



**DELTA CITY COUNCIL
REGULAR CITY COUNCIL MEETING**

Thursday, August 2, 2018
Delta City Municipal Complex Council Chambers
76 North 200 West
Delta, Utah 84624-9440

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PRESENT

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

OTHERS PRESENT

- | | |
|---|--|
| Lora A. Fitch, Deputy Recorder | 15 Jody T. Anderson, City Treasurer |
| Todd F. Anderson, City Attorney | 16 Lynn B. Ashby, Fire Chief |
| Dent R. Kirkland, Public Works Director | 17 Sam Jacobson, Chronicle-Progress, LLC |
| Travis, L. Stanworth, Assistant PW Director | |

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 Delta City website, on the Utah Public Notice website, had been provided to the Millard County Chronicle-Progress, LLC, and to each member of the City Council at least two days prior to the meeting. Mayor Niles conducted roll call. Council Member Banks offered the opening remarks and then Mayor Niles led those in attendance in the Pledge of Allegiance.

MINUTES

The minutes of the Special City Council Meeting held July 12, 2018 were presented for approval. Council Member Western MOVED to adopt the minutes of the Regular City Council Meeting held June 7, 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 Killpack and Council Member Western in favor.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, payroll and electronic transactions for the period ending August 2, 2018 in the amount of \$286,555.98. Council Member Chase MOVED to approve the payments disbursed dated August 2, 2018 in the amount of \$286,555.98. 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 Killpack and Council Member Western in favor.

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43 **PUBLIC COMMENT PERIOD**

44 There was no public commentary.

45

46 **BUSINESS**

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48 **Possible Sidewalk Encroachment on Public Right-of-Way**

49 Mayor Niles stated that this agenda item would not be entertained at this time.

50

51 **Final Plat Approval for Notch Peak Subdivision Phase III Lots 1 & 2**

52 Public Works Director Kirkland informed the Council that Mr. Droubay was not in town today.
53 Director Kirkland explained that the Planning and Zoning Commission recommended that the City
54 Council approve the final plat for Notch Peak Subdivision Phase III for lots 1 & 2. Mr. Kirkland
55 stated that Mr. Droubay had already had the majority of the roadway leading into his subdivision
56 in place, and further, that Mr. Droubay had been working with City Attorney Anderson to secure
57 the necessary bond to cover the improvements not yet made. Anderson informed the Council
58 that Mr. Droubay had used a deed of trust as a bond to ensure that the improvements are put
59 in. Anderson noted that either he or Public Works Director Kirkland would need to talk to Mr.
60 Droubay about the installation of road signs within the subdivision. Council Member Western
61 MOVED to approve the final plat for Notch Peak Subdivision Phase III lots 1 and 2. The motion
62 was SECONDED by Council Member Killpack. Mayor Niles asked if there were any questions or
63 comments regarding the motion. There being none, he called for a vote. The motion passed with
64 Council Member Banks, Council Member Chase, Council Member Killpack and Council Member
65 Western in favor.

66

67 **Resolution 18-426 Appointment of West Millard Mosquito Abatement District (WMMAD)**
68 **Board Member**

69 Mayor Niles stated that Resolution 18-426 would serve to re-appoint Brandon Smith as Delta
70 City's Representative on the West Millard Mosquito Abatement District (WMMAD) board.
71 Council Member Banks asked how long the appointment would be made for. Council Members
72 informed him that it would be four years. City Attorney Anderson informed the Council that the
73 appointment had been publicized as open for consideration and no others expressed interest to
74 serve on the board. Council Member Chase MOVED to approve Resolution 18-426 appointing
75 Brandon Smith as a West Millard Mosquito Abatement District Board Member. The motion was
76 SECONDED by Council Member Banks. Mayor Niles asked if there were any questions or
77 comments regarding the motion. There being none, he called for a roll call. The motion passed
78 with Council Member Banks, Council Member Chase, Council Member Killpack and Council
79 Member Western in favor.

80

81 **Railroad Crossing Repairs at 750 North**

82 Public Works Director Kirkland stated that this was a continuation of a discussion previously held
83 about getting the railroad tracks repaired – mostly on 750 North. Director Kirkland informed the

84 Council that the railroad company finally responded back to him and that they would do a 50/50
85 share with a sponsor, but that they would not do anything until there was a budget prepared for
86 the project. Kirkland stated that it was estimated that it would cost \$1,500.00 per foot to repair
87 the railroad crossing and it is about 25' feet across. Kirkland stated that the City would be
88 responsible for the asphalt and traffic control, but the 50/50 cost share would apply to them. City
89 Attorney Anderson stated that he wants to know who the "sponsor" is, that sounds like a legal
90 term, thus it needs to be determined if it is the City or the people who are using the railroad spur.
91 Asphaltting over the track was discussed, but it was not certain how much it is used. Director
92 Kirkland stated that if the City decides to repair the tracks, it could come out of the Class C Roads
93 budget. Council Member Western suggested trying to split the costs with the companies that use
94 the spur. Council Member Banks noted that he had heard that, with the inland port in Salt Lake
95 City, Delta could get some commerce from it and the railroad spur might be useful. Fire Chief
96 Ashby pointed out that if the spur is removed, it probably will not be placed back in. The Council
97 agreed with Public Works Director Kirkland and City Attorney Anderson that the matter needs
98 more research into what the options for the railroad repair are.

