



## DELTA CITY COUNCIL REGULAR CITY COUNCIL MEETING

Thursday, June 7, 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

Nicholas W. Killpack, Council Member  
Betty Jo Western, Council Member

### OTHERS PRESENT

Gregory J. Schafer, Admin. Officer/Recorder  
Todd F. Anderson, City Attorney (electronically)  
Justin B. Ashby, Field Supervisor

Lynn B. Ashby, Fire Chief  
Faylyn Catmull, CentraCom Comm. Dev. Off.  
Sam Jacobson, Chronicle-Progress, LLC

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 Killpack offered the opening remarks and then Mayor Niles led those in attendance in the Pledge of Allegiance.

### MINUTES

The minutes of the City Council Public Hearing held May 3, 2018 were presented for approval. Council Member Banks MOVED to adopt the minutes of the City Council Public Hearing held May 3, 2018 as presented. 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 Killpack and Council Member Western in favor.

The minutes of the City Council Meeting held May 3, 2018 were presented for approval. Council Member Western MOVED to adopt the minutes of the Regular City Council Meeting held May 3, 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.

The minutes of the City Council Budget Work Session held May 23, 2018 were presented for approval. Council Member Killpack MOVED to adopt the minutes of the City Council Budget Work

Session held May 23, 2018 as presented. 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 Killpack and Council Member Western in favor.

#### **ACCOUNTS PAYABLE**

The Council reviewed the accounts payable, payroll and electronic transactions for the period ending June 7, 2018 in the amount of \$290,411.30. Council Member Chase MOVED to approve the payments disbursed dated June 7, 2018 in the amount of \$290,411.30. 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.

#### **PUBLIC COMMENT PERIOD**

Faylyn Catmull, CentraCom's Community Development Officer, came before the City Council to inform them that the entity she represents is growing and expanding their business presence in our City. Ms. Catmull stated to the Council Members that CentraCom would appreciate being advised about new housing subdivisions, as an example, and other major construction or development projects in Delta City. Ms. Catmull also informed the City Council that CentraCom would be interested in possibly participating in some upcoming community project. Ms. Catmull inquired if there were any known projects at the present time or not. She concluded her commentary by leaving her contact information with the City.

#### **BUSINESS**

##### **Utah League of Cities and Towns Mid-Year Conference Review**

Council Member Killpack commented upon his takeaway of the Utah League of Cities and Towns (ULCT) Mid-Year Conference. Mr. Killpack mentioned dialogue held by presenting panel members about fuel taxes and roadways in our state, Class "C" road funding, rural economic development, and establishing relationships with our legislators as necessary to pursue City interests, etc. Mr. Killpack and Admin. Officer/Recorder Schafer also discussed the presentation made by Lisa Soronen, Executive Director of the State and Local Legal Center based in Washington, D.C. The topic was very interesting and was regarding a case presently under consideration by the Supreme Court of the United States of America, the parties to the action being the State of South Dakota, and an online retailer, Wayfair. The outcome of this case could ultimately allow local governments to collect sales tax from out-of-state vendors stemming from online sales. Mr. Schafer also found interesting the recognition by panelists that over the last decade most economic development in the State of Utah has been along the Wasatch Front, but many businesses are starting to recognize the driving forces of economic expansion into rural communities throughout our state. Mr. Killpack and Mr. Schafer also noted the growing and

expanding trend for transparency wherever possible in municipal and state business. Additionally, both attended a caucus of rural cities and towns and listened and participated in a dialogue in trying to understand common issues and concerns for communities our size. Discussion was also held on maintaining local control, being proactive with our legislators, etc.

#### **Municipal Airport Ground Space Lease Agreement (as to Form)**

Council Member Killpack asked City Attorney Anderson asked how the inflation index would impact the lease rates. Mr. Anderson explained that the index prevents the City from increasing the ground lease rates more than three (3) percent annually to adjust for inflation. Anderson noted that the agreement would now require ten (10) foot setbacks as was suggested by our airport engineers and the Federal Aviation Administration (FAA). Council Member Western asked if the lease agreement rates would be revisited every year. Anderson stated that would be a policy decision and would need to be decided by the City Council. If a lease rate per square foot is changed, an agreement provision requires us to notify the lessee of the adjustment. There was a discussion held about the use of the hangars and whether they would be required to have an aircraft within them such that they are not solely just used as storage facilities. The Council agreed that the hangars should be primarily used for aircraft, however, upon the advice of Attorney Anderson, the provision within Section Ten of the Lease Agreement that states an "Aircraft must be stored in the hangar for a minimum of ten (10) days per year." is sufficient. A typographical error was also noted to be corrected. Council Member Chase **MOVED** to accept the Municipal Airport Ground Space Lease Agreement (as to Form) with the noted correction. 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.

#### **Public Works Activities**

Field Supervisor Justin Ashby informed the City Council that in the interim time since the last Council Meeting on May 3, 2018, the Public Works Department has finished cleaning up trees in the Neighborhood Park, had hauled off the cement from the former Deseret Industries site, and thereafter brought in some fill dirt from the Delta Municipal Airport. Thereafter, they transported lime fines to then cover the ground where the structure previously was located. Mr. Ashby informed the Council that the department had also been working on a parade float for the July Fourth festivities, had dealt with some sewer lateral problems, and experienced a water leak in the White Sage Subdivision. The crew had also been planting trees and been readying the City Park for the upcoming annual celebration on July Fourth.

#### **Other Business**

Mayor Niles informed the City Council that an advertisement had been prepared and will be run in the next three issues of the Millard County Chronicle-Progress regarding the City Council vacancy. Admin. Officer/Recorder Schafer reviewed the timeline of the advertisement and the planned appointment date, explaining that an additional week had been incorporated into the advertisement process because of the upcoming holiday.



Mayor Niles asked the City Council members how they would feel about walking behind a truck to hand items out during the Main Street Parade like they had done last year rather than having a float entry this year. They were all in agreement to do so. Mayor Niles stated that Arlynn Finlinson was delighted to be this year's Grand Marshal and that he was wanting to have Howard Clayton drive the parade vehicle he would be within. The Council Members agreed that would be a good idea. Council Member Western offered to track down a vehicle for the Grand Marshal to ride in. Council Member Western reviewed what she had already lined out for the Fourth of July festivities.

Council Member Western noted that Delta resident Pedro Gonzales had asked that a speed limit and/or a Children-at-Play sign be placed on his residential street.


Mr. Schafer inquired of the City Council if the next Wellness Program as planned by Treasurer Jody Anderson could proceed. The Council Members were fine with the planned giveaways and activities.


Fire Chief Lynn Ashby wanted to express his and the Fire Department Members' gratitude to the City Council for their generosity in aiding one of our volunteer firemen, Jason Poulsen, as he receives treatment for a medical condition.

Council Member Western MOVED to adjourn the City Council Meeting. 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 Killpack and Council Member Western in favor.

The meeting was adjourned at 7:51 p.m.



  
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JOHN WESLEY NILES  
MAYOR

  
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GREGORY JAY SCHAFER, MMC  
ADMINISTRATIVE OFFICER/RECORDER

MINUTES APPROVED: 06/21/2018