



DELTA CITY COUNCIL

REGULAR CITY COUNCIL MEETING

Wednesday, March 20, 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

Sherri Westbrook, City Recorder
Todd F. Anderson, City Attorney
Dent R. Kirkland, Public Works Director
Jody T. Anderson, City Treasurer
Bridgette King, Administrative Assistant

Michelle Lovejoy, Head Librarian
Sam Jacobson, Chronicle-Progress, LLC
Stetson Henrie, Delta City Employee
Justin Ashby, Delta City Employee

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 Member Chase 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 March 6, 2019 were presented for approval. Council Member Banks MOVED to adopt the minutes of the Regular City Council Meeting held March 6, 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 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 20, 2019 in the amount of \$117,737.05. Council Member Killpack MOVED to approve the disbursed payments dated March 20, 2019 in the amount of \$117,737.05. 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.

PUBLIC COMMENT PERIOD

There were no public comments.

BUSINESS

Elections

Mayor Niles stated that the elections were discussed briefly at the last meeting. He asked the council if they would like to conduct the elections by mail this year. Council Member Chase MOVED to approve elections this year by mail with the City Offices being open that day for ballot deposit for anyone that needs it. The motion was seconded by 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.

League of Cities and Towns

Mayor Niles asked if council members received the copy of the agenda for Utah League of Cities and Towns Conference on April 24 – 26? He asked the council members to let Recorder Sherri Westbrook know if they are planning on attending.

Hiring Dr. Clay for Revising Ordinances

Mayor Niles explained that this item was discussed previously also. The plan is to try and hire Dr. Clay to start work on revising the ordinances this fall. City Attorney Todd Anderson clarified that this will be revising Title 9 ordinances only. The council members agreed that those ordinances are the ones that need it the most. Council Member Chase MOVED to hire Dr. Clay and his team for the revising of the Title 9 ordinance. 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.

Ordinance 19-280 - Proposed Amendments to Title 9, Planning & Zoning

Public Works Director Dent Kirkland explained that the Planning & Zoning Committee has been working on several issues. The items modified in Ordinance 19-280 are Hard Surfacing requirements, some sidewalk requirements, and amending the Industrial Development Zone to

be the same as the I-1 Zone. Council Member Chase MOVED to approve Ordinance 19-280, Proposed Amendments to Title 9, Planning & Zoning. 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 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.

Personnel Policy and Organizational Chart – Resolution 2019-433,

Public Works Director Dent Kirkland presented the Personnel Policy and Organizational Chart to the council. This policy was reviewed in detail at a previous work meeting. Council Member Killpack MOVED to approve the Personnel Policy as presented by the committee with the changes that were made during the work session to section 17(F) regarding transfers, at the discretion of the Mayor, as well as the Organizational Chart as presented with the amendments to how the Administrative Director can be assigned to the Recorder and Treasurer - Resolution 19-433. 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 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.

Replace Railroad Crossing on 750 North

Public Works Director Dent Kirkland explained that he has been working for quite some time on the Railroad Crossing on 750 North. He has finally gotten in contact with them and they have sent a contract to review. The company wanted the city to sign it and put in letterhead. The contract states that the city will pay \$25,000.00 for engineering regardless of whether they follow through with the project. Kirkland stated that he understands the \$25,000.00 to be in addition to the \$1,500.00 to \$2,000.00 per foot that they are quoting to do the project. The project would be approximately \$40,000.00 and Delta City would pay one half the cost. After contacting the company for clarification, he was told that the engineering fee is included in that \$1,500.00 to \$2,000.00 per foot quote. The contract does not state that. Kirkland states that he has major concern over this discrepancy. If the contract is altered in any way it will prolong the process. City Attorney Todd Anderson also expressed his frustration with the issue. He stated that when he asked them why the city could not modify the contract, he was told that it would then have to go back to Union Pacific's legal department and it will never come out. Council Member Chase also stated that he was told if the city says go then the city will pay for a portion of the engineering costs whether the project is completed or not. Council discussed other crossings that need to be removed and whether it should be scheduled at the same time. Public Works Director Kirkland stated that there would be enough money in the B & C Road Fund to pay for the additional cost of removing two crossings. Council decided it would be in the city's best interest to explore the possibility of doing two crossings at once. Kirkland will contact them and get a quote.

Public Works Updates

Public Works Director Kirkland reported that since the last meeting the Public Works Department has worked on the bridge project on 450 South. He stated he was very happy with the way the project turned out. He expressed extreme gratification for the power plant and all they did to help with the project. He gave the council a Thank You card to sign and send to the power plant. Council Member Bunker suggested getting a cake to go along with the card. Kirkland stated the city has also gotten some gift cards for the power plant employees that helped as well. Council Member Western suggested giving them a Delta City Plaque as well. There is still some work that needs to be done at the bridge project site. He reported that Randy has been working hard in the parks getting them cleaned up and ready for the season. The restrooms are open. While cleaning the Ridge Top Well there was some concern about whether the screen may be broken. They are going to let it settle for a day or so and then camera it again to see what they can see. There is no report yet on what the build up is. Kirkland also informed the council that there has not been anything official on the airport yet, but he is hearing some very promising reports of approximately 4 million dollars. With Delta City's match and the state's match it would bring that figure to approximately 4.9 million dollars. That would be enough to do all the runway, taxi way B and have approximately \$100,000.00 left. He stated that it sounds very encouraging.

Other Business

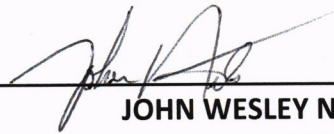
Council Member Killpack informed the mayor and council that he had heard from the people at EDC Utah. He distributed a pricing schedule that he received. He stated that they asked if Delta City would like to focus on a retail recruitment or a corporate recruitment. Council would like more of a corporate recruitment for job creation. He will contact them with the missing information that they are needing.

Council Member Killpack stated that his opinion is that Delta City should stop providing irrigation services to its citizens. This service is an annual loss for Delta City. Council would like to set a public hearing for this issue and send out notices to the citizens.

Council Member Killpack 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.

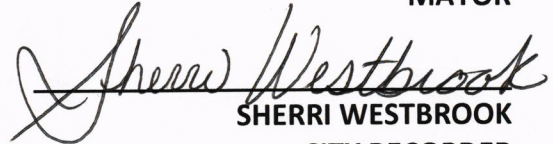
The meeting was adjourned at 8:01 p.m.





JOHN WESLEY NILES

MAYOR



SHERRI WESTBROOK
CITY RECORDER

MINUTES APPROVED: 04/03/2019