

CITY OF DELTA, UTAH  
REGULAR CITY COUNCIL MEETING  
FEBRUARY 5, 2009

PRESENT

Gayle Bunker	Mayor
Robert Banks	Council Member
Kiley Chase	Council Member
Bruce Curtis	Council Member
John Niles	Council Member
Betty Jo Western	Council Member

ABSENT

Kaela Jackson	City Attorney
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ALSO PRESENT

Alan Riding	Public Works Director
Ken Clark	Assistant Public Works Director
Gregory Schafer	City Recorder
Lynn Ashby	Fire Chief
Travis Stanworth	Fire Department
Patty Ashby	Fire Chief Spouse
David Miller	City Resident

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 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.

Council Member John Niles provided opening remarks following which Mayor Bunker led those in attendance in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Special City Council Meeting held January 22, 2009 were presented for consideration and approval. Council Member John Niles noted that his name needed to be included on the list of Council Members in attendance at the meeting. Council Member Robert Banks MOVED to approve the minutes of the Special City Council Meeting held January 22, 2009, as corrected. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

### ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a copy of which had been given to them two days prior to the meeting. Following review, Council Member Kiley Chase MOVED to approve the accounts payable dated February 5, 2009, in the amount of \$151,640.50. 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 unanimously.

### PUBLIC COMMENT PERIOD

Mayor Bunker asked if members of the public had any comments. David Miller stated that he lives at 144 North 350 East and requested that a "Children at Play" sign be posted along 350 East. Mr. Miller advised Council Members that he parks his Chevrolet Suburban on the street as a means of protecting his children and animals from speeding automobiles. Last week a Deputy Sheriff contacted Mr. Miller's wife about the Suburban being parked on the street. Mr. Miller requested that the sign be posted to advise drivers that there are children in the area.

Mayor Bunker noted that he had driven 350 East today and noticed there are two speed limit signs for vehicles traveling north but there are no speed limit signs coming south on the street. Mayor Bunker requested that a "Children at Play" sign be posted on the street as well as a speed limit sign for vehicles traveling south.

### UNFINISHED BUSINESS

#### MAYOR GAYLE BUNKER: MEMBERSHIP IN ROUTE 6 ASSOCIATION

Mayor Bunker advised Council Members that he felt we should not pay for membership in the Route 6 Association at this time given the current economic situation. Council Member Chase voiced his agreement with Mayor Bunker's feelings on the matter.

Following discussion, Council Member Kiley Chase MOVED to not join membership in the U.S. Route 6 Association. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

### NEW BUSINESS

#### LYNN ASHBY, FIRE CHIEF: FIRE DEPARTMENT ANNUAL REPORT

Fire Chief Lynn Ashby provided the following report for Council Members:

Delta Fire Department currently has 24 members. The Fire Department responded to 93 calls last

year; five structure fires, three vehicle fires, eight trash/rubbish fires; nine outside structures, nineteen wildland fires, two hazardous materials incidents, twenty-nine rescue accidents, and eighteen false alarms/smoke scares.

Department members completed 548.35 training hours last year and 580 hours of work meetings, including maintenance of equipment. There were also 263 hours of business meetings, 296 hours doing fireworks and 136 hours of public education. Total hours for the year was 1,824.19, which is many hours for volunteers to serve.

Rodger Scoville was given the Fireman of the Year Award for 2008.

Fire Department elections were held last month with the following results:

Fire Chief	Lynn Ashby
Assistant Fire Chief	Troy Davis
Captain	Travis Stanworth
Lieutenant	Patrick Stefanoff
Secretary	Rick Bublitz

Fire Chief Ashby is attempting to provide a type of compensation for fire fighters. There is a tax incentive available for emergency medical personnel and fire fighters which will allow up to \$360 of tax relief. Chief Ashby is going to meet with Millard County Commissioners to request a property tax reduction of \$360 per year for fire fighters who maintain a minimum standard of hours and training throughout the year.

Delta Fire Department will be receiving their new fire truck in March, 2009.

Captain Travis Stanworth reported he is planning a rescue technician class which involves forty hours of training. The balance of training for the year will be in-house unless they can persuade the Fire & Rescue Academy to bring their training trailer to Delta.

Following discussion, Council Member Betty Jo Western MOVED to accept Lynn Ashby as Fire Chief, Troy Davis as Assistant Fire Chief, Travis Stanworth as Captain, Patrick Stefanoff as Lieutenant and Rick Bublitz as Secretary of the Delta Fire Department for calendar year 2009. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR GAYLE BUNKER: ORDINANCE NO. 09-239 GRANTING A FRANCHISE TO SATVIEW BROADBAND, LLC TO CONSTRUCT, OPERATE AND MAINTAIN A CABLE TELEVISION SYSTEM IN THE CITY OF DELTA, UTAH AND SETTING FORTH TERMS AND CONDITIONS FOR GRANTING THE FRANCHISE

Mayor Bunker presented the following ordinance for review:

ORDINANCE NO. 09-239  
AN ORDINANCE GRANTING A FRANCHISE TO SATVIEW BROADBAND LTD.,  
("SATVIEW") TO CONSTRUCT, OPERATE, AND MAINTAIN A CABLE TELEVISION  
SYSTEM IN THE CITY OF DELTA, UTAH AND SETTING FORTH TERMS AND  
CONDITIONS FOR GRANTING THE FRANCHISE

Mayor Bunker noted that this ordinance is a transfer of the cable television system from Bresnan Communications to Satview Broadband Ltd.

