



**DELTA CITY COUNCIL
REGULAR CITY COUNCIL MEETING**

Thursday, June 21, 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
Dent R. Kirkland, Public Works Director
Travis, L. Stanworth, Assistant PW Director
Deborah B. Greathouse, Library Director

Sam Jacobson, Chronicle-Progress, LLC
Phil O. Lambertsen, Delta Citizen
Jody E. Smith, Delta Citizen
Brooke E. Smith, 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 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 Chase 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 June 7, 2018 were presented for approval. Council Member Banks MOVED to adopt the minutes of the City Council Public Hearing held June 7, 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 June 7, 2018 were presented for approval. Council Member Banks pointed some grammatical errors on lines 92, 100 and 121. Council Member Western MOVED to adopt the minutes of the Regular City Council Meeting held June 7, 2018 with the noted corrections. 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.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, payroll and electronic transactions for the period ending June 21, 2018 in the amount of \$102,672.46. Council Members sought clarification on a few of the transactions. Council Member Banks MOVED to approve the payments disbursed dated June 21, 2018 in the amount of \$102,672.46. 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.

PUBLIC COMMENT PERIOD

There was no public commentary.

BUSINESS

Service Recognition Plaque for Jody Smith, Library Advisory Board

Mayor Niles presented Jody Smith with a service recognition plaque and thanked him for the two consecutive three-year terms he was on the Library Advisory Board.

Radar Feedback Speed Limit Signs

Phil Lambertsen came before the Council to request that they consider placing radar feedback speed limit signs on some of the more heavily traveled and problematic City streets where speeding is a commonplace occurrence. The roadways particularly that Mr. Lambertsen suggested would benefit from such signs would be our Main Street and 100 West Street (Lone Tree Road once in the County). Council Member Chase noted that our Main Street is actually a Utah State Highway and not within our jurisdiction on signage placement. Council Member Chase also stated that the Council has been considering the installation of signs like he suggests, or something similar, but that the Council would need to establish guidelines regarding roads such signs would be placed upon. Mayor Niles informed Mr. Lambertsen that the Council will further consider the request.

Library Advisory Board Appointments

Council Member Banks informed the Council that Library Advisory Board Member Jody Smith was just completing his second consecutive term and that Delta City Municipal Code prohibits Board Members from serving more than two terms consecutively. Council Member Banks stated that Library Director Greathouse had recommended Laura Bassett be considered to serve on the Library Advisory Board in the vacancy that would be created with Mr. Smith's term ending. The Board Member term would begin July 1, 2018 and last until June 30, 2021. Council Member Banks stated that it was also recommended that Karen Chandler be reappointed to her second consecutive term as a Library Advisory Board Member with her term lasting from July 1, 2018 to June 30, 2021. Council Member Chase MOVED to approve Laura Bassett as a Library Advisory Board Member beginning July 1, 2018 and expiring June 30, 2021 and reappoint Karen Chandler for her second term beginning July 1, 2018 and expiring June 30, 2021. 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.

Resolution 18-424 Adopting FY2019 Budget

Administrative Officer/Recorder Schafer presented Resolution 18-424 to adopt the Final Budget for Fiscal Year 2019 and reviewed the procedure that had been followed regarding the adoption of the budget up to that point. Mr. Schafer noted that the budget totals at \$15,541,111 with the General Fund component totaling \$3,831,196. Council Member Western asked about the General Fund on page four regarding the General Fund adjustments. Schafer stated that he believed the difference was due to an adjustment he made after he had worked through the certified tax rate process. Council Member Western asked about the Municipal Airport Capital Project fund appropriations. Schafer stated that the majority of project funding is believed to be forthcoming from the Federal Aviation Administration (FAA). Council Member Chase **MOVED** to approve Resolution 18-424 adopting the Fiscal Year 2019 Final Budget in the amount of \$15,541,111. 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 roll call. The motion passed with Council Member Banks, Council Member Chase, Council Member Killpack and Council Member Western in favor.

Resolution 18-425 FY 2019 Compensation Schedule

Recorder Schafer reviewed the compensation rate schedule. Council Member Western **MOVED** to approve Resolution 18-425 for the Fiscal Year 2019 Compensation Schedule. 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. The motion passed with Council Member Banks, Council Member Chase, Council Member Killpack and Council Member Western in favor.

Municipal Airport Ground Space Lease Agreement Proposal Modification

Public Works Director Kirkland informed the Council that he had provided a copy of the ground space lease agreement for use at the Delta Municipal Airport to Roland Comeau. Mr. Comeau took a copy to the local pilots' meeting and the pilots had a couple of concerns that Mr. Kirkland agreed with. Kirkland stated that there was some concern that if a pilot signed a lease for a five (5) year term, and renewed that lease four (4) more times for a maximum of twenty-five (25) years use, what would happen after that twenty-five (25) years passed. Kirkland stated that one of the proposed modifications would be to change the lease agreement terms to allow for the lease renewal for up to nineteen (19) additional terms of five years each for a maximum of one-hundred (100) years. Kirkland also suggested that the language regarding the setback requirements be changed to ten (10) feet on all sides of any hangar will be included in the leased ground space, but the additional footage beyond the ten (10) feet on the side of the hangar where the aircraft accesses the taxiway will not be considered in the lease calculations. Council Member Western stated that she had spoken with Melvin Dutson and he had suggested the same

changes. Council Member Western MOVED to approve the Municipal Airport Ground Space Lease Agreement proposed modifications 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.

