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DELTA CITY COUNCIL REGULAR MEETING
Wednesday, October 18, 2023 at 7:00 PM
Delta City Municipal Complex Council Chambers*

MINUTES

2 PRESENT

- 3 Mayor John Niles
- 4 Council Member Brett Bunker
- 5 Council Member Betty Jo Western
- 6 Council Member Kiley Chase
- 7 Council Member Nick Killpack
- 8 Council Member Robert Banks

9 ALSO PRESENT

- 10 Dent Kirkland
- 11 Todd Anderson
- 12 Sherri Westbrook
- 13 Michelle Lovejoy
- 14 KC Bogue

15 **CALL TO ORDER**

16 Mayor Niles called the meeting to order at 7:01 p.m. He stated that notice of the time, place, and agenda of the
 17 meeting had been posted at the Delta City Complex, on the Delta City website, on the Utah Public Notice
 18 website, had been provided to the Millard County Chronicle-Progress, LLC and each member of the City Council
 19 at least 24 hours before the meeting. Mayor Niles conducted a roll call. Council Members Killpack, Chase,
 20 Western, Banks, and Bunker were present.

21 **OPENING REMARKS**

22 Council Member Bunker offered the opening remarks.

23 **PLEDGE OF ALLEGIANCE**

24 Mayor Niles led those in attendance in the Pledge of Allegiance.

25 **CONSENT AGENDA**

- 26 1. Minutes Approval: CCPH 2023-09-20

27 The minutes of the City Council Public Hearing held on 9/20/23 were presented for approval. Council
 28 Member Banks MOVED to approve the minutes of the City Council Public Hearing held on 9/20/23. The
 29 motion was SECONDED by Council Member Bunker. Mayor Niles asked if there were any other
 30 questions or comments regarding the motion. There being none, he called for a vote.

31 Motion made by Council Member Banks, Seconded by Council Member Bunker.

32 Voting Yea: Council Member Bunker, Council Member Western, Council Member Chase, Council
 33 Member Killpack, Council Member Banks

- 35 2. Minutes Approval: RCCM 2023-09-20

36 The minutes of the Regular City Council Meeting held on 9/20/23 were presented for approval. Council
 37 Member Western MOVED to approve the minutes of the Regular City Council Meeting held on

38 9/20/23. The motion was SECONDED by Council Member Bunker. Mayor Niles asked if there were any
39 other questions or comments regarding the motion. There being none, he called for a vote.

40 Motion made by Council Member Western, Seconded by Council Member Bunker.
41 Voting Yea: Council Member Bunker, Council Member Western, Council Member Chase, Council
42 Member Killpack, Council Member Banks
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44 3. Accounts Payable, Payroll, and Electronic Disbursements Approval: 2023-10-18 \$420,795.40

45 The Council reviewed the accounts payable, payroll, and electronic transactions for the period ending
46 10/18/23 of \$420,795.40. Council Member Bunker MOVED to approve the disbursed payments dated
47 10/18/23 of \$420,795.40. The motion was SECONDED by Council Member Killpack. Mayor Niles asked
48 if there were any questions or comments regarding the motion. There being none, he called for a vote.

49 Motion made by Council Member Bunker, Seconded by Council Member Killpack.
50 Voting Yea: Council Member Bunker, Council Member Western, Council Member Chase, Council
51 Member Killpack, Council Member Banks
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53 **PUBLIC COMMENT PERIOD – Ten (10) Minutes Total Limitation**

54 **BUSINESS – Any such business as may come before the Council.**

55 4. Council authorization for the Delta City Mayor to execute an Unsecured Loan Agreement with the
56 Water Quality Board State of Utah for an unsecured short-term loan and design grant.
57 Action: Discussion/Consideration for approval.

58 Council Member Killpack MOVED to approve the authorization for the Delta City Mayor to execute an
59 Unsecured Loan Agreement with the Water Quality Board State of Utah for an unsecured short-term
60 loan and design grant. The motion was SECONDED by Council Member Chase. Mayor Niles asked if
61 there were any questions or comments regarding the motion. There being none, he called for a vote.

62 Motion made by Council Member Killpack, Seconded by Council Member Chase.
63 Voting Yea: Council Member Bunker, Council Member Western, Council Member Chase, Council
64 Member Killpack, Council Member Banks

65 5. Dent R. Kirkland, Public Works Director, Public Works Update
66 Discussion Only

67 Public Works Director Kirkland provided a Public Works update to the Council. They have been
68 winterizing buildings, and they patched 750 North. They did some asphalt work.

69 The ridgetop tank leaked, they drained it and cleaned the sand out. The link seal was leaking, so all
70 pipes going into the tank will get new leak seals. They will be filling it up next week. Council Member
71 Killpack asked how much sand was in the tank, Kirkland replied there was approximately 7 yards, but it
72 had been six years since they cleaned it last.

73 Public Works has seen an increase in building permits. One building permit will require an interpreter.
74 Attorney Anderson added that mobile homes should not be building additions and that once they do
75 they become a structure, and then they answer to the international building code. The application will
76 need to be processed, and the manager of DelPark will need to be contacted. The manager is meant to
77 contact Kirkland if they build.

