



**DELTA CITY COUNCIL  
REGULAR CITY COUNCIL MEETING**

Wednesday, May 15, 2019  
Delta City Municipal Complex Council Chambers  
76 North 200 West  
Delta, Utah 84624-9440

**PRESENT**

John W. Niles, Mayor  
Brett C. Bunker, Council Member  
Robert W. Banks, Council Member

Kiley J. Chase, Council Member  
Nicholas W. Killpack, Council Member  
Betty Jo Western, Council Member

**ABSENT**

**OTHERS PRESENT**

Sherri Westbrook, City Recorder  
Todd F. Anderson, City Attorney  
Dent R. Kirkland, Public Works Director  
Michelle Lovejoy, Head Librarian  
Matt Ward  
Adam Richins

Mayor Niles called the meeting to order at 7:06 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 Bunker, Killpack, Western, Banks and Chase were present. Council Member Killpack 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 April 3, 2019 were presented for approval. Council Member Bunker MOVED to approve the minutes of the Regular City Council Meeting held April 3, 2019. 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 Bunker, Council Member Killpack, Council Member Western, Council Member Banks, and Council Member Chase in favor.

The minutes of the Regular City Council Meeting held April 17, 2019 were presented for approval. Council Member Chase MOVED to approve the minutes of the Regular City Council Meeting held

April 17, 2019. 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 Bunker, Council Member Killpack, Council Member Western, Council Member Banks, and Council Member Chase in favor.

### **ACCOUNTS PAYABLE**

The Council reviewed the accounts payable, payroll and electronic transactions for the period ending May 15, 2019 in the amount of \$232,074.59. Council Member Western questioned the amount paid to the City Attorney. She asked why it was so large. The amount paid was for two months. Council Member Nick Killpack MOVED to approve the disbursed payments dated May 15, 2019 in the amount of \$232,074.59. 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 Bunker, Council Member Killpack, Council Member Banks and Council Member Chase in favor and Council Member Western opposed.

### **PUBLIC COMMENT PERIOD**

Sue Peterson stated that she had some comments about the agenda item number 7 regarding the elections. Council suggested that she wait for the agenda item to be discussed.

Treasurer Jody Anderson informed the council that she attended the Treasurers conference and one of Delta City's staff members ran for and was elected for a position on the Treasurer's Board. She acknowledged Bridgette King as a member of the Treasurer's Board representing the state and the State Treasurers. The council members congratulated Bridgette.

Pedro Gonzalez stated a couple of his personal observations of the previous special meeting. He mentioned the treatment of the visitors by the council and that he would like to see the position of City Attorney put out for bid. He was informed that the position was placed for bid within the last four years and the attorney position is a professional service and is not required to be placed out for bid according to Delta City policy. He then presented an issue he had with Attorney Anderson and the handling of a case he had.

### **BUSINESS**

#### **Sheriff's Office Report**

Lt. Rob Clark presented the Sheriff's Office Report for the past six months. He was unable to attend the council meeting in January, so he reported on the last two quarters at this meeting.

**Eligible Employees for PEHP Health Insurance**

The city's health care provider, PEHP, has certain requirements for employees to be eligible for coverage under the city's plan. Delta City has three fire department members on the health insurance policy that may not fit the definition of eligible participants. There are concerns that there might be repercussions of keeping them on the plan. After discussion, the council decided to notify these individuals in question that the city will provide their health insurance for this coming year only and then they will need to have their own coverage. This will give them the time to secure other means of coverage. Council Member Killpack MOVED to sign them up for this year and make those individuals aware this will be the last year the city will cover them and encourage them to find new sources of insurance with special focus on the end of the year when the open marketplace becomes available. 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 Bunker, Council Member Killpack, Council Member Western, Council Member Banks and Council Member Chase in favor.

**NLC Service Line Warranty Program**

Mayor Niles explained that he was informed of an available service at the League of Cities and Towns Convention. The service is an insurance policy that the citizens can buy that covers the cost of repair, up to a certain dollar amount, in case of any service line breaks that the homeowner is responsible for. The council would like a representative from each of these companies to make a presentation at a future meeting. Attorney Anderson suggested issuing an RFP to the companies.

