



**DELTA CITY COUNCIL
REGULAR CITY COUNCIL MEETING**

Thursday, April 19, 2018
Delta City Municipal Complex Council Chambers
76 North 200 West
Delta, Utah 84624-9440

PRESENT

John W. Niles, Mayor
Robert W. Banks, Council Member
Kiley J. Chase, Council Member

J. Travis Keel, Council Member
Nicholas W. Killpack, Council Member

ABSENT

Betty Jo Western, Council Member

OTHERS PRESENT

Gregory J. Schafer, Admin. Officer/Recorder
Todd F. Anderson, City Attorney
Dent R. Kirkland, Public Works Director
Travis L. Stanworth, Assistant Public Works Director
Randy C. Morris, Parks Supervisor
Lynn B. Ashby, Fire Chief

Rob Clark, Lieutenant, Millard County Sheriff's Office
Esther Duncan, Delta City C.E.R.T. Program
Sam Jacobson, Chronicle-Progress, LLC
Jake Abbott, City Resident
Tim Bliss, Boy Scout Leader
Logan Bliss, Local Boy Scout

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 and 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. Mayor Niles then led those in attendance in the Pledge of Allegiance.

Council Member J. Travis Keel arrived at 7:05 p.m. Public Works Director Dent R. Kirkland arrived at 7:10 p.m.

MINUTES

The minutes of the Regular City Council Meeting held April 5, 2018 were presented for approval. Council Member Chase MOVED to adopt the minutes of the Regular City Council Meeting held April 5, 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, and Council Member Killpack in favor, Council Member Keel had just arrived and Council Member Western absent.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, payroll and electronic transactions for the period ending April 19, 2018 in the amount of \$268,579.96. Council Member Chase MOVED to approve the payments disbursed dated April 19, 2018 in the amount of \$268,579.96. 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, and Council Member Killpack in favor and Council Member Western absent.

PUBLIC COMMENT PERIOD

There was no public comment.

BUSINESS

MCSO Quarterly Update

Lieutenant Rob Clark, representing the Millard County Sheriff's Office (MCSO) came before the City Council to provide the January-March 2018 calendar quarter update of the department contracted enhanced law enforcement activities within Delta City. Lieutenant Clark reviewed the reports provided to the Council that illustrated the various incidents in summary that occurred, type of citations issued, etc. Lieutenant Clark asked if there were any additional questions or concerns that the Council held that he could address. The Council had no additional inquiries.

Service Recognition Plaque for Esther Duncan, Delta City C.E.R.T. Program

Mayor Niles awarded a plaque to Esther Duncan for her service as the Delta City Community Emergency Response Team (CERT) Commander between July 2006 and February 2018. Mayor Niles indicated to Ms. Duncan that people such as herself play a crucial role in our communities and that her contribution of time and self was appreciated.

Abbott Subdivision Final Plat

Council Member Keel informed the Council that the Planning and Zoning Commission recommended the Abbott Subdivision Final Plat to the City Council for approval. Council Member Keel MOVED to approve the Abbott Subdivision Final Plat. 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 in favor and Council Member Western absent.

Ordinance 18-279 Planning & Zoning Commission Members Compensation and Removal Process

Council Member Keel informed the Council that the Planning and Zoning Commission provided their recommendation in approving amendments to sections of Delta City Municipal Code Title 12-3 and Title 12-4. Council Member Keel did however state that the Commission Members

expressed some hesitation about receiving compensation for their service on the Commission. Commission Member Keel then reviewed the main amendments that the ordinance would provide for if adopted, including Commission Member compensation, selection of chairperson, removal process and an appeal process should a removed party feel aggrieved. There was a discussion about the removal process, number of meetings that could be missed consecutively and in the aggregate before a removal would commence. City Attorney Anderson additionally noted to the Council that the proposed ordinance included language that the Council Representative could be paid at a different rate than the Commission Members. Council Member Keel MOVED to adopt Ordinance Number 18-279, amending Title 12 of the Revised Ordinances of Delta City (1981 Edition), as amended, ("Delta City Ordinances") pertaining to correcting formatting issues and the compensation and removal of Planning and Zoning Commission Members. 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 roll call vote. The motion passed with Council Member Banks, Council Member Chase, Council Member Keel, Council Member Killpack in favor and Council Member Western absent.

