



**DELTA CITY COUNCIL
REGULAR CITY COUNCIL MEETING**

Wednesday, February 6, 2019
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
Lynn Ashby, Fire Chief
Jody T. Anderson, City Treasurer
Justin Ashby,
Todd Holt, City Auditor
Michelle Lovejoy, Head Librarian

Sam Jacobson, Chronicle-Progress, LLC
Bridgette King, Administrative Assistant
Rebecca Peterson,
Sue Peterson, Delta Citizen
Jean Crafts, Delta Citizen
Abe Johnson
Victor Baray, 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 Bunker offered the opening remarks and then Mayor Niles led those in attendance in the Pledge of Allegiance.

MINUTES

The minutes of the Regular City Council Meeting held January 16, 2019 were presented for approval. It was noted that line 199 and the next sentence needed corrections. It was also noted the 93-95 needed it noted that it was on private property. Council Member Banks MOVED to adopt the minutes of the Regular City Council Meeting held January 16, 2019 with the noted corrections. 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 minutes of the City Council Work Session held January 16, 2019 were presented for approval. It was noted that a correction was needed on line 51. Council Member Chase MOVED to adopt the minutes of the City Council Work Session held January 16, 2019 with the noted correction. 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.

The minutes of the Executive Commission Meeting held January 23, 2019 were presented for approval. Council Member Chase MOVED to adopt the minutes of the Executive Commission Meeting held January 23, 2019 as presented. The motion was SECONDED by Council 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.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, payroll and electronic transactions for the period ending February 6, 2019 in the amount of \$168,765.64. Council Member Killpack MOVED to approve the payments disbursed dated February 6, 2019 in the amount of \$168, 765.64. 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 Bunker, Council Member Chase, Council Member Killpack, and Council Member Western in favor.

PUBLIC COMMENT PERIOD

There was no public comment.

BUSINESS

Fire Department Officers

Fire Chief Lynn Ashby came before the Council to inform them that the fire department had elected their officers for the year as following: Fire Chief - Lynn Ashby Assistant Fire Chief – Travis Stanworth, Captain – Bryan Christensen, Lieutenant – Jared Poulsen, and Secretary – Richard Bublitz. Fire Chief Ashby explained the roles that each of the officers take care of. Fire Chief Ashby informed the Council about the trainings that the fire department will be participating in this year. Fire Chief Ashby informed the Council that the fire department would be getting a truck from the BLM this year. The Council and Mayor asked that Fire Chief Ashby pass on their appreciation of the fire fighters. Council Member Chase MOVED to approve the fire department officer's election with Lynn Ashby as Chief, Travis Stanworth as Assistant Chief, Bryan Christensen as Captain, Jared Poulsen as Lieutenant, and Rick Bublitz as Secretary. 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.

Sewer Policy

Jean Crafts came before the Council to discuss the problems she had had with a collapsed lateral sewer line on 100 West. Mrs. Crafts informed the Council that after the sewer line replacement had already cost her \$7,000.00 and would probably cost \$10,000.00 by the time it was done. Mrs. Crafts informed the Council that she had had to have asphalt, curb and gutter, and cement taken up and had she been on the other side of the road, it would probably have cost closer to \$5,000.00. Mrs. Crafts indicated that she did not think that it was fair to the people who live on opposite sides of the roads from the sewer main to have to pay so much more to repair the sewer lines. Mrs. Crafts asked if the City Council would consider making any concessions to help the people living on the wrong side of the street that need some help. Public Works Director Kirkland informed the Council that her sewer lateral had been roughly sixty years old and had lived out its life for the type of sewer line that it was. Public Works Director Kirkland informed the Council that according to City policy the lateral line maintenance is the responsibility of the homeowner. Public Works Director Kirkland stated that he was very sympathetic with her situation, but the City has been approached by homeowners in similar situations before and they have been responsible for the costs and maintenance in the past. Public Works Director Kirkland expressed concern that if the policy is changed how would the City deal with the people who have already had to incur the expense of the lateral sewer line replacement. Public Works Director Kirkland added in that all of the sewer lines are different for different streets and differentiating between what the City would and would not help with would be very difficult. Council Member Chase commented that he had been trying to find a way to help with some of these situations, but it would take a full policy change and trying to draw the line between where the City would and wouldn't help would be very difficult. City Attorney Anderson informed the Council and Mrs. Crafts that it wasn't just a Delta City policy, it is pretty uniform across the board that any City you go to in the country, the City will maintain the main sewer lines and the home owners maintain the laterals. Council Members and the Mayor expressed their sympathy for Mrs. Crafts situation, but they informed her that the City would follow the policy and not pay for the maintenance of the sewer laterals.

