



DELTA CITY COUNCIL
REGULAR CITY COUNCIL MEETING

Wednesday, June 3, 2020
Delta City Municipal Complex
76 North 200 West
Delta, Utah 84624-9440

PRESENT

John W. Niles, Mayor	Betty Jo Western, Council Member
Brett C. Bunker, Council Member	
Kiley J. Chase, Council Member	
Nicholas W. Killpack, Council Member	Robert W. Banks, Council Member

ABSENT

OTHERS PRESENT

Sherri Westbrook, City Recorder	Steele Weston
Michelle Lovejoy, Head Librarian	Howard Western
Sam Jacobson-Chronicle-Progress	Kent Forsyth
Todd Anderson, City Attorney	Naomi Forsyth
Dent Kirkland, Public Works Director	Kelly Albers

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 RJ Law Center, 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 Members Western 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 May 20, 2020 were presented for approval. Council Member Western MOVED to approve the minutes of the Regular City Council Meeting held May 20, 2020. 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 Western, 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 June 3, 2020 in the amount of \$116,777.02. Council Member Bunker MOVED to approve

the disbursed payments dated June 3, 2020 in the amount of \$116,777.02. 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 Western, Council Member Chase, and Council Member Killpack in favor.

PUBLIC COMMENT PERIOD

Hospital Administrator Kent Forsyth gave an update on COVID-19 to the City Council. The last positive case was over three weeks ago. As a hospital, they are lobbying to do elective surgeries they were unable to perform previously.

BUSINESS

Mayor John Niles: Stone Resources; Complaint

Council Member Killpack has been in discussion with numerous neighbors, and instead of getting better, things are getting worse. Kelly Albers from Oasis Seed remarked that most of the time they don't crush or move their dirt during the daytime. Outside is constantly filled with fine powder, creating a mess. Maxfield Collision has been having major issues the past few weeks, forcing a motor home to be repainted recently, and a car to be detailed. Council Member Western did some investigating after seeing this item on the agenda. Western visited the Maxfields, and while they seemed frustrated, thought this was an isolated incident. Maxfields would like to see something more happen so that everyone could do their business. Wade Weston, owner of Stone Resources, sent an update on what they were doing. Council Member Western read an email from Weston, stating that they have shortened screen time since last fall, and it is to be done after business hours. Weston stated that he wishes he would have known about the complaint ahead of time or before the painting of the motor home. Weston provided that Stone Resources has been weighing down material and tarping the material in the winter. It is impossible to eliminate all the dust. Council Member Western asked Kelly Albers if she talked to Weston. Albers didn't feel like she should be the middleman, and she feels that he has told her in the past what she wanted to hear; she has never seen tarps there. Council Member Killpack remarked that they have heard nothing but complaints since 2017, and they should be deemed a nuisance. Steele Weston stated that Stone Resources was looking to move their operation but were unable to do so yet. Steele Weston remarked that it was the busy time of the year and recommended that they give them 40 days to finish out the busy time. Council Member Bunker recused himself during this time on this agenda item. Council Member Banks asked what the next step would be. City Attorney Anderson said they can send a letter with a time frame, and contact all surrounding businesses.

Council Member Killpack MOVED to continue towards a resolution on this issue to have Stone Cover come to an agreement with neighbors within 30 days of post mark of proposal, and 90 days to meet positive results. 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 Western, Council Member Chase, and Council Member Killpack in favor.

Mayor John Niles: Governor Honor Society; Mason Richins

City Intern, Mason Richins, is a candidate for the Governor's Honor Society and Mayor John Niles would like the City to help him with a scholarship. There will be an opportunity for Richins to gain experience and school credit. With only 50 people accepted, this would be a great opportunity for someone from Delta. Council Member Chase would like it to be known that the Delta City Council is willing to pay money towards these causes and benefiting the kids. Council Member Western recommended a scholarship of \$500 be rewarded to Richins, Steele Weston volunteered to match that amount.

Council Member Western MOVED for the City to pay \$500 for Mason Richins to attend the Governor's Honor Society. 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 Western, Council Member Chase, and Council Member Killpack in favor.

Mayor John Niles Ordinance 20-285; Zoning Map Amendment

Roper Lumber lot line adjustment. Since filing their application, Roper Lumber is looking to purchase more property, cutting across the back, and squaring the property up. Roper would like to include the portion he is buying as well. Having spoken with all individuals involved, everyone agrees. There is a minor issue that the land description in the notice is not correct, but those affected had no complaints previously.

Council Member Western MOVED to approve this motion conditional upon the lot line adjustment. 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 Banks, Council Member Bunker, Council Member Western, Council Member Chase, and Council Member Killpack in favor.

Mayor John Niles: Codification Update

Delta City would like to move away from Sterling Codifiers and use Municode. Sterling Codifiers was purchased recently by American Legal Publishing. The transition has not been favorable. The code update sent to the city was not correct and it has taken several months for them to get it to this point. Municode has a self-publishing option that would allow the city to post the updates themselves. Mayor Niles felt that it would help save money and provide a good step to providing information to the public. There are also options to add other books to the website. Adding an additional book would be \$300.

Council Member Killpack MOVED to approve the switch from Sterling Codifiers to Municode. 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 Western, Council Member Chase, and Council Member Killpack in favor.

Mayor John Niles: 4th of July Celebration

Council Member Bunker took a tape measure to the park and thinks there would be ample room along the block to allow for vendors to be safely distanced. Council Member Chase worries about an outbreak of Covid-19 and the effects it would have on local businesses and that it could put others in jeopardy. There will still be a parade and fireworks, but the Council will leave the discussion on the vendors open until the next council meeting on June 18th.

Dent R. Kirkland, Public Works Director: Public Works Update

The Public Works Department removed an older building at the airport. They opened up the splash pad and the restrooms in the park. The restrooms are sanitized daily. They have been spraying weeds but have been falling behind from not having the additional manpower for summer help.

Public Works Director Kirkland provided an update on the Nelson’s drain concern. Neighbors seem happy and the water is running clear. They have irrigated three times since they installed the system.

Other Business

State Bank of Southern Utah expressed interest in obtaining Delta City’s business.

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

The meeting was adjourned at 9:02 p.m.



JOHN WESLEY NILES
MAYOR

SHERRI WESTBROOK
CITY RECORDER

MINUTES APPROVED: 6/18/2020