99

100 **Public Works Activities**

101 Public Works Director Kirkland informed the City Council that in the interim time since the last
102 Council Meeting the Public Works Department has been working on preparing the roads for chip
103 seal work that will take place next week, handled a couple of water leaks, and hung banners for
104 the Millard County Fair. Public Works Director Kirkland informed the Council that the City had to
105 do a sanitary survey and that there are a few things to correct, but all was fine otherwise.

106

107 Public Works Director Kirkland informed the Council that the City had received a violation notice
108 on its water system due to a sampling error that was collected one day early on the last day of
109 the month rather than the first of the following month. The water samples came back fine, but
110 there was a violation and customers had to be notified – which they were through the newsletter
111 and bills.

112

113 Public Works Director Kirkland stated that the City had received an unexpected visit from the
114 Occupational Safety and Health Administration (OSHA) visit the previous day on the water
115 system. The City had received a few citations regarding the documentation of some processes,
116 but the site inspection was fine. Director Kirkland told the Council that the OSHA Inspector had
117 said that Utah Governor Gary Herbert directed OSHA to start doing more inspections with public
118 employees due to an increase in accidents reported.

119

120 Public Works Director Kirkland informed the Council that the Federal Aviation Administration
121 (FAA) is requiring the City perform another independent fee estimate because the airport project
122 engineers that the Council had just selected will ultimately bill us for more than \$100,000 in
123 project expenses. Kirkland stated that he had contacted Armstrong Consultants, Inc., to do the
124 estimate because they did such an impressive job with their submission to be considered as
125 engineers for the entire project. The estimate will cost about \$3,000, yet it will be reimbursable

126 through the FAA. The entire project should be put out to bid in November 2018 and the work
127 start around March 2019.

128

129 Public Works Director Kirkland stated that Austin Albers had submitted his two weeks' notice of
130 his intent to end his employment with us, and that his position will soon be advertised again. The
131 summer help will also be leaving soon.

132

133 Public Works Director Kirkland stated that there was no credit given to Scott Johnson in his
134 payment for the winning bid of the surplus aircraft hangar he desired. He wrote a check to the
135 City for the full bid price of the hangar. In an entirely separate transaction, a 2005 Lincoln Town
136 Car was purchased by the City as one of the two municipal airport shuttle cars the City desired to
137 acquire. The car was purchased through an appropriated line item in the airport budget.

138

139 Council Member Western stated that she had been asked why the purchase of this automobile
140 had not been advertised. Public Works Director Kirkland asked how you compare apples to apples
141 when buying used cars. Public Works Director Kirkland stated that the car was originally going to
142 be donated to the City, but after the sale of the airport hangars, there was going to be a possibility
143 of a credit towards a hangar purchase, but that a separate transaction was ultimately made.
144 Millard County had also donated a 1999 Ford Crown Victoria to the City for use at the municipal
145 airport and both were going to be used as courtesy cars.

146

147 Council Member Western asked about the road, 350 East Street, south of 300 South Street, that
148 runs by Loy Crapo's home and if it is a City road. Public Works Director Kirkland stated that it is a
149 City right-of-way, but it has never been improved with gravel or anything. Director Kirkland stated
150 the Public Works Department could put down lime fines on the road, if the Council would like
151 them to. The Council thought it would be a good idea.

152

153 Council Member Chase asked if the speed limit signs had been put in on 450 North Street. Public
154 Works Director Kirkland confirmed that they had.

155

156 **Other Business**

157 Council Member Western invited everyone out to attend the 2018 Millard County Fair. Council
158 Member Western reviewed the schedule of the fair events.

159

160 Council Member Western MOVED to adjourn the City Council Meeting. The motion was
161 SECONDED by Council Member Chase. Mayor Niles asked if there were any questions or
162 comments regarding the motion. There being none, he called for a vote. The motion passed with
163 Council Member Banks, Council Member Chase, Council Member Killpack and Council Member
164 Western in favor.

165

166 The meeting was adjourned at 7:33 p.m.



JOHN WESLEY NILES
MAYOR

LORA A. FITCH
DEPUTY RECORDER

167

168 **MINUTES APPROVED: 00/00/2018**

Unapproved