Following discussion, Council Member Robert Banks MOVED to adopt Ordinance No. 09-239, an Ordinance granting a franchise to Satview Broadband Ltd., to construct, operate, and maintain a cable television system in the City of Delta, Utah and setting forth terms and conditions for granting the franchise. 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 roll call vote. The vote was as follows:

Robert Banks	Yes
Kiley Chase	Yes
Bruce Curtis	Yes
John Niles	Yes
Betty Jo Western	Yes

The motion passed unanimously.

MAYOR GAYLE BUNKER: IRRIGATION SYSTEM RATES AND FEES FOR 2009  
IRRIGATION SEASON

Mayor Bunker noted there had been some discussion about this matter at the previous Council Meeting and stated that Council Members had been provided with a map outlining open ditches, water users and property being irrigated by the City employee who operates the irrigation system.

Public Works Director Alan Riding explained the information shown on the maps, including the areas irrigated by our employee. He also called attention to one irrigation customer where six blocks of open ditch are maintained in order to allow the customer to water her lawn. There are other irrigation users on the opposite side of town where numerous blocks of ditch are maintained to provide irrigation water to three users. It is probably impossible to make the irrigation system pay for itself and it will require drastic user fee increases to make it more cost effective. The users are probably only paying 30 - 40 percent of the actual cost of providing irrigation water. In the current state of the economy, with decreased sales taxes, we need to consider ways to reduce costs. Reducing the number of ditches to be maintained and reducing the number of hours the City employee must work to operate the system is one possible way to reduce costs. Another option may be to irrigate only during daylight hours, thus eliminating overtime pay to operate the system over night.

Council Members discussed several options which could be considered in determining how to best handle irrigation system costs.

Mayor Bunker advised Council Members that this item is for discussion only and suggested we send a letter to water users to advise them we are considering the cost of providing irrigation water and the matter will be discussed at the next City Council meeting.

PUBLIC WORKS DIRECTOR ALAN RIDING: UPDATE ON PUBLIC WORKS PROJECTS

Public Works Director Alan Riding reported that the Ridgetop Well has been inspected by the state and approval of the system should be forthcoming. The well has been running and employees have been testing the pump. When the well goes online, Council Members will be invited to preview or tour the facility. Our own employees have done a lot of the work on the well house and have done an excellent job.

ADC has completed installation of the water line on the southwest corner of town and lines have been filled and flushed. The generator motor on the lift station near Pendray Estates has been replaced and is online as of today.

Council Member Curtis requested that a hole in the pavement near the fire station be filled. Public Works Director Riding expressed hope that we will soon have moderating weather which will allow patching of asphalt.

Public Works Director Riding advised Council Members that he and Mayor Bunker have been discussing cleaning up and refurbishing the restrooms in the City park. They have discussed repainting the walls and cleaning the floors, replacing divider panels, installing stainless steel sinks and mirrors. At present, we do not have cost estimates but it is felt that, even with budget restraints, it is important that visitors to the area have clean restrooms available. When cost estimates are available, Council Members will be asked for input on what direction to go with the refurbishing.

OTHER BUSINESS

Mayor Bunker reported he had received information on National Incident Management System (NIMS) training to be held on March 21<sup>st</sup>. Mayor Bunker advised Council Members that they should all try to attend the training inasmuch as it is a requirement for federal grant funds. More information will be distributed when received.

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Mayor Bunker called attention to an invitation to attend an award luncheon where Delta City is going to receive an award for the Centennial year celebrations. The luncheon will be on Wednesday, February 18<sup>th</sup> and requested that Council Members let him know right away whether they want to attend. Mayor Bunker will attend, as well as Council Member Banks and his wife.

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Mayor Bunker advised Council Members that an application for museum / community center funding will be submitted to our federal legislators and he has an appointment to meet with Congressman Jason Chaffetz in two weeks to discuss funding.

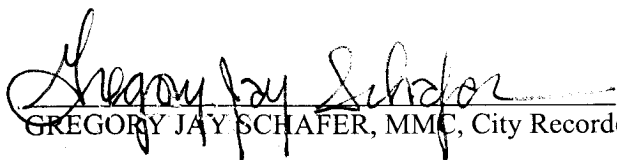
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Mayor Bunker called attention to the information on sales tax for the previous five months. We have received \$242,678.17 this year and during the same period last year the total was \$249,000, a difference of about \$7,000 thus far in sales tax. Information on December sales tax will be received in the near future. We need to watch sales tax income very closely because it is such a large portion of our revenues.

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Mayor Bunker reported he had been asked about a girls' home being proposed for a home in the Pendray Estates area. Mayor Bunker talked with the couple who have purchased the home and were told they had provided foster care for approximately fifteen years and that is what they plan to do in this home. They will be required to obtain a conditional use permit, which they have applied for, and are scheduled to meet with the Planning & Zoning Commission next week. The couple plan for up to four foster children who would live in the home with their family.

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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 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 unanimously.

Mayor Bunker declared the meeting adjourned at 8:05 p.m.

  
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GAYLE BUNKER, Mayor

  
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GREGORY JAY SCHAFFER, MMC, City Recorder

MINUTES APPROVED: RCCM 02-19-09