



DELTA CITY COUNCIL

REGULAR CITY COUNCIL MEETING

Wednesday, February 19, 2020

Delta City Municipal Complex Council Chambers

76 North 200 West

Delta, Utah 84624-9440

PRESENT

John W. Niles, Mayor

Brett C. Bunker, Council Member

Nicholas W. Killpack, Council Member

Betty Jo Western, Council Member

Kiley J. Chase, Council Member

ABSENT

Robert W. Banks, Council Member

OTHERS PRESENT

Sherrri Westbrook, City Recorder

Todd F. Anderson, City Attorney

Kevin Morris

Mason Richins, Intern

Adam Richins, County Planner

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 24 hours prior to the meeting. Mayor Niles conducted roll call. Council Members Western, Bunker, Chase, and Killpack were present. Council Member Banks was absent. Council Member Chase offered the opening remarks and Mayor Niles led those in attendance in the Pledge of Allegiance.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, payroll and electronic transactions for the period ending February 19, 2020 in the amount of \$114,393.43. Council Member Western MOVED to approve the disbursed payments dated February 19, 2020 in the amount of \$114,393.43. 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 Western, Council Member Bunker, Council Member Chase, and Council Member Killpack in favor. Council Member Banks was absent.

PUBLIC COMMENT PERIOD

BUSINESS

Kevin Morris: Millard County

The National History Museum in Salt Lake wants every county to get a 7 inch marker. The marker that has been decided for Millard County is Trilobites. They would like it to be put down in a tourism heavy area so that it will be seen. Council Member Chase asked what the purpose of the marker was. Mr. Morris explained how there would be similar waypoints in all the cities that the other counties chose. He suggested that a good place for the marker would be by the Topaz Museum. It was asked if the National History Museum would like the marker in concrete. Mr. Morris stated that it would be. After some follow up discussion, Council Member Western MOVED to approve the National History Museum of Utah Marker to be placed at the site designated by the community center. 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 Western, Council Member Bunker, Council Member Chase, and Council Member Killpack in favor. Council Member Banks was absent. Mr. Morris then asked what Millard County could do to help enhance some of the tourist destinations that Delta City has in place. He explained that the county would be making existing maps and tools more user friendly for the public. He also said that Millard County is considering partnering with other counties to get more tourists to come visit. Council Member Bunker stated that the main event for Delta City is the Fourth of July. Mayor Niles stated that there would be an emphasis put on getting more air traffic to come into Delta City. It was also suggested that ATVing could be a possible option for additional tourism to Delta City. Delta City is also working with Millard County to make plans for potential bike trails around town. Council Member Killpack stated that the Topaz Museum is also a big tourist location for Delta City. An event that could be used to help Delta City with tourism is the Snow Goose Festival. Another idea that was brought up was signs pointing to different places in town, such as the high school and the fairgrounds. After some final remarks, Mr. Morris thanked the City Council for their time.

Dennis Lyons

Dennis Lyons thanked the Council for allowing him to come and present to them. He stated that he was from the National League of Cities Service Line Program and that his purpose of the meeting was to talk to the City Council about their program and how it benefits members of the community. He shared a story about a woman in the area who had a significant issue with the lateral water line, leaving her with a very hefty bill. He said that the program addresses incidents similar to that one. He stated that the purpose of the program was to help citizens when there are incidents with external lateral lines, because Delta City and Homeowners insurance don't cover it. The program is designed to reduce waste, money and resources for

the municipality as well as the homeowner. If the Delta City Council approves, his company will send out a letter informing the public about their duties and responsibilities concerning their lateral line responsibilities, as well as telling them that there is a program in place if they choose to participate. He explained that Delta City could earn fifty cents to one and a half dollars per resident depending on the plan that they choose. After giving several more statistics from his company and answering several questions asked by members of the Delta City Council, Council Member Killpack MOVED to table the Council's decision until further discussion between Dennis Lyons and the City Attorney. 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 Western, Council Member Bunker, Council Member Chase, and Council Member Killpack in favor. Council Member Banks was absent. Dennis Lyons thanked Delta City Council for their time.

Attorney Todd Anderson

Attorney Todd Anderson brought up his concern for senate bill 106 as both the city attorney and as a public resident. He stated no matter where you stand on the agricultural issue, he feels that keeping the ability to have those decisions made by the local voters is very important. So with the permission from Delta City Council a proposed letter was drafted. However, he was now under the impression that the bill was going to be dropped the morning of February 20th. He stated that he needs to know if they would like to move forward with the letter or wait until the morning of the 20th and redraft the letter. He said that he would be happy to answer any questions. Council Member Chase said that he would like to see if the bill is dropped, and if so he would like to redraft the letter. Council Member Killpack agreed and said that Delta City needs to let the senators know that bills like this should not happen. Council Member Chase thought that the entire City Council all needed to go on record with a sense of how against it the Delta City Council is. The rest of the City Council agreed with him. They also decided to send the letter to the rest of the counties in Utah. Delta City Council really wants to focus on a resolution that works well for everyone. Council Member Killpack MOVED to hold up on the letter as it is right now after hearing that the bill will be dropped tomorrow and if and when it is dropped the letter will be redrafted to focus solely on the guts of the bill itself and not so much on the agricultural report. 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 Western, Council Member Bunker, Council Member Chase, and Council Member Killpack in favor. Council Member Banks was absent.

