



# DELTA CITY COUNCIL REGULAR MEETING

Wednesday, December 04, 2024 at 7:00 PM

Delta City Municipal Complex Council Chambers\*

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## MINUTES

### PRESENT

Mayor John Niles  
Council Member Nick Killpack  
Council Member Kelly Carter  
Council Member KC Bogue

### ABSENT

Council Member Betty Jo Western  
Council Member Kiley Chase

### ALSO PRESENT

Scott Harmon  
Mike Osmund  
Charles Phillipsen  
Rodney Phillipsen  
Margarita Phillipsen  
Marcos Lazaro  
Neal Gardner  
Scott Anderson  
Laura Henderson  
Rick Henderson  
Estela Gonzalez

Ray Gardner  
Justin Ashby  
Devon Shields  
Ricardo Gonzalez  
Arlyn Naegle  
Matt Ward  
Rebecca Peterson  
Todd Anderson  
Michelle Lovejoy  
Sherri Westbrook  
Dent Kirkland

### CALL TO ORDER

Mayor Niles called the meeting to order at 7:00 p.m. He stated that notice of the time, place, and agenda of the meeting had been posted at the Delta City Complex, on the Delta City website, and the Utah Public Notice website and had been provided to the Millard County Chronicle-Progress, LLC and each member of the City Council at least 24 hours before the meeting. Mayor Niles conducted a roll call. Council Members Carter, Killpack, and Bogue were present. Council Members Chase and Western were absent.

### OPENING REMARKS

Council Member Carter offered the opening remarks.

### PLEDGE OF ALLEGIANCE

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

### CONSENT AGENDA

1. Minutes Approval: RCCM 2024-11-20

The Regular City Council Meeting minutes held on 11/20/24 were presented for approval. Council Member Carter MOVED to approve the Regular City Council Meeting minutes held on 11/20/24. Council Member Killpack SECONDED the motion. Mayor Niles asked if there were any other questions or comments regarding the motion. There being none, he called for a vote.

Motion made by Council Member Carter, Seconded by Council Member Killpack.  
Voting Yea: Council Member Killpack, Council Member Carter, Council Member Bogue  
Council Members Chase and Western were absent.

2. Accounts Payable, Payroll, and Electronic Disbursements Approval: 2024-12-04 \$257,448.74

The Council reviewed the accounts payable, payroll, and electronic transactions for the period ending 12/4/24 for \$257,448.74. Council Member Killpack MOVED to approve the disbursed payments dated 12/4/24 for \$257,448.74. Council Member Bogue SECONDED the motion. Mayor Niles asked if there were any questions or comments regarding the motion. There being none, he called for a vote.

Motion made by Council Member Killpack, Seconded by Council Member Bogue.  
Voting Yea: Council Member Killpack, Council Member Carter, Council Member Bogue  
Council Members Chase and Western were absent.

**PUBLIC COMMENT PERIOD – Ten (10) Minutes Total Limitation**

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

3. Scott Harmon; Utah Housing Corporation: Proposed Rezone of Parcel ID: 4232-3 (5.52 Acres) from R1 - R2

Action: Discussion/Consideration for approval

Scott Harmon from the Utah Housing Corporation appeared before the Council seeking a zone change from R1 to R2. Millard County officials approached them to build affordable housing in Millard County. They would like to rezone to R2 to build twin homes, reduce the rent and purchase price, and provide affordable housing for more people. They would be willing to install more pavement on the corner if the rezone is approved. They suggested signing a development agreement to limit the number of units being built.

Council Member Carter asked about the drain to the east. Harmon remarked that the drain is not located on the property.

Margarita Phillipsen asked how many months the tenants are allowed to be delinquent before they are thrown out of the housing. Council Member Carter remarked that this meeting was for a rezoning application. Harmon remarked that R6 manages the units, that there are currently three well-managed units located in Delta, and that there are compliance orders.

Rodney Phillipsen asked how far Harmon had to look on the map before he found any surrounding R2 property.

Council Member Bogue stated that he thought the property should stay R1 to stay consistent with the surrounding area.

Council Member Killpack stated that this program would greatly benefit Delta. Council Member Killpack met with a road engineer and asked about the corner by the Yates' house. The engineer wasn't concerned about the traffic, but the shoulder on that turn. There will be a lot of burdens on that intersection. Council Member Killpack mentioned that the city code has strict limitations for a zone change

Council Member Carter mentioned that the rezoning would be a concern from a safety perspective after visiting with the Fire Chief.

Harmon remarked that management will need to decide whether to proceed with building single-family homes, but he hopes they will still be able to bring affordable housing to Delta.

Ray Gardner asked about fence requirements. Council Member Carter remarked that those discussions would happen with a subdivision plan. Council Member Killpack remarked that fencing would not be required. Harmon said they would be willing to install a chain link fence with a buffer between the farms. A temporary turnaround will need to be installed.

Council Member Killpack MOVED to deny the proposed rezoning of Parcel ID: 4232-3 (5.52 Acres) from R1 - R2. The motion was SECONDED by Council Member Bogue. Mayor Niles asked if there were any questions or comments regarding the motion. There being none, he called for a vote.

