

CITY OF DELTA, UTAH
SPECIAL CITY COUNCIL MEETING
NOVEMBER 15, 2012

PRESENT

Gayle Bunker	Mayor
Robert Banks	Council Member
John Niles	Council Member
Steven Pratt	Council Member
Tom Stephenson (electronic participation @ 8:25)	Council Member
Betty Jo Western	Council Member

ABSENT

Alan Riding	Public Works Director
Todd Anderson	City Attorney

ALSO PRESENT

Gregory Jay Schafer	City Recorder
Ken Clark	Assistant Public Works Director
Jane Beckwith	Topaz Museum President
Scott Bassett	Topaz Museum Board
Lorelei Draper	Topaz Museum Board
Rick Okabe	Topaz Museum Board

Mayor Bunker called the meeting to order at 8:05 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 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.

Mayor Bunker led those in attendance in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Regular City Council Meeting held November 1, 2012 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 November 1, 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 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 Robert Banks MOVED to approve the accounts payable, dated November 15, 2012, in the amount of \$133,226.49. 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 Robert Banks, John Niles, Steven Pratt, and Betty Jo Western voting in favor and Council Member Tom Stephenson being absent.

BUSINESS

MAYOR GAYLE BUNKER: CONSIDERATION FOR ADOPTION OF A PARAMETERS RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,300,000 IN PARITY WATER REVENUE BONDS OF DELTA CITY, MILLARD COUNTY, UTAH AND CALLING OF A PUBLIC HEARING TO RECEIVE INPUT WITH RESPECT TO THE ISSUANCE OF SUCH BONDS AND ANY POTENTIAL IMPACT TO THE PRIVATE SECTOR FROM THE CONSTRUCTION OF THE PROJECT

Mayor Bunker explained that the parameters resolution states that Delta City will be issuing water revenue bonds in an amount not to exceed \$2,300,000, but the maximum amount will be \$800,000 rather than \$2,300,000. The resolution also outlines our outstanding bonds on the Ridgetop Well project and payments on that bond. City Attorney Todd Anderson noted that this project will increase revenue in the amount necessary to repay the bonds. The annual payment will be approximately \$21,000 per year.

Mayor Bunker stated that this parameters resolution needs to be adopted at this time, with the maximum amount being \$800,000, then a public hearing will be set to receive public comment on the proposal to issue water revenue bonds. We plan to hold the public hearing on December 6, 2012 at 6:45 p.m. The public hearing notice will be published in the local newspaper for two weeks prior to the hearing.

Council Member Tom Stephenson joined the meeting via electronic communication at approximately 8:25 p.m.

Following discussion, Council Member Robert Banks MOVED to adopt Resolution No. 12-352, a resolution authorizing the issuance and confirming the sale of parity water revenue bonds in the aggregate principal amount of not to exceed \$800,000 of Delta City, Millard County, Utah, calling a public hearing on Thursday, December 6, 2012, beginning at 6:45 p.m. at the Delta City Building, to receive input from the public with respect to the issuance of bonds and any potential economic impact to the private sector from the construction of the project to be funded by the bonds; providing for a pledge of water revenues for the payment of the bonds; the maximum number of years over

which the bonds may bear, and the maximum discount from par at which the bonds may be sold; providing for the running of a contest period; and related matters. The motion was SECONDED by John Niles. 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
John Niles	Yes
Steven Pratt	Yes
Tom Stephenson	Yes
Betty Jo Western	Yes

The motion passed unanimously.

OTHER BUSINESS

Mayor Bunker advised Council Members that the Six County Association of Governments has picked Delta City to receive the Regional Beautification Award. A banquet will be held in Fillmore on December 5th to present this award and several others. The banquet begins at 6:45 p.m. at the Territorial State House and they will be honoring businesses throughout the Six County area. Mayor Bunker needs to advise how many will be attending by November 21st and requested that Council Members let him know if they can attend.

City Attorney Todd Anderson reminded Council Members that they had previously discussed placing the responsibility of the appeal authority in another person or persons, rather than the City Council acting as the appeal authority. City Attorney Anderson has been working on finding a person who had legal training and was located near enough to be able to provide the service at a reasonable cost. City Attorney Anderson has found a person who is willing and able to provide the service and suggested that Council Members appoint Larry Hunt, of Richfield, as the Delta City appeal authority. Mr. Hunt currently acts as indigent counsel for Delta City Justice Court and is willing to provide this service for Delta City at the same reduced hourly rate he charges to act as indigent counsel. Mayor Bunker felt that Mr. Hunt would provide excellent service and would be completely neutral in any matters referred to him. Mayor Bunker concurred with City Attorney Anderson's recommendation that Mr. Hunt be appointed as the appeal authority. City Attorney Anderson noted that the cost of an appeal would probably run approximately \$500 and asked if Council Members wanted to adopt a fee for filing an appeal. Mayor Bunker felt that the filing fee should be at least \$250.00 in order to help defray the cost. City Attorney Anderson was instructed to prepare resolutions to increase the filing fee for an appeal and to appoint Mr. Hunt as the appeal authority. City Attorney Anderson will prepare the resolutions but will leave the dollar amount for filing fees blank so Council Members can further discuss the amount.

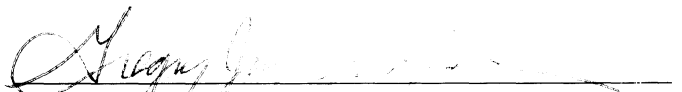
Assistant Public Works Director Ken Clark advised Council Members that Public Works employees hauled over one hundred loads of trash during the two clean up days held recently, most of which was limbs and yard debris. Assistant Public Works Director Clark was instructed to place an ad in the local newspaper reminding residents of our ordinance restricting parking on residential streets during snow storms.

Mayor Bunker asked if there were any comments, questions or other items to be discussed. There being none, Council Member Steven Pratt MOVED to adjourn the meeting. 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 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 8:44 p.m.



GAYLE BUNKER, Mayor



GREGORY JAY SCHAFFER, MMC, City Recorder

MINUTES APPROVED: RCCM 12-06-12