



**DELTA CITY COUNCIL
REGULAR CITY COUNCIL MEETING**

Thursday, February 15, 2018
Delta City Municipal Complex Council Chambers
76 North 200 West
Delta, Utah 84624-9440

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PRESENT

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| John W. Niles, Mayor | 7 Robert W. Banks, Council Member |
| Kiley J. Chase, Council Member | 8 J. Travis Keel, Council Member |
| Nicholas W. Killpack, Council Member | 9 Betty Jo Western, Council Member |

ADDITIONALLY PRESENT

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| Gregory J. Schafer, Admin. Officer/Recorder | 17 Sam Jacobson, Chronicle-Progress, L.L.C. |
| Todd F. Anderson, City Attorney | 18 Richard A. Glick, Local Pilot |
| Dent R. Kirkland, Public Works Director | 19 Ronald A. Westlund, Local Pilot |
| Travis L. Stanworth, Asst. Public Works Dir. | 20 D. Steve Lester, Local Pilot |
| Scott T. Johnson, Local Pilot | 22 Roland L. Comeau, Local Pilot |
| Edward L. Johnson, Local Pilot | 26 Jake Christensen, Delta Citizen |
| Stewart C. Vaughn, Local Pilot | 27 Melvin O. Dutson, Delta Citizen |
| Jake N. Abbott, Delta Citizen | 28 Andrew J. Nickle, Delta Citizen |

Mayor Niles called the meeting to order at 7:00 p.m. He stated that notice of the time, place and the agenda of the meeting had been posted at the City Municipal Complex, on the Utah Public Notice website, the Delta City website and had been provided to the Millard County Chronicle-Progress, L.L.C., and to each member of the City Council at least two days prior to the meeting. Mayor Niles conducted roll call. Council Member Western offered the opening remarks. Mayor Niles led those in attendance in the Pledge of Allegiance.

MINUTES

The minutes of the Public Hearing held February 1, 2018 were presented for approval. Council Member Chase MOVED to adopt the minutes of the Public Hearing held February 1, 2018 as presented. The motion was SECONDED by Council Member Keel. Mayor Niles asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed with Council Member Banks, Council Member Chase, Council Member Keel, Council Member Killpack and Council Member Western in favor.

The minutes of the Regular City Council Meeting held February 1, 2018 were presented for approval. Council Member Keel MOVED to adopt the minutes of the Regular City Council Meeting held February 1, 2018 as presented. The motion was SECONDED by Council Member Banks.

Mayor Niles asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed with Council Member Banks, Council Member Chase, Council Member Keel, Council Member Killpack and Council Member Western in favor.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, payroll and electronic transactions for the period ending February 15, 2018 in the amount of \$136,802.51. Council Member Western MOVED to approve the payments disbursed dated February 15, 2018 in the amount of \$136,802.51. The motion was SECONDED by Council Member Killpack. Mayor Niles asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed with Council Member Banks, Council Member Chase, Council Member Keel, Council Member Killpack and Council Member Western in favor.

PUBLIC COMMENT PERIOD

There was no public comment.

BUSINESS

Resolution 18-419 Emergency Operations Manager Designation

Mayor Niles recommended that the City Council consider the appointment of Assistant Public Works Director Travis L. Stanworth as the Emergency Operations Manager. Mayor Niles stated that Assistant Public Works Director Stanworth has been working diligently getting the Emergency Operations Plan prepared and updated. Council Member Western MOVED to approve the Resolution 18-419 designating Travis L. Stanworth as the Emergency Operations Manager. The motion was SECONDED by Council Member Chase. Mayor Niles asked if there were any questions or comments regarding the motion. There being none, he called for a roll call. The motion passed with Council Member Banks, Council Member Chase, Council Member Keel, Council Member Killpack and Council Member Western in favor.

