



DELTA CITY COUNCIL

REGULAR CITY COUNCIL MEETING

Wednesday, December 4, 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

Nicholas W. Killpack, Council Member

Kiley J. Chase, Council Member

Robert W. Banks, Council Member

ABSENT

Betty Jo Western, Council Member

OTHERS PRESENT

Sherri Westbrook, City Recorder

Todd F. Anderson, City Attorney

Dent Kirkland, Public Works Director

Jody Anderson, Administrative Officer/Treasurer

Rebecca Peterson, Cash Receipting Clerk

Justin Ashby, Field Supervisor

Michelle Lovejoy, Head Librarian

Mayor Niles called the meeting to order at 7:27 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, and Killpack were present. Council Member Western was absent. Mayor Niles offered the opening remarks and Mayor Niles led those in attendance in the Pledge of Allegiance.

MINUTES

The minutes of the City Council Public Hearing held November 6, 2019 were presented for approval. Council Member Killpack MOVED to approve the minutes of the Regular City Council Meeting held November 6, 2019. 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, and Council Member Killpack in favor.

The minutes of the Regular City Council Meeting held November 6, 2019 were presented for approval. Council Member Chase MOVED to approve the minutes of the Regular City Council

Meeting held November 6, 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 Banks, Council Member Bunker, Council Member Chase, and Council Member Killpack in favor.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, payroll and electronic transactions for the period ending December 4, 2019 in the amount of \$357,508.89. Council Member Chase MOVED to approve the disbursed payments dated December 4, 2019 in the amount of \$357,508.89. 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, and Council Member Killpack in favor.

PUBLIC COMMENT PERIOD

BUSINESS

Craig Stumph

Craig Stumph explained that he has two items of discussion. One item is the sidewalk in front of his property at 444 N Hwy 6. The city wants them to install sidewalk. He stated that there are problems with that. He explained that if the sidewalk was placed 3' off the property line, that would place that sidewalk on top of existing utility lines. The other issue, that is on state highway property. He spoke with two state employees and neither one of them wanted the sidewalk there. There isn't any sidewalk on that stretch of highway 6. Lisa Stumph stated that she isn't opposed to putting in the sidewalk, she just wants it to be logical. Public Works Director Dent Kirkland stated that the Occupancy Permit has not been signed by the city because of the sidewalk and the business has not connected to the sewer. Council Member Killpack explained that the sidewalk ordinance is a long-term vision and as development occurs, things will come together. Stumph also stated that he has been trying to get a building permit to add onto the building, but he has been unsuccessful in getting that permit. It was explained to Stumph that there has been a moratorium in place on all new construction. The moratorium will be lifted with the acceptance of the revised ordinances. Stumph needs to have a lot line adjustment approved by Delta City before he will be issued a building permit.

Revision of Land Ordinances

Dr. Michael Clay thanked the council for involving the BYU students and letting them be involved with the process. Council Member Nick Killpack, on behalf of the city council, thanked Dr. Clay and the Students for the quality work they have done. City council members agreed. Council Member Bunker stated that he did not want to add a single family residential in a highway commercial. He would like to extend that zone out to cover Hadley Myers' house. Hadley Myers

agreed to his land being zoned residential. Thus, the land at 80 Locus Lane will be changed to R1(B). Council Member Chase recommended having a maximum fence height to 7'. Sidewalk should be 4' wide or match adjacent sidewalk. Nickels Mortuary (190 S Center) should be zoned as PQP and allow Mortuaries in the PQP zone. Also leave mortuaries allowed in R4. The Planning & Zoning Commission should discuss the storage container specifications. Council Member Kiley Chase MOVED to approve the revision of the land ordinances that were discussed this evening and that were noticed to Dr. Clay and his committee. 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 Banks, Council Member Bunker, Council Member Chase, and Council Member Killpack in favor.

Ordinance 19-282

An ordinance of the council of the City of Delta, State of Utah amending the zoning map of Delta City and Amending Title 1, Chapter 4 (General Penalty); Title 4, Chapter 2 (Nuisances and Weeds); Title 4, Chapters 3 and 4 (Garbage and Refuse; Litter; Handbills); Title 7, Chapters 1 and 2 (Regarding Sidewalks, Streets, and Sidewalk Construction); Title 9, Chapters 2, 3, 6, 7, 8, 10, 11, 14, 17, 18, 19, 20, 21, 25, 26 (Substantially revising the land use regulation of Delta City). Mayor Niles mention that if this Ordinance is passed, it will remove the moratorium that is in place. Attorney Anderson stated that there were some written objections filed. Those objections, pursuant to state ordinance, were submitted to the council for consideration. Council agreed that they were received. Attorney Anderson also stated that by accepting the ordinance as drafted, it does leave some discretion to Sterling Codifiers to modify the numerical numbering for codification processes. Council Member Nick Killpack MOVED to approve Ordinance 19-282. The motion was SECONDED by Council Member Kiley 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 Banks, Council Member Bunker, Council Member Chase, and Council Member Killpack in favor.

Assistant Librarian pay increase

Librarian Michelle Lovejoy proposed to the council a pay increase for the new library employee. She has been employed 90 days. She proposed a wage of \$10.00 per hour. She has been doing a great job. Her current pay is \$9.00 per hour. Council Member Nick Killpack MOVED to approve the pay increase for the assistant librarian as discussed by Librarian Michelle Lovejoy to \$10.00 per hour. 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 Banks, Council Member Bunker, Council Member Chase, and Council Member Killpack in favor.

ULGT Tarp Program

Administrative Officer/Treasurer Jody Anderson explained to the council that Utah Local Government Trust has a new program. The program is the Team Accountability and Recognition

Program (Tarp). The ULGT offer an incentive program for insurers that do have a safety program. There is a 5% return on the rate which would be approximately \$3,500.00 per year. They have also seen a reduction in claims. This plan has been approved by ULGT. It must be team based, monthly reward and the results are published to the participants. This will be with the Full Time Employees and it will involve a \$10.00/month reward. Council Member Kiley Chase MOVED to accept the ULGT Tarp program for all Full Time Employees for Delta City. The motion was SECONDED by Council Member Nick 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, and Council Member Killpack in favor. 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, and Council Member Killpack in favor.

Health Insurance Rebate

Administrative Officer/Treasurer Jody Anderson presented the council with the PEHP annual rebate. She explained that each year when the employees use under the amount that PEHP estimated they would use in medical expenses during the year, then PEHP issues a refund. In the past the refund has been distributed amongst the staff, but it does go to the council for approval. Council Member Brett Bunker MOVED to have the health insurance rebate distributed back to the employees. The motion was SECONDED by Council Member Nick 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, and Council Member Killpack in favor.

Public Works Updates

Public Works Director Dent Kirkland reported that the public works crew has been busy on Christmas decorations and doing some crack sealing. The notice is out to get the hangar sold. Val Kotter has been in town and moving right along. They are probably about 1/3 of the way through town. The airport project is moving along well. There is a final walk through on Thursday. The airport has been open since the Wednesday or so before Thanksgiving. It has not been advertised it too much yet. It will be advertised as soon as it is open without restrictions.

Other Business

Council Member Chase 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, and Council Member Killpack in favor.

The meeting was adjourned at 8:37 p.m.



JOHN WESLEY NILES
MAYOR

SHERRI WESTBROOK
CITY RECORDER

MINUTES APPROVED: 1/15/20