



**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

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**PRESENT**

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|---------------------------------|--|
| 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**

- |  |  |
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| Gregory J. Schafer, Admin. Officer/Recorder      | 14 Lynn B. Ashby, Fire Chief                 |
| Todd F. Anderson, City Attorney (electronically) | 15 Faylyn Catmull, CentraCom Comm. Dev. Off. |
| Justin B. Ashby, Field Supervisor                | 16 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

42 Session held May 23, 2018 as presented. The motion was SECONDED by Council Member Chase.  
43 Mayor Niles asked if there were any questions or comments regarding the motion. There being  
44 none, he called for a vote. The motion passed with Council Member Banks, Council Member  
45 Chase, Council Member Killpack and Council Member Western in favor.

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47 **ACCOUNTS PAYABLE**

48 The Council reviewed the accounts payable, payroll and electronic transactions for the period  
49 ending June 7, 2018 in the amount of \$290,411.30. Council Member Chase MOVED to approve  
50 the payments disbursed dated June 7, 2018 in the amount of \$290,411.30. The motion was  
51 SECONDED by Council Member Killpack. Mayor Niles asked if there were any questions or  
52 comments regarding the motion. There being none, he called for a vote. The motion passed with  
53 Council Member Banks, Council Member Chase, Council Member Killpack and Council Member  
54 Western in favor.

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56 **PUBLIC COMMENT PERIOD**

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

65

66 **BUSINESS**

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

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

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

87

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

89 Council Member Killpack asked City Attorney Anderson asked how the inflation index would  
90 impact the lease rates. Mr. Anderson explained that the index prevents the City from increasing  
91 the ground lease rates more than three (3) percent annually to adjust for inflation. Anderson  
92 noted that the agreement would now require ten (10) foot setbacks as was suggested our airport  
93 engineers and the Federal Aviation Administration (FAA). Council Member Western asked if the  
94 lease agreement rates would be revisited every year. Anderson stated that would be a policy  
95 decision and would need to be decided by the City Council. If a lease rate per square foot is  
96 changed, an agreement provision requires us to notify the lessee of the adjustment. There was a  
97 discussion held about the use of the hangars and whether they would be required to have an  
98 aircraft within them such that they are not solely just used as storage facilities. The Council  
99 agreed that the hangars should be primarily used for aircraft, however, upon the advice of  
100 Attorney Anderson, the provision within Section Ten of the Lease Agreement that states an  
101 "Aircraft must be stored in the hangar for a minimum of ten (10) days per year" is sufficient. A  
102 typographical error was also noted to be corrected. Council Member Chase MOVED to accept the  
103 Municipal Airport Ground Space Lease Agreement (as to Form) with the noted correction. The  
104 motion was SECONDED by Council Member Killpack. Mayor Niles asked if there were any  
105 questions or comments regarding the motion. There being none, he called for a vote. The motion  
106 passed with Council Member Banks, Council Member Chase, Council Member Killpack and  
107 Council Member Western in favor.

108

109 **Public Works Activities**

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

119

120 **Other Business**

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

126  
127 Mayor Niles asked the City Council members how they would feel about walking behind a truck  
128 to hand items out during the Main Street Parade like they had done last year rather than having  
129 a float entry this year. They were all in agreement to do so. Mayor Niles stated that Arlynn  
130 Finlinson was delighted to be this year's Grand Marshal and that he was wanting to have Howard  
131 Clayton drive the parade vehicle he would be within. The Council Members agreed that would be  
132 a good idea. Council Member Western offered to track down a vehicle for the Grand Marshal to  
133 ride in. Council Member Western reviewed what she had already lined out for the Fourth of July  
134 festivities.

135  
136 Council Member Western noted that Delta resident Pedro Gonzales had asked that a speed limit  
137 and/or a Children-at-Play sign be placed on his residential street.

138  
139 Mr. Schafer inquired of the City Council if the next Wellness Program as planned by Treasurer  
140 Jody Anderson could proceed. The Council Members were fine with the planned giveaways and  
141 activities.

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

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

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



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JOHN WESLEY NILES  
MAYOR

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GREGORY JAY SCHAFFER, MMC  
ADMINISTRATIVE OFFICER/RECORDER

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155 **MINUTES APPROVED: MM/DD/2018**