Mayor John Niles: Sewage Rate Increase

After discussing the lack of citizens with objections to the sewage rate increase, Council Member Bunker MOVED to approve the four dollar per month rate increase of the sewer. 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 Western, Council Member Bunker, Council Member Chase, and Council Member Killpack in favor. Council Member Banks was absent.

Mayor John Niles: Resolution 20-438 Consolidated Fee Schedule

Mayor John Niles asked if Delta City Council had been able to review the papers he had given them. Council Member Western had a question about some of the wording in the papers regarding expenses to the city. It was explained that there are several different costs such as publication costs, research costs and sending out letters. Council Member Killpack MOVED that the city should adopt resolution 20-438 with the changes stated. 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 Western, Council Member Bunker, Council Member Chase, and Council Member Killpack in favor. Council Member Banks was absent.

Mayor John Niles: Ordinance 20-283 Moratorium

Public Works Director Kirkland gave a brief overview of Ordinance 20-283. He said that he had received two phone calls about putting multiple multi-family units on one parcel. He thought that if a moratorium was put in place this topic could be taken to the Planning and Zoning Board to get clarification on what is wanted and what is not. He expressed concern that the unit will most likely be sold and that during that process those involved would want to subdivide the property. Council Member Chase MOVED to adopt ordinance 20-283 and put in a moratorium for the statement or processing of certain uses for six months or less. 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 Western, Council Member Bunker, Council Member Chase, and Council Member Killpack in favor. Council Member Banks was absent.

Mayor John Niles: Approval of new Planning & Zoning Members

Council Member Killpack MOVED that Delta City appoint Sarah Kimball, Megan Davis and Kelly Carter to the Planning and Zoning Commission. 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 Western, Council Member Bunker, Council Member Chase, and Council Member Killpack in favor. Council Member Banks was absent.

Dent R. Kirkland, Public Works Director

Aside from a sewer incident on the 18th and the draining of the 1.2 tank in White Sage, there was little to report. Council Member Western asked if we could encourage the city streets to be

swept, either by citizens or by members of the community. Public Works Director Kirkland explained that it is difficult running a sweeper because the gutters are still frozen. After some further discussion, Public Works Director Kirkland thanked the council for their time.

Other Business

Adam Richins from the County was asked to speak. He thanked Delta City Council for their interest and appreciation for the support that they have given to the County. He asked for a summary of the previous conversation. Council Member Bunker talked about the motion that was made and the thoughts behind it. It was also explained that Delta City Council is under the impression that Senate Bill 106 will be pulled. County Planner Richins explained that he was under a different understanding. He explained that a possibility was that the bill could be tabled or pulled with the intent to work on language, but it could be brought back at the last minute, leaving those opposed to the bill no time for a rebuttal. He stated that situations similar to the one he had just described were common. Council Member Killpack explained that the direction that Delta City Council decided to go was to remove specific language towards senate bill 106 and state that the Delta City Council was opposed to the concept that was introduced, be it in any industry. County Planner Richins suggested that local zoning needs to refer to local agriculture. Delta City Council agreed. Council Member Killpack asked how they can best help the county. City Attorney Anderson asked if he could speak. He explained that the letter was written the way it was because of some of the information that he has. He said that what he thought Delta City could do for the county was to paint the true picture. Council Member Western expressed concern that the letter is involving additional more personal information that City Attorney Anderson is aware of because of his role as the city attorney. She explained that they needed to be careful about targeting certain businesses. County Planner Richins asked if the Delta City Council would like the names and some terms were taken out of the letter. The City Council stated that they believed that some adjustments could be made, but not all of them were necessary. City Attorney Anderson stated that he would get to work editing the letter. County Planner Richins suggested that if Delta City wanted to make a stance, they should do it soon. Council Member Bunker asked if Millard County was planning on making a stance also. County Planner Richins stated that the county was still in discussion. After some closing remarks, County Planner Richins thanked Delta City Council for their time.

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

The meeting was adjourned at 8:56 p.m.



JOHN WESLEY NILES
MAYOR

SHERRI WESTBROOK
CITY RECORDER

MINUTES APPROVED: 03/18/2020

Unapproved