



**DELTA CITY COUNCIL
REGULAR CITY COUNCIL MEETING**

Wednesday, October 03, 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
Brett C. Bunker, 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
Justin B. Ashby, Field Supervisor
Jody T. Anderson, City Treasurer

Lynn B. Ashby, Fire Chief
Sam Jacobson, Chronicle-Progress, LLC
Bill Frazier, Delta Citizen
Sue Peterson, 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, offered the opening remarks, and then led those in attendance in the Pledge of Allegiance.

MINUTES

The minutes of the Regular City Council Meeting held September 20, 2018 were presented for approval. Council Member Banks noted that on line 115, the surname needed to be changed to Bunker from Banks, and that Council Member Bunker needed to be added to the voting attendance. Council Member Bunker pointed out that on line 160, the month reference needed to be changed from August to September. Council Member Banks also noted typographical errors on lines 215 and 235. Mayor Niles pointed out that the adjective "walking" needed to be removed from line 68, and that the noun "Attorney" needed to be changed to "Treasurer" on line 94. Council Member Banks MOVED to adopt the minutes of the Regular City Council Meeting held September 20, 2018 with corrections. The motion was SECONDED by Council Member Bunker. 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 Bunker, 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 October 3, 2018 in the amount of \$643,165.47. Council Member Chase inquired about the payment to the Utah State Division of Finance (USDF). Deputy Recorder Fitch explained that the payment of \$452,450 was applicable to the Fire Station Bond and the payment of \$102,000 was applied to the Ridgetop Well Bond. Deputy Recorder Fitch further explained that the funds to pay the Fire Station Bond obligation were provided by the Millard County Fire Service District (MCFSD). City Attorney Anderson sought to distinguish, for the benefit of the Council, that the payment amount remitted was greater than the amount due per the amortization schedule for the bonded debt. The MCFSD had made plans to retire the outstanding principal and accrued interest expense over the course of this year and the next. Mr. Anderson indicated to the Council Members that our auditor, Mr. Todd Holt, has asked that a modified or new lease agreement between the City and the MCFSD be prepared for inclusion in his files as related to his auditing of the City's financial matters in which he is charged with offering his professional opinion on the integrity of the City's monetary activities. Deputy Recorder Fitch stated that the remitted payment, as reflected in the accounts payable summary report for this meeting, was returned after the Council's electronic packets were distributed. A bond covenant required that advance principal payments be in \$1,000 increments. The check was voided and re-issued with additional funds from the City of \$686.49, as was stated by Mayor Niles; this was the preferable manner to resolve the payment, because, if the payment were reduced to where the remittance went downward to the next lower \$1,000 increment, the payment would have been \$313.51 less than the MCFSD provided us to pay and a small additional remittance by the City was the preferable means of resolution. Council Member Western MOVED to approve the payments disbursed dated October 3, 2018 in the amount of \$643,165.47. 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 Bunker, Council Member Chase, Council Member Killpack and Council Member Western in favor.

PUBLIC COMMENT PERIOD

Bill Frazier came before the Council and desired to comment about the Revised Ordinances of Delta City (1981 Edition) Title 12-1 (General Provisions). Mr. Frazier indicated to the Council that his home is within one-half mile of several residential properties that he believes would fit the definition of having nuisances that should be abated. The gentleman asked that the Council act within its right to have such properties cleaned up so that the value of neighboring real estate is not negatively impacted. The Council thanked him for taking the time to share his concerns with them.

BUSINESS

Annual Firefighter Stipends

Fire Chief Lynn Ashby presented to the Council his requested disbursement list of stipends for the volunteer members of the Fire Department who have met the criteria of having attended fifty-percent or greater of the regular membership meetings and other training opportunities. Mayor Niles reminded the Council that the stipends have been appropriated for within the Governing Body's budget, as well as is expressly provided for within the City's Corporate Use Schedule, \$500 annually to each fireman that has met the requirement. Mayor Niles and the Council Members expressed their continued appreciation to those firefighters who volunteer their time in service to our community and the neighboring areas. Council Member Chase **MOVED** to approve the annual fire fighter stipend. The motion was **SECONDED** by Council Member Bunker. 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 Bunker, Council Member Chase, Council Member Killpack and Council Member Western in favor.