Resolution 18-423 Fiscal 2018 Employee Compensation Schedule Amendment

Administrative Officer/Recorder Schafer presented Resolution 18-423 adding the Planning and Zoning Commission meeting compensation of \$50.00 per member per meeting attended and training compensation of \$100.00 per minimum of two (2) hours of training to the Employee Compensation Schedule. City Attorney Anderson suggested clarity on whether the City is extending the same rate of pay to the Council Representative. There was discussion about whether the Council Member sitting on the Commission would get paid additionally to their pay for being on the City Council when participating in Planning and Zoning Commission meetings. Council Member Keel stated that so long as he was the Council Representative on the Commission, he did not want to receive additional compensation. City Attorney Anderson suggested that the Employee Compensation Schedule contain language clarifying that the Council Representative could be compensated differently than a regular Commission Member. After further discussion, it was agreed to keep the language on the proposed revision of the Employee Compensation Schedule as it was illustrated and have Council Member Keel decline the compensation on his own through a documented arrangement with Administrative Officer/Recorder Schafer regarding Human Resources issues. Council Member Banks MOVED to adopt Resolution 18-423, a resolution of the Council of the City of Delta, State of Utah, setting compensation and salaries for the Fiscal Year 2018. 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 vote. The motion passed with Council Member Banks, Council Member Chase, Council Member Keel, Council Member Killpack in favor and Council Member Western absent.

Resolution 18-422 Consolidated Fee Schedule Modification for Municipal Airport Ground-Lease Rates

Administrative Officer/Recorder Schafer reviewed the proposed revisions to the Consolidated Fee Schedule with the Council Members and asked what they would like for the ground-lease rate at the Delta Municipal Airport to be upon within the schedule. Public Works Director Dent

Kirkland suggested that the ground-lease rate be minimally raised to at least \$0.15 per square foot based upon his findings in discussion with other municipal airport managers within the State of Utah. City Attorney Todd Anderson reminded the Council that we currently have two ground-space leases extended of which the terms cannot be changed. Mr. Anderson also let the Council that once he has the language constructed for potential new leases for the other three private hangars currently owned by the City, that once they are declared surplus, advertised for sale, bids received and ultimately sold (if bids received are accepted), that the beginning rate selected is important, because any rate increases will only be incremental over the term of any contract. Mayor Niles noted that the City likely will not increase the ground-lease rate next year, and that the present goal is to bring our current rate more in line with what other municipal airports in our State of Utah are charging so that we are being good stewards of our public resources. City Attorney Anderson also asked for some additional direction from the Council of his drafting of proposed new lease agreements. Council Member Keel MOVED to adopt Resolution 18-422, a resolution of the Council of the City of Delta, State of Utah establishing certain fees in a Delta City Consolidated Fee Schedule as set out in the Delta City Consolidated Fee Scheduled Dated: 04/19/2018, setting the Delta Municipal Airport ground-lease rates at \$0.15 per square foot. 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 in favor and Council Member Western absent.

Budget Work Session Scheduling

Administrative Officer/Recorder Schafer asked of the Council to consider their personal calendars and indicate when they thought they could collectively meet to consider the annual requested budget appropriations during a Budget Work Session. Mr. Schafer inquired if May 23, 24, 30, or 31, 2018 might be entertained. Council Member Banks suggested May 23 or 24, 2018. The Council discussed the date and time amongst one another and agreed upon Wednesday, May 23, 2018 at 3:00 p.m.

Fourth of July Fireworks/Grand Marshal/Parade Giveaways

Mayor Niles asked what the Council thought of the Grand Marshal nominations received through the City Offices. The Council agreed to have Arlynn Finlinson this year, Beverly Crafts for 2019 and Jesse Painter for 2020 as the Fourth of July Grand Marshals. The Council reviewed the suggested parade giveaways and agreed that the sunglasses were the best choice. The Council and Fire Chief Ashby discussed the bid packages received in consideration of awarding the bid to most beneficial fireworks package to the City. Council Member Chase MOVED to award the contract to Firestorm Pyrotechnics, Inc., supplying our fireworks for calendar years 2018, 2019 and 2020, at \$10,000.00 per year; to approve honoring Arlynn Finlinson as the City's Parade Grand Marshal for calendar 2018, Beverly Crafts for calendar 2019 and Jesse Painter for calendar 2020; and to approve the selected sunglasses for distribution during the parade. 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 in favor and Council Member Western absent.

