. 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, and Betty Jo Western voting in favor and Council Members Steven Pratt and Tom Stephenson being absent.

PUBLIC WORKS DIRECTOR ALAN RIDING: PROPOSED SALE OF SURPLUS PROPERTY

Public Works Director Alan Riding provided a list of several pieces of equipment that have been kept but we find we no longer have any use for the items. Public Works Director Riding requested Council approval to attempt to sell the items while they still have some value. The equipment includes:

1987 Hillsboro Trailer
1990 Dodge Dakota
1994 580 Backhoe
1994 Chevrolet S-10
1985 1 ton dump truck

Public Works Director Riding also requested Council direction as to the method of sale; i.e., sealed bid or auction. It was felt that sealed bids would be best and we should advertise a minimum bid on the backhoe and the dump truck.

Following discussion, Council Member Betty Jo Western MOVED to declare the 1987 Hillsboro Trailer, 1990 Dodge Dakota, 1994 580 backhoe, 1994 Chevrolet S-10 and 1985 1 ton dump truck as surplus equipment and advertise for sale by sealed bid. 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, and Betty Jo Western voting in favor and Council Members Steven Pratt and Tom Stephenson being absent.

PUBLIC WORKS DIRECTOR ALAN RIDING: UPDATE ON PUBLIC WORKS PROJECTS

Public Works Director Riding reported the water line for the community center project has been completed. The Sherwood Shores Water Project is going smoothly; the main line has been installed, some of the services are being connected, and the boring company began work this week. It is anticipated the boring will be completed in two to three weeks. The line from Delta to the east side of the reservoir is complete and the contractor has cleaned up and left town. We have had great response from Sherwood Shores residents signing up for services. We already have numerous requests for water service and most people are excited at the prospect of having the new water service.

Council Member Western asked what would happen to the property that was seized as a result of needing to be cleaned up. Public Works Director Riding said the property owner had come in last summer and asked what needed to be done to regain the property. When told that the cost of cleaning the property must be paid then the property would be released, the property owner elected not to pay the cost and reclaim the property. Mayor Bunker noted that the property owner was also delinquent on water bills in the past.

Public Works Director Riding reminded Council Members that clean up will be this week, on Friday

and Saturday.

City Attorney Anderson requested a discussion regarding nuisances. He made reference to a property which he felt is dangerous due to the dilapidation of the property. City Attorney Anderson asked if Council Members were in favor of acting on some of the nuisance properties around town. Council Member Western said she did not have a problem with acting on nuisance issues but questioned attaching a fee for clean up to a persons's property. City Attorney Anderson noted that what one person considers personal property may be considered junk by another person. Mayor Bunker stated that property owners are the ones who put the Council and City employees in the position to have to clean up property because they are unwilling to do so themselves. The matter will be discussed further at a future meeting.

Mayor Bunker asked when public works employees planned to turn on the splash pad. Public Works Director Riding said they would probably turn it on next weekend.

Council Member Steven Pratt returned to the meeting at 8:03 p.m.

OTHER BUSINESS

Mayor Bunker advised Council Members that he had no official notice but felt that Delta Municipal Airport has been selected as Utah's site to compete with other states for location of an Unmanned Aircraft System. He believed the FAA decision is to be made sometime during the next thirty days.

Mayor Bunker mentioned the Miss Liberty Pageant had been held on Wednesday, May 1st. McKenna Ekins was selected as Miss Liberty, Savannah Styler is First Attendant and Alison Finlinson is Second Attendant.

Mayor Bunker reported on the discussion regarding demolition of the old gyms at Delta High School and Millard High School. Some residents want to retain the old gyms to be used for youth sporting events but the School District will not pay the cost of upgrading and maintaining the buildings. Millard County has been approached to help with funding so discussion are on-going at this time. Mayor Bunker has been asked what position Delta City has on the subject. He has responded that Council Members had never discussed the matter. Mayor Bunker invited comments from Council Members. Council Member Western felt that, if a building is sustainable, it should not be destroyed but was uncertain of what the costs were because she had heard several amounts mentioned. City Attorney Anderson felt that the numbers used by the School District are probably what it would cost to significantly upgrade the buildings vs. what the citizenry appears to be asking for, which is to leave the buildings "as is." Mayor Bunker felt the numbers to maintain the old gym at Delta High


School would be less than what is being quoted because there are several things that could be done to cut costs. Mayor Bunker said he had brought up this subject only to get an idea of Council Members feelings.

Council Member Niles noted that he received numerous questions about when Maverick is going to open in Delta. Public Works Director Riding responded that the company plans to have a store open by the end of summer.


Council Member Western asked why Maui Freeze had moved. Public Works Director Riding stated that they had been asked to move from the previous location in order to provide additional truck parking.

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 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 8:13 p.m.



GAYLE BUNKER, Mayor


GREGORY JAY SCHAFFER, MMC, City Recorder

MINUTES APPROVED: RCCM 05-16-13