78 Kirkland met with Sunrise Engineering about the sewer project. The project will go out to bid in the
79 spring.

80 MJ Electric has ordered conduits for the pickleball courts. The Public Works Department can prepare
81 the ground this winter.

82 They will start decorating for Christmas soon.

83 **ADDITIONAL ITEMS**

84 Attorney Anderson addressed the need for a contract for the 750 North railroad crossing. IFA is asking for a
85 license to utilize the public right-of-way to put the crossing back in. The contract does not have a provision if
86 they close that site or the duration that the public right-of-way can be blocked. Attorney Anderson wants that
87 specified in the contract. State law duration of the public right-of-way being blocked is five minutes. The City
88 Council agreed. The Council would like to add that they will be responsible for reverting it to the state that it was
89 in when they bought it.

90 Mayor Niles added that Valley Ag completed their railroad spur. Public Works Director Kirkland remarked that
91 there is a low spot. Grates will be installed on each side of the track.

92 KC Bogue asked if they could charge an impact fee to IFA. Council Member Killpack replied that an impact fee
93 can only be applied for very specific fees and benefits growth. An impact fee can't be used for maintenance, only
94 for growth. The contract with IFA is the best course of action. Attorney Anderson will rework the contract and
95 send it back to IFA.

96 Council Member Chase provided an update on the Topaz Museum. They will be moving into phase 2 of the
97 master plan. The Wakasa Stone will be incorporated in phase 2. Council Member Chase has a draft letter and
98 would like to have letters of recommendation from the Council to apply for a grant. The Topaz Museum had
99 1,000 visitors on the day of the eclipse.

100 Council Member Banks asked if Delta City sent flowers for Greg Schafer's family. Delta City sent flowers and
101 there will be a Celebration of Life Friday at 6.

102 Council Member Western was made aware of a situation in the office yesterday regarding the fill station. Les
103 Olson will be able to install the program Water Plus on the front desk computer where everyone will have access
104 to it. There should be one password. Jody Anderson needed authorization from Public Works before installation.
105 Public Works Director Kirkland agreed that it should be installed on a common computer available for staff as
106 needed.

107 Council Member Killpack provided an update from the Economic Development Board. An industrial
108 development located on the east side of Delta is hoping to be annexed into Delta City. They are trying to find
109 financing. Millard County has money set aside and they are trying to get a CDL program from Snow College in
110 Delta. County grant money could help put in the infrastructure for industrial development. Delta City would
111 need to designate areas for a Community Development Area. A portion of the tax would be used to repay the
112 loan program to be used for further growth.

113 Council Member Bunker informed the Council that Trevor Poulsen has resigned. Council Member Bunker
114 recommended that Delta City pay for new Public Works Employees to obtain a CDL, they will need to sign a
115 contract. Public Works Director Kirkland remarked that the two people they were interviewing, neither one had
116 a CDL.

117 Council Member Western had questions about URS. If someone at the School District works 5.75 hours a day,
118 they would receive URS benefits, and she would like to explore to see if our policy is similar. Council Member
119 Western would like to see if Katie Rodriguez would be eligible to receive URS benefits. Attorney Anderson
120 replied that Rodriguez is seasonal, and she will be laid off for the winter months.

121 Council Member Killpack recommended that a Council Member be assigned to the Personnel Policy. Attorney
122 Anderson will put the personnel policy recommendation on the agenda for the next City Council meeting.

123 Council Member Killpack also recommended changing the wording of Michelle Lovejoy's title from Librarian to
124 Library Director.

125 Council Member Western asked about resuming weekly administration meetings in the office to help with
126 communication. Jody Anderson recommended that Rebecca Peterson lead the meetings.

127 Council Member Western looked into pieces of training that are provided by Kantola. Council Member Western
128 has been asked by the Public Works Department to provide in-person training. Utah League of Cities and Towns
129 would be willing to provide in-person training.

130 Recorder Westbrook informed the Council that the City is contracted with Millard County for elections and that
131 two people will be needed to transport ballots to Fillmore twice a week.

132 Britney Oppenheimer has been hired as the new janitor. She will be responsible for cleaning the Library, the City
133 Hall, and the Sheriff's Office.

134 Attorney Anderson would like to have a Public Hearing in December for the vacation of narrow right-of-way
135 streets. Attorney Anderson would like the ordinance conditioned upon each property owner within 300 feet
136 signing off on it.

137 Council Member Killpack informed the Council that the townhome code might pass at the next Planning and
138 Zoning meeting. The Planning and Zoning Commission would like each unit an individual self-contained lot with
139 no communal space.

140 Council Member Banks asked about the trash receptacles and if there were any city enforcement. Mayor Niles
141 replied that there are enforcements, and there has been work to clean it up performed, but cameras may need
142 to be installed.

143 **ADJOURNMENT**

144 Council Member Bunker MOVED to adjourn the meeting. The motion was SECONDED by Council Member
145 Western. Mayor Niles asked if there were any questions or comments regarding the motion. There being none,
146 he called for a vote.

147 Motion made by Council Member Bunker, Seconded by Council Member Western
148 Voting Yea: Council Member Bunker, Council Member Western, Council Member Chase, Council Member
149 Killpack, Council Member Banks

150 The meeting was adjourned at 8:12 p.m.

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John Wesley Niles, Mayor

Sherri Westbrook, Recorder

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