



**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

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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**

- |   |  |
|---|--|
| Gregory J. Schafer, Admin. Officer/Recorder | 16 Sam Jacobson, Chronicle-Progress, LLC |
| Todd F. Anderson, City Attorney             | 17 Phil O. Lambertsen, Delta Citizen     |
| Dent R. Kirkland, Public Works Director     | 18 Jody E. Smith, Delta Citizen          |
| Travis, L. Stanworth, Assistant PW Director | 19 Brooke E. Smith, Delta Citizen        |
| Deborah B. Greathouse, Library 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 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.

43 **ACCOUNTS PAYABLE**

44 The Council reviewed the accounts payable, payroll and electronic transactions for the period  
45 ending June 21, 2018 in the amount of \$102,672.46. Council Members sought clarification on a  
46 few of the transactions. Council Member Banks MOVED to approve the payments disbursed  
47 dated June 21, 2018 in the amount of \$102,672.46. The motion was SECONDED by Council  
48 Member Western. Mayor Niles asked if there were any questions or comments regarding the  
49 motion. There being none, he called for a vote. The motion passed with Council Member Banks,  
50 Council Member Chase, Council Member Killpack and Council Member Western in favor.

51

52 **PUBLIC COMMENT PERIOD**

53 There was no public commentary.

54

55 **BUSINESS**

56

57 **Service Recognition Plaque for Jody Smith, Library Advisory Board**

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

60

61 **Radar Feedback Speed Limit Signs**

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

72

73 **Library Advisory Board Appointments**

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

85 SECONDED by Council Member Western. Mayor Niles asked if there were any questions or  
86 comments regarding the motion. There being none, he called for a vote. The motion passed with  
87 Council Member Banks, Council Member Chase, Council Member Killpack and Council Member  
88 Western in favor.

89

90 **Resolution 18-424 Adopting FY2019 Budget**

91 Administrative Officer/Recorder Schafer presented Resolution 18-424 to adopt the Final Budget  
92 for Fiscal Year 2019 and reviewed the procedure that had been followed regarding the adoption  
93 of the budget up to that point. Mr. Schafer noted that the budget totals at \$15,541,111 with the  
94 General Fund component totaling \$3,831,196. Council Member Western asked about the  
95 General Fund on page four regarding the General Fund adjustments. Schafer stated that he  
96 believed the difference was due to an adjustment he made after he had worked through the  
97 certified tax rate process. Council Member Western asked about the Municipal Airport Capital  
98 Project fund appropriations. Schafer stated that the majority of project funding is believed to be  
99 forthcoming from the Federal Aviation Administration (FAA). Council Member Chase MOVED to  
100 approve Resolution 18-424 adopting the Fiscal Year 2019 Final Budget in the amount of  
101 \$15,541,111. The motion was SECONDED by Council Member Killpack. Mayor Niles asked if there  
102 were any questions or comments regarding the motion. There being none, he called for a roll  
103 call. The motion passed with Council Member Banks, Council Member Chase, Council Member  
104 Killpack and Council Member Western in favor.

105

106 **Resolution 18-425 FY 2019 Compensation Schedule**

107 Recorder Schafer reviewed the compensation rate schedule. Council Member Western MOVED  
108 to approve Resolution 18-425 for the Fiscal Year 2019 Compensation Schedule. The motion was  
109 SECONDED by Council Member Banks. Mayor Niles asked if there were any questions or  
110 comments regarding the motion. There being none, he called for a roll call. The motion passed  
111 with Council Member Banks, Council Member Chase, Council Member Killpack and Council  
112 Member Western in favor.

113

114 **Municipal Airport Ground Space Lease Agreement Proposal Modification**

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

128 changes. Council Member Western MOVED to approve the Municipal Airport Ground Space  
129 Lease Agreement proposed modifications as presented. The motion was SECONDED by Council  
130 Member Banks. Mayor Niles asked if there were any questions or comments regarding the  
131 motion. There being none, he called for a vote. The motion passed with Council Member Banks,  
132 Council Member Chase, Council Member Killpack and Council Member Western in favor.

133

134 **Public Works Activities**

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

149

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

157

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

166

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

171 **Other Business**

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

174  
175 Assistant Public Works Director Travis Stanworth informed the Council that he had spent the last  
176 two weeks involved in hazardous materials ground transportation training in Pueblo, Colorado.  
177 Stanworth reviewed what some of the training entailed and thanked the City for the opportunity  
178 to attend.

179  
180 Council Member Killpack asked City Attorney Anderson if the City would have to acquire licensing  
181 rights to play a motion picture for the general public as a way to bring more people into the  
182 library. Attorney Anderson stated that the City would need to play a movie that is licensed for  
183 public viewing. Council Member Western confirmed that the library would have to go through a  
184 company to get a movie that can be played publicly.

185  
186 Mayor Niles asked Council Member Western if she knew of anyone who had a vehicle that the  
187 Grand Marshal can ride in for the July Fourth parade. Council Member Western informed the  
188 Council of a couple prospects that she had been in contact with. Council Member Western stated  
189 that she would contact the Grand Marshal, Arlynn Finlinson, and ask him which vehicle he would  
190 prefer to ride in.

191  
192 Recorder Schafer informed the Council that he was putting together a Request for Proposal (RFP).  
193 Mr. Schafer informed the Council that he had sent an email with flooring options to all the staff  
194 that works in the City offices every day to see what the majority would like to select. Schafer  
195 stated that the current carpeting in the building was laid in 2000 and the bathroom flooring is  
196 original to the building and in bad condition. Recorder Schafer stated that he, Mayor Niles, and  
197 City Attorney Anderson had discussed whether we should request proposals for carpeting and  
198 painting separately, or if we should do a combined proposal request breaking out the labor and  
199 commodities components individually too. Attorney Anderson commented that if the proposal  
200 components for carpet, paint and labor could all be separately bid upon, it may increase the  
201 economy to the City. An example being, a vendor might not be able to acquire the needed  
202 commodities cheaper than we can purchase them through a cooperative state contract price, but  
203 could successfully bid the labor to install the commodities. The City Council agreed to a combined  
204 proposal to be advertised, with the commodities and labor to be bid separately. The Council also  
205 agreed that we reserve the right to purchase the necessary commodities through a state  
206 purchasing contract if it is in the best interests of the City.

207  
208 City Attorney Anderson sought Council guidance on how to deal with land-use ordinance  
209 enforcement issues to make sure that everyone is treated fairly and has to follow the municipal  
210 code and policies of the City. Public Works Director Kirkland informed the Council that he had  
211 met with a builder and they had discussed where he would need to put his sidewalk in. The  
212 builder has already installed the sidewalk and did not put it where it was permitted to be. Public  
213 Works Director Kirkland asked the Council if he should have the builder move the sidewalk, or

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

224  
225 Council Member Western MOVED to adjourn the City Council Meeting. The motion was  
226 SECONDED by Council Member Banks. Mayor Niles asked if there were any questions or  
227 comments regarding the motion. There being none, he called for a vote. The motion passed with  
228 Council Member Banks, Council Member Chase, Council Member Killpack and Council Member  
229 Western in favor.

230  
231 The meeting was adjourned at 8:37 p.m.



\_\_\_\_\_  
**JOHN WESLEY NILES**  
**MAYOR**

\_\_\_\_\_  
**GREGORY JAY SCHAFFER, MMC**  
**ADMINISTRATIVE OFFICER/RECORDER**

232  
233 **MINUTES APPROVED: MM/DD/2018**