Public Works Activities

Public Works Director Kirkland informed the City Council that in the interim time since the last Council Meeting on June 7, 2018, the Public Works Department has finished running the sewer line from "B" station to near the Kory and Jenny Morris home (625 E 450 S), finished tearing down the old Deseret Industries building, planted trees, replaced a hangar roof, and published an advertisement to receive bids for the sale of the City-owned hangars. Public Works Director Kirkland informed the Council that the City had issued a Request for Qualifications (RFQ) for an engineering firm for the continued Municipal Airport Improvement projects. Public Works Director Kirkland stated that the firm that the City is currently under contract with covers approximately seventy-five (75) percent of the scope of work to be done as currently planned. The RFQ that has been issued is for the engineering on the balance of the proposed work. Kirkland stated that the City had recently canceled a request for bids that will be reissued in the future. Kirkland reviewed the work that the part-time help was doing and informed the Council that the wood chips at the Neighborhood Park had been replaced with pea gravel because the wood chips kept blowing away.

Public Works Director Kirkland noted to the Council, regarding Mr. Lambertsen's request for radar speed limit signs, that such signage is very expensive and likely will only serve their purpose temporarily even if they are placed there permanently. Kirkland recommended rotating our radar trailer there occasionally or if a permanent sign is put into place, that it be at the Delta City/Millard County boundary line on 100 West (Lone Tree Road in the County). Kirkland noted that if one is placed on 100 West Street, many other residents would want them on their streets too.

Council Member Chase stated that during the last several weeks, many Intermountain Power Service Corporation (IPSC) employees had approached him about the condition of the railroad crossing by Big 5 Commodities that is in very bad condition. Council Member Chase asked Public Works Director Kirkland who the railroad crossing belonged to. Kirkland informed Council Member Chase that the crossing likely belongs to Big 5 Commodities, but he is not absolutely sure. Kirkland stated that he had been trying to contact someone at the railroad about repairs needed, but has met with little success in getting the railroad to respond to him. He will continue trying to reach them.

Council Member Killpack had a question about the carpeting installation in the library's kiva area. Recorder Schafer stated that language has been included in the Request for Proposal (RFP) being readied for publication soon, that required that the kiva area have rolled carpet that will be the same pattern and color of the squares to be installed elsewhere or as closely matched as possible.

Other Business

Council Member Western informed the Council that the pilots will perform a flyover during the parade at our Independence Day festivities.

Assistant Public Works Director Travis Stanworth informed the Council that he had spent the last two weeks involved in hazardous materials ground transportation training in Pueblo, Colorado. Stanworth reviewed what some of the training entailed and thanked the City for the opportunity to attend.

Council Member Killpack asked City Attorney Anderson if the City would have to acquire licensing rights to play a motion picture for the general public as a way to bring more people into the library. Attorney Anderson stated that the City would need to play a movie that is licensed for public viewing. Council Member Western confirmed that the library would have to go through a company to get a movie that can be played publicly.

Mayor Niles asked Council Member Western if she knew of anyone who had a vehicle that the Grand Marshal can ride in for the July Fourth parade. Council Member Western informed the Council of a couple prospects that she had been in contact with. Council Member Western stated that she would contact the Grand Marshal, Arlynn Finlinson, and ask him which vehicle he would prefer to ride in.

Recorder Schafer informed the Council that he was putting together a Request for Proposal (RFP). Mr. Schafer informed the Council that he had sent an email with flooring options to all the staff that works in the City offices every day to see what the majority would like to select. Schafer stated that the current carpeting in the building was laid in 2000 and the bathroom flooring is original to the building and in bad condition. Recorder Schafer stated that he, Mayor Niles, and City Attorney Anderson had discussed whether we should request proposals for carpeting and painting separately, or if we should do a combined proposal request breaking out the labor and commodities components individually too. Attorney Anderson commented that if the proposal components for carpet, paint and labor could all be separately bid upon, it may increase the economy to the City. An example being, a vendor might not be able to acquire the needed commodities cheaper than we can purchase them through a cooperative state contract price, but could successfully bid the labor to install the commodities. The City Council agreed to a combined proposal to be advertised, with the commodities and labor to be bid separately. The Council also agreed that we reserve the right to purchase the necessary commodities through a state purchasing contract if it is in the best interests of the City.

City Attorney Anderson sought Council guidance on how to deal with land-use ordinance enforcement issues to make sure that everyone is treated fairly and has to follow the municipal code and policies of the City. Public Works Director Kirkland informed the Council that he had met with a builder and they had discussed where he would need to put his sidewalk in. The builder has already installed the sidewalk and did not put it where it was permitted to be. Public Works Director Kirkland asked the Council if he should have the builder move the sidewalk, or

have the builder sign a contract where he will move his sidewalk if/when the City builds out the road, or how to proceed with the situation. City Attorney Anderson stated that the problem is not in just dealing with this situation, but that clear guidelines for similar situations would be a great idea to make sure that everyone is treated fairly. Council Member Western pointed out that the City does need to be consistent with how it handles these situations. Council Member Western stated that we should not be in the business of having contracts and should not be issuing them for these situations. Council Members agreed that Stephen Stoddard (167 N 50 W) would need to put in a sidewalk where it should have been in the first place. The City is also withdrawing its unacknowledged offer to Dr. Rhett Crapo and he will need to bring his property (located at approximately 210 S 300 W) into compliance with the City ordinances.

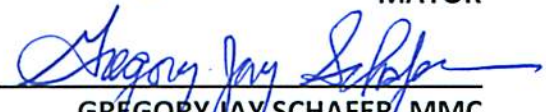
Council Member Western MOVED to adjourn the City Council Meeting. The motion was SECONDED by Council Member Banks. Mayor Niles asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed with Council Member Banks, Council Member Chase,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

The meeting was adjourned at 8:37 p.m.





JOHN WESLEY NILES
MAYOR



GREGORY JAY SCHAFER, MMC
ADMINISTRATIVE OFFICER/RECORDER

MINUTES APPROVED: 07/12/2018