Resolution 18-420 Fiscal 2018 Budget Amendment Adoption

Administrative Officer/Recorder Schafer reminded the Council that the proposed resolution amending the budget had been reviewed at a public hearing on February 1, 2018 and that he had made a few minor additional adjustments. Mr. Schafer stated that he had added a line item in the Mayor's budget for the wellness programs we are beginning to implement and that he has also enhanced an appropriation in the Law Enforcement budget for Emergency Operations Management. Schafer stated that the General Fund Portion amendment would change to \$3,473,122.00 and an overall budget of \$6,647,853.00. Recorder Schafer asked if there were any questions or concerns. Council Member Banks MOVED to approve Resolution 18-420 budget amendment adoption. The motion was SECONDED by Council Member Chase. Mayor Niles asked if there were any questions or comments regarding the motion. There being none, he called for a roll call. The motion passed with Council Member Banks, Council Member Chase, Council Member Keel, Council Member Killpack and Council Member Western in favor.

Ordinance 18-277, DCMC Title XII Redevelopment Area Classification and Subdivision Ordinance Incorporation into Title XII

Council member J. Travis Keel explained to the Council that at the February 8, 2018 Planning and Zoning Commission Meeting, the Commission proposed that some updates be made to Title XXII of the Delta City Municipal Code. Council Member Keel explained that some of the proposed updates included the incorporation of the previously self-standing Subdivision Ordinance into Title XXII and adding in a redevelopment area within the community. There was some discussion regarding what the redevelopment area was and its intent and desired purpose. City Attorney Anderson informed the Council that a section regarding lot line adjustments was added in too, and then proceeded to explain what that was. City Attorney Anderson summarized that the changes to Title XXII were moving the subdivision ordinance into Title XXII, adding in lot line adjustments, adding in the redevelopment area, and fixing numbering mistakes and similar non-substantive changes. The Council discussed the Public Hearing and what concerns that Robert L. Droubay had had with having the improvements put in eventually and that there is not any great solution for it. City Attorney Anderson explained that there is a provision to address Mr. Droubay's concern is that to fit the exemption, someone would have to sign off that they would not object if a Special Improvement District was formed in the future. Council Member Keel MOVED to approve Ordinance 18-277 DCMC Title XII Redevelopment Area classification and subdivision ordinance incorporation into Title XII. The motion was SECONDED by Council Member Chase. Mayor Niles asked if there were any questions or comments regarding the motion. There being none, he called for a roll call. The motion passed with Council Member Banks, Council Member Chase, Council Member Keel, Council Member Killpack and Council Member Western in favor.

Ordinance 18-278: Redevelopment Area Map Adoption

Council Member J. Travis Keel explained to the Council that Ordinance 18-277 includes the redevelopment area and that Ordinance 18-278 adopts a coordinating map for it. Public Works Director Kirkland explained that the map lines were chosen to mostly avoid areas that still had the potential for large developments and to avoid having one side of a street within the zone and the opposite not. Council Member Chase MOVED to approve Ordinance 18-278 adopting a map for the Redevelopment Area. The motion was SECONDED by Council Member Keel. Mayor Niles asked if there were any questions or comments regarding the motion. There being none, he called for a roll call. The motion passed with Council Member Banks, Council Member Chase, Council Member Keel, Council Member Killpack and Council Member Western in favor.

Compensation Consideration for Library Board and Planning & Zoning Commission Members

Mayor Niles stated that he had been contemplating this idea around for a while now, one of the main reasons is that, having served on the Planning and Zoning Commission the previous year, he has seen how often some people are absent. Mayor Niles continued that he has been wondering if compensation would encourage attendance and that he and City Attorney Anderson have been discussing adopting something that would permit board members only so many absences before they would be asked to step down from the position. Council Member Chase stated that he had spoken to a library board member and that she did not think that there was

need for any further library board compensation. Council Member Chase added in that he was in favor of putting something in place allowing for only so many absences before getting replaced. Council Member Western stated that she agreed to permit so many absences for Planning and Zoning Commission since they deal with some important issues. Council Member Western stated that she was in favor of giving incentives to the Planning and Zoning Commission and to do something to encourage that they do more training. Council Member Banks stated that he was in favor of some compensation for the Planning and Zoning Commission. Council Member Chase MOVED to table the compensation consideration for the Library Board and the Planning and Zoning Commission. The motion was SECONDED by Council Member Western. Mayor Niles asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed with Council Member Banks, Council Member Chase, Council Member Keel, Council Member Killpack, and Council Member Western in favor.