Lawnmower Acquisition

Public Works Director Kirkland informed the Council that the Public Works Department would like consent to acquire a new commercial-grade lawnmower for the grooming of the lawns in the City Park and the Neighborhood Park. Mr. Kirkland noted that the existing Grasshopper 928D2 mower, stating that we have spent a significant amount of money as of late to keep it running. Of the vendors they have considered under a State of Utah Contract Price, he would like to purchase from United Service and Sales, Inc., a Hustler Super Z Hyperdrive with a 72" cutting deck, powered with a 37 horsepower Vanguard EFI powerplant at a cost of \$12,828.00. This company had brought down several models and components for demonstration which was appreciated. Director Kirkland informed the Council that there is an existing budget allocation for a new lawnmower appropriated with \$15,000.00 in the Parks budget (10-70-848). There was discussion held about whether the old mower might be designated as surplus equipment and sold. Mr. Kirkland suggested the old unit may not be worth much, and that we often keep the old piece of equipment in the event the newer equipment encounters a problem, and then we at least still have an older until that might still be able to be used with the new mower is back in use. Council Member Banks MOVED to approve the purchase of a Hustler Super Z Hyperdrive lawnmower in the amount of \$12,828.00 from United Service and Sales, Inc. 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 vote. The motion passed with Council Member Banks, Council Member Chase, Council Member Keel, Council Member Killpack in favor and Council Member Western absent.

Public Works Activities

Public Works Director Kirkland informed the Council that in the interim since the last Council Meeting, the Public Works Department has continued to install sewer line on 400 South from the White Sage subdivision area and running the line over to our Sewer Lift Station "B" and are about fifty-percent completed. Our crew has also been working at the shop facilities performing the annual fleet vehicle inspections. The Millard County Road Department has also been placing magnesium chloride upon many of the City's non-asphalted roads. Kirkland stated that a recent windstorm took the roof off a private-aircraft hangar currently rented by Scott Johnson. Public Works Director Kirkland stated that he had received the final draft of the taxiway/runway reconstruction and redesign for the Delta Municipal Airport from the Airport Development Group, Inc., and that the planned work might be able to be put to bid soon, pending approval from the Federal Aviation Administration (FAA). Public Works Director Kirkland informed the Council that recently he, Administrative Officer/Recorder Schafer, and Mayor Niles had met with representatives of the Six County Association of Governments (SCAOG) to apply for a General (Master) Plan and the Permanent Community Impact Fund Board (PCIFB) might be willing to provide funding for a fifty (50) percent funding match. A public hearing, as required by the PCIFB, receiving public input regarding making a grant application will be held at 6:45 p.m., on Thursday, May 3, 2018.

Other Business

City Attorney Anderson informed the Council that there is a land use Appeal Authority Hearing scheduled for May 1, 2018 at 5:00 p.m., regarding property owned by Joey Swalberg. Our appointed Appeal Authority Adam Richins will hear the matter.


Council Member Chase MOVED to enter closed session to discuss pending or reasonably imminent litigation. 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 in favor and Council Member Western absent. The Council entered closed session at 8:00 p.m.

Council Member Chase MOVED to re-enter the regular meeting. 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 in favor and Council Member Western absent. The Council exited closed session at 8:21 p.m.


Mayor Niles asked if there were any comments, questions or other items to be discussed, there were none. Council Member Keel MOVED to adjourn the City Council meeting. 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 in favor and Council Member Western absent.

The meeting was adjourned at 8:22 p.m.





JOHN WESLEY NILES
MAYOR



GREGORY JAY SCHAFFER, MMC
ADMINISTRATIVE OFFICER/RECORDER

MINUTES APPROVED: 05/03/2018