Motion made by Council Member Killpack, Seconded by Council Member Bogue.

Voting Yea: Council Member Killpack, Council Member Carter, Council Member Bogue  
Council Members Chase and Western were absent.

4. Sunrise Engineering: Service Line Repair  
Action: Discussion/Consideration for approval

Devon Shields appeared before the Council to provide an update on the service line repair. Lining the existing lines is going smoothly, but Delta City has budgeted for unexpected circumstances. Two service laterals were found crushed, but there could be more. Delta City has the homeowner bear responsibility to the connection point. These repairs will cost \$5000 each. Insurance is offered through a third party.

Council Member Bogue suggested negotiating time and materials with the contractor. Council Member Killpack added that they should ensure that the connection to the main is good and let the homeowner know that there might be a problem in the future. There is documentation and pictures tagged on the map.

Public Works Director Kirkland mentioned that Val Kotter will be here until December 20<sup>th</sup>, and then return in March.

Council Member Carter MOVED to negotiate time and materials to fix the lateral top hat connections. 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.

Motion made by Council Member Carter, Seconded by Council Member Killpack.

Voting Yea: Council Member Killpack, Council Member Carter, Council Member Bogue  
Council Members Chase and Western were absent.

5. Sherri Westbrook, Recorder; Les Olson phone quote  
Action: Discussion/Consideration for approval

Recorder Westbrook distributed a phone bid from Les Olson to the Council. Two Frontier lines, one at the shop and one at the airport, will need to be kept.

Presently, the phone bill is \$416 a month. When signing a one-year contract, this bid includes new phones, which will cost \$387 a month. If a three-year contract is signed, they will waive the setup fee.

Council Member Carter MOVED to accept the one-year phone bid presented by Les Olson. 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.

Motion made by Council Member Carter, Seconded by Council Member Killpack.

Voting Yea: Council Member Killpack, Council Member Carter, Council Member Bogue  
Council Members Chase and Western were absent.

6. Jody Anderson, Treasurer; Administrative Update  
Action: Discussion only

Rebecca Peterson provided an administrative update on the Treasury Department. Delta City's tree was voted the most original at the Tree Festival. Peterson reminded the Council to RSVP to the Christmas party.

The pickleball grant is available to submit for reimbursement.

City Attorney Anderson asked about the mailing for the water and sewer insurance company. A third party supplies the insurance and Delta City endorses the company and allows them to use the Delta City logo.

7. Dent R. Kirkland, Public Works Director, Public Works Update  
Discussion Only

Public Works Director Kirkland provided a public works update to the Council. Christmas decorations have been set up, and they have been working on meters. They drained the .5 tank because a valve at the bottom of the tank needs repair. Bunker Estates had a significant leak, and they are asking for reimbursement for the time and materials.

After meeting with Jones and DeMille about the traffic plan, they would like to have an executive meeting with the City Council and the Planning and Zoning Commission. They are applying for a grant to help pay for the traffic plan.

Keiza Mauzy will be attending a trails grant training program. Derek Nielson and Chase McCain are in the CDL program and hope to complete it within the next month.

A citizen with a legally blind child would like a sign installed. The Council approved the installation of the sign.

#### ADDITIONAL ITEMS

Council Member Carter attended a META meeting. Millard County would like to know the road requirements on 2500 East. It would need to meet the current standard of 3.5-inch asphalt. If they build to standards, they could annex into the city. Mayor Niles remarked that it would be a good collector road.

#### ADJOURNMENT

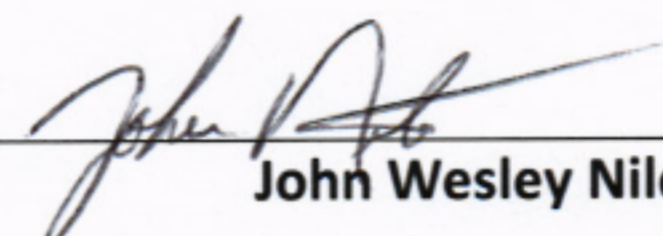
Council Member Carter MOVED to adjourn the meeting. The motion was SECONDED by Council Member Killpack. Mayor Niles asked if there were any questions or comments regarding the motion. There being none, he called for a vote.

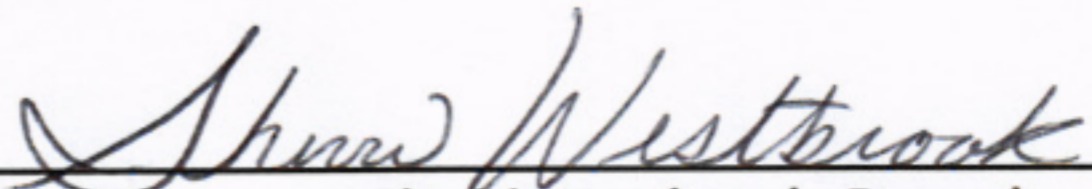
Motion made by Council Member Carter, Seconded by Council Member Killpack.

Voting Yea: Council Member Killpack, Council Member Carter, Council Member Bogue

The meeting was adjourned at 8:41 p.m.



  
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John Wesley Niles, Mayor

  
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Sherri Westbrook, Recorder