



DELTA CITY COUNCIL
REGULAR CITY COUNCIL MEETING

Thursday, August 2, 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

Lora A. Fitch, Deputy Recorder
Todd F. Anderson, City Attorney
Dent R. Kirkland, Public Works Director
Travis, L. Stanworth, Assistant PW Director

Jody T. Anderson, City Treasurer
Lynn B. Ashby, Fire Chief
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, 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 and then Mayor Niles led those in attendance in the Pledge of Allegiance.

MINUTES

The minutes of the Special City Council Meeting held July 12, 2018 were presented for approval. Council Member Western MOVED to adopt the minutes of the Special City Council Meeting held July 12, 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.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, payroll and electronic transactions for the period ending August 2, 2018 in the amount of \$286,555.98. Council Member Chase MOVED to approve the payments disbursed dated August 2, 2018 in the amount of \$286,555.98. 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

There was no public commentary.

BUSINESS

Possible Sidewalk Encroachment on Public Right-of-Way

Mayor Niles stated that this agenda item would not be entertained at this time.

Final Plat Approval for Notch Peak Subdivision Phase III Lots 1 & 2

Public Works Director Kirkland informed the Council that Mr. Droubay was not in town today. Director Kirkland explained that the Planning and Zoning Commission recommended that the City Council approve the final plat for Notch Peak Subdivision Phase III for lots 1 & 2. Mr. Kirkland stated that Mr. Droubay had already had the majority of the roadway leading into his subdivision in place, and further, that Mr. Droubay had been working with City Attorney Anderson to secure the necessary bond to cover the improvements not yet made. Anderson informed the Council that Mr. Droubay had used a deed of trust as a bond to ensure that the improvements are put in. Anderson noted that either he or Public Works Director Kirkland would need to talk to Mr. Droubay about the installation of road signs within the subdivision. Council Member Western **MOVED** to approve the final plat for Notch Peak Subdivision Phase III lots 1 and 2. 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.

Resolution 18-426 Appointment of West Millard Mosquito Abatement District (WMMAD) Board Member

Mayor Niles stated that Resolution 18-426 would serve to re-appoint Brandon Smith as Delta City's Representative on the West Millard Mosquito Abatement District (WMMAD) board. Council Member Banks asked how long the appointment would be made for. Council Members informed him that it would be four years. City Attorney Anderson informed the Council that the appointment had been publicized as open for consideration and no others expressed interest to serve on the board. Council Member Chase **MOVED** to approve Resolution 18-426 appointing Brandon Smith as a West Millard Mosquito Abatement District Board Member. 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.

Railroad Crossing Repairs at 750 North

Public Works Director Kirkland stated that this was a continuation of a discussion previously held about getting the railroad tracks repaired – mostly on 750 North. Director Kirkland informed the

Council that the railroad company finally responded back to him and that they would do a 50/50 share with a sponsor, but that they would not do anything until there was a budget prepared for the project. Kirkland stated that it was estimated that it would cost \$1,500.00 per foot to repair the railroad crossing and it is about 25' feet across. Kirkland stated that the City would be responsible for the asphalt and traffic control, but the 50/50 cost share would apply to them. City Attorney Anderson stated that he wants to know who the "sponsor" is, that sounds like a legal term, thus it needs to be determined if it is the City or the people who are using the railroad spur. Asphaltting over the track was discussed, but it was not certain how much it is used. Director Kirkland stated that if the City decides to repair the tracks, it could come out of the Class C Roads budget. Council Member Western suggested trying to split the costs with the companies that use the spur. Council Member Banks noted that he had heard that, with the inland port in Salt Lake City, Delta could get some commerce from it and the railroad spur might be useful. Fire Chief Ashby pointed out that if the spur is removed, it probably will not be placed back in. The Council agreed with Public Works Director Kirkland and City Attorney Anderson that the matter needs more research into what the options for the railroad repair are.

Public Works Activities

Public Works Director Kirkland informed the City Council that in the interim time since the last Council Meeting the Public Works Department has been working on preparing the roads for chip seal work that will take place next week, handled a couple of water leaks, and hung banners for the Millard County Fair. Public Works Director Kirkland informed the Council that the City had to do a sanitary survey and that there are a few things to correct, but all was fine otherwise.

Public Works Director Kirkland informed the Council that the City had received a violation notice on its water system due to a sampling error that was collected one day early on the last day of the month rather than the first of the following month. The water samples came back fine, but there was a violation and customers had to be notified – which they were through the newsletter and bills.

Public Works Director Kirkland stated that the City had received an unexpected visit from the Occupational Safety and Health Administration (OSHA) visit the previous day on the water system. The City had received a few citations regarding the documentation of some processes, but the site inspection was fine. Director Kirkland told the Council that the OSHA Inspector had said that Utah Governor Gary Herbert directed OSHA to start doing more inspections with public employees due to an increase in accidents reported.

Public Works Director Kirkland informed the Council that the Federal Aviation Administration (FAA) is requiring the City perform another independent fee estimate because the airport project engineers that the Council had just selected will ultimately bill us for more than \$100,000 in project expenses. Kirkland stated that he had contacted Armstrong Consultants, Inc., to do the estimate because they did such an impressive job with their submission to be considered as engineers for the entire project. The estimate will cost about \$3,000, yet it will be reimbursable

through the FAA. The entire project should be put out to bid in November 2018 and the work start around March 2019.

Public Works Director Kirkland stated that Austin Albers had submitted his two weeks' notice of his intent to end his employment with us, and that his position will soon be advertised again. The summer help will also be leaving soon.

Public Works Director Kirkland stated that there was no credit given to Scott Johnson in his payment for the winning bid of the surplus aircraft hangar he desired. He wrote a check to the City for the full bid price of the hangar. In an entirely separate transaction, a 2005 Lincoln Town Car was purchased by the City as one of the two municipal airport shuttle cars the City desired to acquire. The car was purchased through an appropriated line item in the airport budget.

Council Member Western stated that she had been asked why the purchase of this automobile had not been advertised. Public Works Director Kirkland asked how you compare apples to apples when buying used cars. Public Works Director Kirkland stated that the car was originally going to be donated to the City, but after the sale of the airport hangars, there was going to be a possibility of a credit towards a hangar purchase, but that a separate transaction was ultimately made. Millard County had also donated a 1999 Ford Crown Victoria to the City for use at the municipal airport and both were going to be used as courtesy cars.

Council Member Western asked about the road, 350 East Street, south of 300 South Street, that runs by Loy Crapo's home and if it is a City road. Public Works Director Kirkland stated that it is a City right-of-way, but it has never been improved with gravel or anything. Director Kirkland stated the Public Works Department could put down lime fines on the road, if the Council would like them to. The Council thought it would be a good idea.

Council Member Chase asked if the speed limit signs had been put in on 450 North Street. Public Works Director Kirkland confirmed that they had.

Other Business

Council Member Western invited everyone out to attend the 2018 Millard County Fair. Council Member Western reviewed the schedule of the fair events.

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 7:33 p.m.



JOHN WESLEY NILES
MAYOR

LORA A. FITCH
DEPUTY RECORDER

MINUTES APPROVED: 08/16/2018