



DELTA CITY COUNCIL REGULAR CITY COUNCIL MEETING

Wednesday, May 20, 2020
RJ Law Community Center
75 West Main
Delta, Utah 84624-9440

PRESENT

John W. Niles, Mayor	Betty Jo Western, Council Member
Brett C. Bunker, Council Member	
Kiley J. Chase, Council Member (came at 7:28)	
Nicholas W. Killpack, Council Member	Robert W. Banks, Council Member

ABSENT

OTHERS PRESENT

Sherri Westbrook, City Recorder	Bridgette King , Administrative Assistant
Michelle Lovejoy, Head Librarian	Dent Kirkland, Public Works Director
Adam Richins	Jody Anderson, Treasurer
Justin Ashby, Field Supervisor	Rebecca Peterson
Sam Jacobson-Chronicle-Progress	Mason Richins, Intern
Todd Anderson, City Attorney	

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 Banks 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 April 15, 2020 were presented for approval. There was a question regarding the conflict of interest discussion. It was suggested that on line 151 that the Council determined that it would be best to keep the integrity of the city at the forefront of the conversation. Council Member Killpack MOVED to approve the minutes of the Regular City Council Meeting held April 15, 2020 with the amendments stated. 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 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 May 20, 2020 in the amount of \$282,233.88. After some discussion about the location of the funds, Council Member Banks MOVED to approve the disbursed payments dated May 20, 2020 in the amount of \$282,233.88. 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.

PUBLIC COMMENT PERIOD

BUSINESS

Mayor John Niles: Resolution 20-440; Close Railroad

After explaining the Resolution and the process that would be required for the City to move forward with it, Mayor Niles and City Attorney Anderson stated that it would be best to inform the State that Delta City is capable of doing the work that is required for the project. There would be an option to bring the crossing back if needed in the future, but it is uncertain who would pay for it. Council Member Killpack MOVED to approve Resolution 20-440 to close the railroad crossing on 750 North. 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: 4th of July Celebration Plans

Jody Anderson explained that although rules and regulations keep changing there is an effort being made to still have a celebration of sorts on the 4th of July. Anderson explained that advertising would be needed to help inform the public. T-shirts will be available for sale. Anderson stated that there would be games on social media and that the citizens would still be allowed to decorate the sidewalk with chalk instead of in the pavilion. A music video contest was also being considered for an option to celebrate the 4th. It was also suggested to extend the parade route and have people stay in their vehicles. After discussion regarding how public safety measures would be held during the festivities, the council decided it would be best to put limitations on what people would be able to do on Delta City grounds.

Mayor John Niles: Fiscal 2021 Tentative Budget Adoption- Set Budget Work Session

Mayor John Niles stated that a work session needed to be set to discuss the budget adoption and asked the Delta City Council what days would work best for them. Some dates that were in mind were the 26th and 28th of May and the 2nd of June. Council Member Western MOVED to have the Fiscal 2021 Tentative Budget Adoption Work Session on June 3rd at 3:00 p.m. 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 Western, Council Member Chase, and Council Member Killpack in favor.

Council Member Bunker MOVED to accept the Tentative Budget of 2021. 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.

Nick Killpack: Ordinance 20-284; Conflict of Interest/Ethics Commission

Council Member Killpack stated that after the previous meeting he had reached out to the State to see if the State Ethics Commission could serve as an appeal body for a local commission. Council Member Killpack was informed that was not an option. Council Member Killpack then explained the difficulty of training a new commission and the need for people with the proper qualifications to do so, as well as other concerns that the public had raised. However, after consulting Delta City employees, who felt that it would benefit the community to have a local commission, he decided to reintroduce it to the City Council meetings. Council Member Killpack suggested that instead of having local citizens fill the role, an independent attorney with no relationship to the area could serve as an Ethics Commission, this way it would be able to stay local and more discreet. City Attorney Anderson reached out to a lawyer in Juab County that represents several organizations. He stated that he would be willing to fill that role for Delta City if that is what they decided to do. Council Member Killpack stated that he believes that a local commission would be able to fulfill its role responsibly and professionally. He asked if there were any questions or comments regarding the matter. Council Member Western stated that she felt that it would have been appropriate if all of the Delta City Council was informed about the opinions of the City employees. City Attorney Anderson explained that he had been to the meeting in order to answer any questions and that he had been very impressed by the conversations that had occurred. He said that the main purpose of the meeting was to provide a space for the employees to ask questions regarding the topic at hand. Council Member Western stated that after that meeting had happened, she felt that the information regarding the meeting should have been shared with all the City Council. Council Member Killpack shared that the policy at hand had not been adopted by the City yet, so it is his responsibility to gather information and share with the City Council at the designated meetings. After some further discussion regarding the proposed policy, Council Member Chase MOVED to approve chapter 10 of ordinance 20-284 regarding ethics commission. 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 Western, Council Member Chase, and Council Member Killpack in favor.

Select Ethics Commission

Council Member Killpack MOVED to approve Casey L. Wright as the Ethics Commission for Delta City. 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 Western, Council Member Chase, and Council Member Killpack in favor.

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

Public Works Director Kirkland stated that the Public Works Department has been working on sidewalk repairs and installing new garage doors at the shop. Kirkland said that they had also manually checked the water meters. Kirkland said that Delta City Employees had a very successful cleanup, with approximately 80 loads cleaned up. Mayor Niles thanked Public Works Director Kirkland for all the work that himself and his employees had done to better Delta City.

Other Business

IPSC has purchased a new refrigerator for the lounge at the airport. Council Member Chase stated Delta City would be informed if any cases of COVID 19 were located in Delta City. Council Member Western shared that it is EMS week and thanked those who are serving.

Librarian Lovejoy provided the Council with a library update, stating the library was still closed, and would continue to be so until at least July 1st while the Bookmobile performs their closing procedures.

Council Member Bunker MOVED to adjourn the City Council Meeting. 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 Western, Council Member Bunker, Council Member Banks, Council Member Chase, and Council Member Killpack in favor.

The meeting was adjourned at 8:29 p.m.



JOHN WESLEY NILES
MAYOR

SHERRI WESTBROOK
CITY RECORDER

MINUTES APPROVED: 6/3/2020