**Manzanita Subdivision Phase III**

Council Member Western informed the council that the Planning & Zoning Commission recommends the approval of the Manzanita Subdivision Phase III. The property owners have agreed to bond for the sidewalk. Council Member Killpack MOVED to approve the Manzanita Subdivision Phase III plot and plan as presented with the conditions for bonding of the sidewalk as presented. 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 Bunker, Council Member Killpack, Council Member Western, Council Member Banks and Council Member Chase in favor.

**Myers Park Subdivision Phase II Lot 5**

Council Member Western informed the council that the Planning & Zoning Commission recommends the approval of the Myers Park Subdivision Phase II Lot 5. The property owners have agreed to bond for the sidewalk. Public Works Director Kirkland also commented that this area is zoned Highway Commercial and the property owners are aware of that. Council Member Bunker MOVED to accept the Myers Park Subdivision Phase II Lot 5. 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 Bunker, Council Member Killpack, Council Member Western, Council Member Banks and Council Member Chase in favor.

**Fiscal 2020 Tentative Budget Adoption – Set Budget Meeting**

Recorder Sherri Westbrook presented the Tentative Budget for FY 2020. This Tentative Budget is being presented at the first meeting in May, which is this meeting as the meeting on May 1, 2019 was canceled. A budget meeting was set for May 29, 2019 at 5:00 p.m. Council Member Banks motioned to approve the adoption of the FY 2020 Tentative Budget and to set a Budget Work Meeting for May 29, 2019 at 5:00 p.m. 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 Bunker, Council Member Killpack, Council Member Western, Council Member Banks and Council Member Chase in favor.

**Elections; City administered or contract with Millard County**

Recorder Sherri Westbrook explained to the council that Delta City has chosen to conduct the 2019 election by mail. She explained that she has spoken with Millard County about contracting with them. The county would do all the mailing and the certifying of the signatures, etc. Sue Peterson commented that she and several others would really appreciate a vote center rather than just a drop box. The council agreed that they would prefer a polling location. It has also been seen that the mail ballot proves for a higher voter turnout. The cost to contract with the county will be more than conducting the election by the city. The other benefit of contracting with the county is the removal of liability. Council Member Killpack MOVED to contract with Millard County for the administration of the city election and have a polling place for citizens on Election Day. 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 Bunker, Council Member Killpack, Council Member Western, Council Member Banks and Council Member Chase in favor.

**Public Works Updates**

Public Works Director Dent Kirkland reported that the public works department has been very busy the last few weeks. They are working on the parking lot and getting it ready for concrete. Some of the carpet has been done and they are supposed to be back to finish up this week. The city employees spent a lot of time helping the contractors with moving things so they could lay the carpet. There is a company doing the sidewalk trip hazard work. They just do the work until the money allotment for the year is gone. The bid tabulations for the airport came in below the Engineers Estimate. Geneva Rock was the successful bid. Because of the difference in the estimate and the bid they are trying to add Phase III. The bid opening for Phase III will be June 6 2019. The clean up days went very well. They worked from 8:00 am – 5:30 pm both days.


**Other Business**


Council Member Killpack expressed the need for Delta City to look at drafting a conflict of interest policy. He would like to recommend to City Attorney Anderson that he draft a policy that can be adopted by the city council. He feels that this policy adoption needs to take place to prove to the citizens of the city that the council is serious on this subject and adding this to the city code. Killpack suggested some ideas that he would like to see in the policy.

Council Member Betty Western MOVED to adjourn the City Council Meeting. The motion was SECONDED by Council Member Brett 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 Bunker, Council Member Killpack, Council Member Western, Council Member Banks and Council Member Chase in favor.

The meeting was adjourned at 8:52 p.m.



  
\_\_\_\_\_  
JOHN WESLEY NILES  
MAYOR

  
\_\_\_\_\_  
SHERRI WESTBROOK  
CITY RECORDER

MINUTES APPROVED: 06/20/19