Appointment of Personnel Policy Committee and Chairman

Council Member Killpack noted that in the minutes of the September 20, 2018 City Council meeting, it was noted that the "Council Members suggested that there be a committee consisting of 3 people from public works, 3 people from the office, 1 from the library, and the Mayor on the committee, including department heads. It was noted that the committee would need to be on the next agenda to ratify the decision." Council Member Killpack inquired if that remained the intent of what members the committee was to be comprised of. Treasurer Anderson informed the Council that the committee as proposed was not feasible and it had ended up with five people with all areas represented. The meeting will usually be on Tuesdays at 7:30 in the morning. Treasurer Anderson stated that the committee has been doing their research on what other cities and businesses are doing. The committee is intending to keep the shell of the policy that has been previously worked on, but they found policies that they like from other cities. Treasurer Anderson stated that the committee should have something ready to present in a few weeks. Council Member Chase asked if the committee members' names should be noted in a motion designating the policy committee. Council Member Killpack suggested that Treasurer Anderson be provided the authority to select the committee members. Council Member Killpack then **MOVED** to appoint Treasurer Anderson as chairwoman of the Personnel Policy and Procedures Committee and to provide the Council's consent for her to appoint the committee members and that they meet regularly on the policy development. 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 Bunker, Council Member Chase, Council Member Killpack and Council Member Western in favor.

Resolution 18-429: Updating the Corporate Use Schedule

Council Member Banks asked where in the budget Corporate Use funds are expended from. Council Member Killpack informed his fellow Council Members that there is currently \$20,000 appropriated within the Governing Body's budget within the General Fund. There was discussion held about these budgeted monies being discretionary in their use and that they should be entertained by the Council before expenditure. Council Member Chase noted that he is appreciative that the City added the category "Academic & Youth-Oriented Associations" so that it is demonstrated to our local area youth in the schools that their endeavors are supported by their community leaders. Council Member Chase expressed his hope and desire that this will cause for more young people to participate in offered school activities of a beneficial nature. Mayor Niles agreed that the youth of our area need to know that the City leaders are not only supportive of, but greatly interested in their academic pursuits and other worthwhile undertakings. Mayor Niles noted that no funds will be expended until the Council votes on proposed expenditures. Council Member Banks MOVED to approve Resolution 18-429 updating the Corporate Use Schedule. 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 roll call. The motion passed with Council Member Banks, Council Member Bunker, Council Member Chase, Council Member Killpack and Council Member Western in favor.

Award Bids for Concrete Work in the City Municipal Parking Lot

Public Works Director Dent Kirkland presented three bids received for the advertised concrete work to be performed by replacing the collapsing asphalt surface of the parking lot on the south side of the City's Municipal Complex. Mr. Kirkland's recommendation would be that the contract be given to Dutson Supply Company, for their bid that would contain the fiber mesh desired within the concrete in the amount of \$49,650. Attorney Anderson noted that as per the provisions within the Delta City Purchasing Policy and Procedures, particularly Article I.B.10.i, Article 4.A.8 and B.4, the bid amount for the proposed expenditure would need to be approved by the City Council. In additional discussion, Mayor Niles pointed out that it would be most beneficial in the long-run for the concrete to be strengthened by the inclusion of mesh, especially since there are many cars, trucks and heavy equipment driven year-round in and through that area. Also, Public Works Director Kirkland noted that Dutson Supply Company's bid included a condition that the cost would increase by six (6) percent after April 1, 2019. Public Works Director Kirkland anticipates having that work done prior to that date if the Council would be agreeable to awarding the bid to Dutson Supply Company. Council Member Western MOVED to award the bid for concrete work on the south side parking lot of the City's Municipal Complex, to Dutson Supply Company with the fiber mesh content included in the amount of \$49,650.00. 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 Bunker, 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 the Public Works Department had been working on the removal of roofing from two buildings and replacing them. Additionally, streets that had recently been chip-sealed were swept with the City's sweeper. Public Works Director Kirkland let the Council know that he had been successful in having a discussion with a representative of the Union Pacific Railroad and will be getting a repair cost estimate and contract soon. Further, Public Works Director Kirkland noted that he received a bid on a precast box culvert for the bridge replacement project on 450 South Street. He anticipated that the bid he received will probably be about \$10,000 less than the price estimated by Sunrise Engineering, Inc.