Possible Sale of City-Owned Individual Aircraft Hangars

Public Works Director Dent Kirkland asked the Council for some guidance for what direction to go with the City-owned individual airport hangars. Public Works Director Kirkland informed the Council that the City owns four hangars, one is currently contracted out to the United States Department of Agriculture to house their predator control aircraft, and that he was not wanting to do anything with our agreement with them at this time. However, Mr. Kirkland felt the other three need some type of ongoing improvements. Public Works Director Kirkland stated that part of the problem is that the amount collected for the lease of the hangars does not offset the maintenance. Public Works Director Kirkland recommended advertising the hangars out for bid, selling them to the highest bidder, and then just collecting the ground lease for them, like the City does for the other privately-owned hangars. Doing so would let the owners do maintenance as they see fit and would then be theirs to invest in as they saw fit to protect their aircraft stored within. Council Member Keel asked what the process of doing so would be. There was some discussion about the history of the airport hangars. D. Steve Lester came before the Council and informed them that there is some competition for the hangars. Mr. Lester reviewed the history of the hangars, the leases, and the Airport Advisory Board. Mr. Lester stated that the rent has been collected on the hangars for years, but not a lot of maintenance has been done on them, so that in that aspect he sees that it would likely be an even consideration. Scott T. Johnson came before the Council to state that he does not like the prospect of losing out on a hangar that he has been renting for years if someone can outbid him on the hangars. Council Member Chase suggested continuing the leases, but requiring the pilots to maintain their hangars. City Attorney Anderson informed the pilots that the City has more room to negotiate a lease than they do with selling the hangars. Mr. Johnson stated that he agrees with the City to want to get rid of the hangars. Mr. Johnson stated that he is in favor of selling the hangars and that he would rather be responsible for the upkeep of a hangar that belongs to him than one that he is leasing. D. Steve Lester stated that his hangar does not have a cement floor in it like the other two do, only concrete pads to accommodate the wing wheels, and that the dust in it is terrible and he spent his own money to replace the screws on the roof that leaked. Mr. Lester continued that he would like to own the hangar, but does not want to lose it if it goes to bid. Mr. Lester stated that if he is going to be responsible for upkeep of hangar he would want a long-term lease on it. One of the

airport hangar lease holders asked if it would be possible for the City to declare the hangars of no value and give it to them. He was informed that the only way the City could sell it is if it is put out to bid. Another airport hangar lease holder asked if it would be possible to do a lease to purchase. City Attorney Anderson stated that he would have to look into it, but any time the City gets rid of property, they have to maximize the benefit to the City. Stewart C. Vaughn asked if the City would donate the hangars to the pilots group if they were a non-profit organization and do things for the City and collect rent back from them. City Attorney Anderson stated that if the City makes a donation, they have to have a public hearing and the Council would have to have a finding that the donation is a benefit to the City. Council Member Western stated that the City needs to be fair to all interested parties, not just the ones that are currently in the hangars. Melvin O. Dutson stated that he is all for the airport group starting up a non-profit, the City donating the hangars, and the airport group renting the hangars out, and using the money to maintain them. Council Member Keel MOVED to table the possible sale of city-owned individual aircraft hangars. The motion was SECONDED by Council Member Western. Mayor Niles asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed with Council Member Banks, Council Member Chase, Council Member Keel, Council Member Killpack and Council Member Western in favor.

Airport Ground Lease Rates

Public Works Director Kirkland stated that when he started looking into how other cities manage their airports it was brought to his attention that only one other city rents out hangars and most other cities have substantially higher ground leases. Mr. Kirkland informed the Council that Delta City charges \$0.05 per square foot and the closest he found in price was in the City of Monticello at \$0.10 per square foot. Public Works Director Kirkland reviewed other municipal airport prices including Richfield at \$0.31 per square foot for commercial and \$0.18 per square foot for non-commercial and Spanish Fork at \$0.33. Public Works Director Kirkland suggested doubling our price to \$0.10. Jake Christensen informed the Council that the lease agreements state that after five years, the price should be adjusted according to Consumer Price Index. Delta City Municipal Airport pricing and facilities were discussed and compared to other cities. Council Member Keel informed the people present that he has had the view point expressed to him that the City is subsidizing the airport pilots' flying hobby. Council Member Keel continued that the City is putting in a lot of money into updating the airport and hopefully bring in more business to it, but they might need to reevaluate their position if they are going essentially giving City assets away. Scott T. Johnson informed the Council that a lot of the aircraft that utilize the City's Municipal Airport do not simply utilize it for pleasure purposes only. Edward L. Johnson informed the Council that some of the other businesses in our area use the airport. Council Members discussed whether an increase in lease rates would make any difference financially. Council Member Western MOVED to table the airport ground lease rates. The motion was SECONDED by Council Member Banks. Mayor Niles asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed with Council Member Banks, Council Member Chase, Council Member Keel, Council Member Killpack and Council Member Western in favor.

