



**DELTA CITY COUNCIL
REGULAR CITY COUNCIL MEETING**

Wednesday, March 4, 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
Kiley J. Chase, Council Member
Nicholas W. Killpack, Council Member
Robert W. Banks, Council Member

Betty Jo Western, Council Member
Kiley J. Chase, Council Member

ABSENT

OTHERS PRESENT

Sherri Westbrook, City Recorder
Todd F. Anderson, City Attorney
Matt Ward, Millard County Chronicle
Progress
Michelle Lovejoy, Head Librarian
Kayli Yardley, Forest Service
Wendy Wildling, Forest Service

Kurt Forsyth
Dent Kirkland, Public Works Director
Lynn Ashby, Fire Chief
Bridgette King, Administrative Assistant
Travis Stanworth
Landon Rowley, Millard County Fire Warden

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 Banks, Bunker, Chase, Western and Killpack were present. Council Member Killpack offered the opening remarks and Mayor Niles led those in attendance in the Pledge of Allegiance.

MINUTES

The minutes of the Regular City Council Meeting held January 15, 2020 were presented for approval. Council Member Banks MOVED to approve the minutes of the Regular City Council Meeting held January 15, 2020. 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 Regular City Council Meeting held February 5, 2020 were presented for approval. Council Member Banks MOVED to approve the minutes of the Regular City Council Meeting held February 5, 2020. 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 City Council Public Hearing held February 19, 2020 were presented for approval. Council Member Killpack MOVED to approve the minutes of the City Council Public Hearing held February 19, 2020. 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 March 4, 2020 in the amount of \$45,716.52. Council Member Western MOVED to approve the disbursed payments dated March 4, 2020 in the amount of \$45,716.52. 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 Western, and Council Member Killpack in favor.

PUBLIC COMMENT PERIOD

BUSINESS

Community Wildlife Preparedness Plan

Millard County Fire Warden Landon Rowley introduced Kayli Yardley and Wendy Wildling from the Forest Service to the City Council. The County Fire District has hired Kayli to do community fire prevention, and to work with local Fire Departments for her help and experience with writing grants to get more wildland and department items. She has been working with communities by providing programs they can be involved with, and with what grants they can apply for. If you are part of these programs, it helps when you propose projects. When the 2016 policy came into effect, Rowley came into the communities and made an agreement with the

County, and asked the communities to keep doing participation commitment work, which they have been great at. They are asking for reports on hours worked, and money spent, etc.

Kayli Yardley introduced the Ready, Set, Go program to the City Council. She has been working with Travis Stanworth to provide education to the schools and community. She advised the Council that if they started working the Ready, Set, Go program it would be proactive and earn more points when applying for grants. The first step of the program is Ready, which is for the community to take personal responsibility to prepare for a wildfire, by creating defensible space around your home, use fire resistant landscaping. Set would be your situational awareness, being prepared having an emergency supply with things you need, planning escape routes. Go is act early. This program was developed by Fire Chiefs, who decided this plan should be a national standard. Firewise and Fire Adaptive Communities are a sister program to the Ready, Set, Go program.

Fire Warden Rowley explained that the grants they would be applying for would be for use on private grounds. They fund all projects on state ground. Watershed Restoration Initiative project could be state or federal ground. The Forest Service is doing a vegetative treatment in the area of Oak City to help make fire breaks, which Rowley suggests they could do on private ground as well. The north end of town by the cemetery, the golf course the south end of town, and on the edge of the town could be areas to focus on.

Fire Warden Rowley would like to have someone designated to keep track of these programs. There would be a meeting twice a year with the community to discuss what areas need work.

Service Line Contract

Mayor John Niles addressed some questions and concerns brought up in the last City Council meeting about the service line contract. City Attorney Todd Anderson received new wording in the contract from Mr. Lyon. The previous contract used the phrasing “shall not unreasonably be held”, which went against what he was telling us, that we would have complete discretion. They came back with some language stating that they will receive an answer in 30 days. City Attorney Anderson also advised the council that they need to decide if they will take the royalties or pass them on to the citizens. This contract allows them to use Delta City’s logo, which in turn shows that they are a company we support, for a period of three years. We could only terminate the contract for a serious breach in contract.

After discussion, Council Member Killpack MOVED to adopt the NLP service line contract for a period of three years. This service contract would provide homeowners with an insurance policy to cover their laterals to the city properties. The city also agreed to return the royalties to the homeowners. 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 Western, and Council Member Killpack in favor. None opposed.

S.B. 106

Mayor John Niles opened up a discussion about S.B. 106. Mayor Niles pointed out that the Senator from Tremonton acknowledged that he didn't want this to come across as taking away the rights from cities, towns, and counties. Council Member Bunker remarked that it has a lot of steps that would need to be taken to make this work. Council Member Chase would like to make contact with Mike Styler to see what his opinion is.

Change from Sunrise Engineering to Millard County for Building Inspections

Public Works Director Dent Kirkland proposed the change from Sunrise Engineering to Millard County for Building Inspections. Sunrise Engineering previously had a local inspector that was able to do the job, but he is now unavailable. It is causing frustrations within the office, not getting plans back for 2-4 weeks. Kirkland approached Adam Richins at Millard County to see if he would be interested in doing inspections. Richins showed great interest. Kirkland believes there would be interest in the county, and a cheaper option. Sunrise would have to finish out the inspections that they are currently working on. Mayor Niles reached out to Sunrise Engineering two weeks ago with concerns, which have remained unanswered.

Council Member Western MOVED to change from Sunrise Engineering to Millard County for building inspections to be ratified by the next City Council Meeting, but to proceed as if we have it. 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 Western, and Council Member Killpack in favor. None opposed.

Public Works Update

Public Works Director Dent Kirkland provided the council with a Public Works update. Most of the crew was at the Rural Water Conference. The bathrooms in the park have been getting floors painted. One of the concrete benches at the shooting range has been removed. They have been working on crack sealing. Delta City has a new loader through a buy-back program.

Other Business

Council Member Western introduced the new Hospital Administrator, Kurt Forsyth to the Council. He started working between the Delta and Fillmore hospitals a week and a half ago.

Council Member Killpack 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 Western and Council Member Killpack in favor.

The meeting was adjourned at 7:56 p.m.



JOHN WESLEY NILES
MAYOR

SHERRI WESTBROOK
CITY RECORDER

MINUTES APPROVED: 03/18/2020

Unapproved