Public Works Director Kirkland also informed the Council that the following day he will be attending the Utah Airport Operators Association (UAOA) Conference in Salt Lake City along with Mayor Niles; and that they will have the opportunity to meet with our representatives assigned to the Northwest Mountain Region, Denver Airports District Office of the Federal Aviation Administration (FAA) as well as our project engineers from the Airport Development Group, Inc., on Friday morning. Public Works Director Kirkland indicated that we still do not have any assurances yet of the exact timeline for the commencement or funding of the Delta Municipal Airport improvements; but as to his comprehension, it is possible that the proposed project work can be let out to bid in November after the FAA has reviewed the project plans and provided their approval. Public Works Director Kirkland remains hopeful that the project might begin in the spring months of the forthcoming new year but advised all that many variables remain under consideration.

Mayor Niles and Public Works Director Kirkland had met with Brent Dewsnap, our Regional Business Manager with Rocky Mountain Power. They spoke about the possibility of new street lighting on Delta City's Main Street among other issues. Mr. Kirkland noted the receipt of an email indicating that the City has one-hundred-seventy (170) lights, and that switching them to Light-Emitting Diodes (LED) would cost about \$1,000 per light.

Other Business

Mayor Niles stated that he had found that there were piles of garbage that had been discarded outside of the gate of the old City dump. Public Works Director Kirkland indicated that he will have the debris cleaned up. Public Works Director Kirkland further noted that he wishes that the City could continue to make the site available for the disposal of grass, shrubbery and tree limbs, etc., but that there are simply too many problems associated with items being discarded that cannot be disposed of there regardless of the City's signage banning certain items.

Mayor Niles noted that the City's "Fall Cleanup" will be taking place in November. Public Works Director Kirkland stated that it is intended to be conducted on Friday-Saturday, November 2-3, 2018.

Council Member Western told the Council that she had recently attended a meeting in Richfield of Career & Technical Education (CTE) instructors from the Six County Association of Governments (SCAOG) area. A noted presenter was Sevier County Economic Development Director Malcolm Nash. Mr. Nash had stated to those present that there are three factors that will play a relevant role in making a community successful economically. Those being access to an interstate highway system, an airport and an institution of higher education. Council Member Western noted of these criteria, that we are near the I-15 corridor, that the Delta Municipal Airport will soon undergo significant infrastructure improvements, and while we do not have an institution of higher education, our community does have the Delta Technical Center. Council Member Western indicated that she is attempting to acquire a video presentation that she would like her fellow Council Members to view. She stated that the presentation prognosticates that by the year 2050 there will be a significant population increase in both Salt Lake and Utah counties, and that there will be no relative population change in our region and other rural Utah areas. Council Member Western stated that within the video, educators are pressed to be diligent in teaching individuals to become the skilled workforce that is necessary today and will be well into the future too. Council Member Western continued that she would be interested in having a cooperative meeting with Millard County to try and determine what we and they can do to promote bringing in businesses to our area, and that we have a workforce willing and capable to fill the positions in these businesses that require skilled workers. Council Member Killpack interjected that the Economic Development Corporation of Utah (EDCU) expressed their interest in meeting with the City Council, and that he would reach out to them about arranging such a gathering.

Council Member Chase informed the Council that Intermountain Power's Board of Directors had met and unanimously voted for final approval of the new natural gas power generation project.

Mayor Niles inquired of Attorney Anderson if there was any other action that needed to be taken regarding the change of the day of the week that the Council Meetings are held. Mr. Anderson advised him that the publication requirement notifying the public had been met by the Recorder's department.

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

The meeting was ended at 7:47 p.m.





JOHN WESLEY NILES
MAYOR



LORA ARIANNE FITCH
DEPUTY RECORDER

MINUTES APPROVED: 11/07/2018