Public Works Activities

Public Works Director Dent Kirkland reviewed the activities that the Public Works Department had undertaken since the last meeting including winding down their previous ongoing crack sealing project on the City's arterial roadways and also installing sewer line. Public Works Director Kirkland informed the Council that he would be attending the Rural Water Association of Utah (RWAU) and Utah Airport Operators Association (UAOA) Conferences, February 26-March 2, 2018 and March 14-16, 2018 respectively. Council Member Western asked if there was another option for snow plowing on Main Street that would not affect parking. Public Works Director Kirkland informed her that Main Street is a Utah State road and is not ours to plow and that he has been trying to get ahold of the Utah Department of Transportation (UDOT) to ask about it. Public Works Director Kirkland stated that the sidewalk is the responsibility of the business owners and that we are not supposed to plow Utah State roads and to do so would be accepting insurance liability. Council Member Keel pointed out that if we clear snow for all the businesses then we are taking business away from the private individuals that remove snow for compensation.

Other Business

Mayor Niles informed the Council that Administrative Officer/Recorder Schafer has sought out carpet specifications similar to the carpeting product used in our R. J. Law Community Center building. Schafer is also seeking new bathroom flooring products that are available today to replace the well-worn red tile in all our facility's restrooms. Schafer asked for specific direction from the Council as to whether he should publicize a request for proposal for carpeting and flooring replacement or use a vendor within the State of Utah who has a state contract in place. The Council's direction was to seek bids to allow for local vendor participation in the process too, if any choose to do so. Given it has been since calendar year 2000 since the City's Municipal Complex has been both painted and carpeted, Schafer and Public Works Director Kirkland have decided that it would be a misstep to not paint again before placing down new flooring too.

Mayor Niles asked the Council Members what their particular thoughts were on the most recent article in the Millard County Chronicle-Progress about the Hinckley Lions Club Demolition Derby. City Attorney Anderson stated that he agreed with what Millard County Attorney Patrick Finlinson had stated and that the liability insurance issues are a major matter. Mayor Niles stated that the Hinckley Lions Club had asked for some City manpower to help with the derby, but he had been told that the City already uses its manpower on the setup and preparations for the Fourth of July festivities. Mayor Niles stated that the Hinckley Lions Club had asked if the City could sell tickets and the City Office Staff had declined since they are already very busy that time of year and they did not want to be liable for the Hinckley Lions Club tickets and money. The Office Staff had suggested letting the Hinckley Lions Club use the office space in City Complex which used to house the Delta Area Chamber of Commerce office. Mayor Niles noted that Delta City already advertises the Hinckley Lions Club Derby and has for many years. Council Members were not opposed to the Hinckley Lions Club selling tickets in the City Complex.

There was a discussion about City personnel shirts. The Council agreed to limit the colors to grays, tans, and reds, and that each employee could select two shirts for their use in representing the City at conferences, meetings and trainings, etc.

Mayor Niles asked if there were any comments, questions or other items to be discussed, there were none. Council Member Western MOVED to adjourn the City Council meeting. The motion was SECONDED by Council Member Keel. Mayor Niles asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed with Council Member Banks, Council Member Chase, Council Member Keel, Council Member Killpack, and Council Member Western in favor.

The meeting was adjourned at 8:58 p.m.



JOHN WESLEY NILES
MAYOR

GREGORY JAY SCHAFFER, MMC
ADMINISTRATIVE OFFICER/RECORDER

MINUTES APPROVED: 03/03/2018