150 Year Railroad Celebration

Abe Johnson from the Old Capitol Storytelling Committee came before the Council to ask for funding for the Old Capitol Story Festival and the 150-year Railroad Celebration. Mr. Johnson reviewed the programs and when and where they would be taking place. Mr. Johnson asked that the Council donate \$1,000.00 to the Old Capitol Storytelling Festival and \$2,500.00 for the Gold Spike Anniversary. Council Member Killpack MOVED to approve to provide the requested funds to the Old Capitol Storytelling Festival with \$1,000.00 for the Old Capitol Storytelling Festival and \$2,500.00 for the Railroad Spike 150-year celebration. 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.

DUP Cabin Expenditures

Mayor Niles reminded the Council that at the last meeting they had agreed to donate \$1,000 for the repairs of the DUP (Daughters of Utah Pioneers) Cabin and it just needed to be ratified. Council Member Chase **MOVED** to ratify the donating of \$1,000 to the repairs of the DUP Cabin. 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.

New Planning and Zoning Commission Member

Mayor Niles informed the Council that Planning and Zoning Commission Member Wes Duncan had resigned due to medical reasons. Mayor Niles continued that he had spoken with some of the Council Members and they had agreed that Randy Riding had shown a lot of interest in being involved with the City and would be a good candidate. Randy Riding had been contacted and had said that he would love to serve on the Planning and Zoning Commission. Council Members expressed approval for the choice. Council Member Banks **MOVED** to approve Randy Riding for a member of the Planning and Zoning Commission for a four-year term. 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.

New Recorder

Mayor Niles nominated Sherri Westbrook for the position of Recorder. Mayor Niles stated that he, Council Member Western, and two department heads had been on the committee who had interviewed for the Recorder position. Council Member Western stated that some of the reasoning for interviewing this person was because of all of the skills that she had as a current City Recorder and with how long the City recorder had been out, the City had a need for someone with the skills that she already had. Council discussed qualifications of the individual as well as the qualifications that the other applicants had possessed. The Council discussed paying Ms. Westbrook \$24/hour until after her 90-day probation and then raising it up to \$25/hour. Council Member Killpack **MOVED** to approve the nomination of Sherrie Westbrook as the new City Recorder. 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. It was noted that Sherri Westbrook would start her position as the new City recorder on March 4 at the beginning of the next pay period.

Resolution 19-431 Employee Compensation

Mayor Niles asked that the Council consider giving City Treasurer Anderson a raise of \$2/hour for all that she has done, and she will be taking on a lot more work. Council Member Killpack stated that he thought it was well-deserved and in the best interest of the City. Council Member Bunker and Western agreed. It was noted that there were a few changes on the compensation chart removing employees that no longer work for the City and adding in employees that have been hired since the last time it was modified. Council Member Chase MOVED to approve Resolution 19-431 setting employee compensation and salaries for Fiscal Year 2019. 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 conducted 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.

Public Works Updates

Public Works Director Dent Kirkland informed the Council that in the interim since the last meeting the Public Works Department has worked on hauling lime fines and some crack sealing IPP has agreed to bring in their crane to help with the box culvert repairs on March 12. There was some discussion about the culvert repairs. Public Works Director Kirkland informed the Council that Rhodes had come down and pulled the Ridgetop Well for repairs and to camera it to check on the drawdown. There was a discussion about the well and its specifications. The RFPs will be put out this next week for the paint and carpet. The RFPs will be advertised for three weeks and there will be a walk-through.

Public Works Director Kirkland informed the Council that he had been working with Dr. Clay's office on the general plan survey and that the survey had been sent out with the water bills and is available on Facebook. The address was asked for on Facebook, just to make sure that the person filling it out was actually a resident of Delta City.

Mayor Niles asked if there had been any news about the airport. Public Works Director Kirkland stated that he had been in contact with the engineer, but neither of them had heard back from the FAA.

Other Business

There was a discussion about whether the City wanted to have the elections done by mail or in person. Mayor Niles asked that the Council to think about it and make a decision later.

There was a discussion about the little free pantry that had been discussed the week before and concerns about food safety and possible locations were mentioned. City Attorney Anderson asked Deputy Recorder Fitch to check and see if it could be covered by the City's liability insurance.

Mayor Niles asked the Council to continue thinking about attending the League of Cities and Towns Conference in April.

Council Member Western MOVED to adjourn the City Council Meeting. 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.

The meeting was adjourned at 8:08 p.m.



JOHN WESLEY NILES
MAYOR

LORA ARIANNE FITCH
DEPUTY RECORDER


MINUTES APPROVED: 00/00/2018

Mayor Niles asked the Council to continue thinking about attending the League of Cities and Towns Conference in April.


Council Member Western MOVED to adjourn the City Council Meeting. 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.

The meeting was adjourned at 8:08 p.m.





JOHN WESLEY NILES
MAYOR



SHERRI WESTBROOK
RECORDER

MINUTES APPROVED: 03/06/2019