



# DELTA CITY COUNCIL REGULAR MEETING

Wednesday, May 17, 2023 at 7:00 PM

Delta City Municipal Complex Council Chambers\*

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## MINUTES

### PRESENT

Mayor John Niles  
Council Member Brett Bunker  
Council Member Betty Jo Western  
Council Member Kiley Chase  
Council Member Nick Killpack  
Council Member Robert Banks

### NOT PRESENT

### ALSO PRESENT

Sherri Westbrook  
Todd Anderson  
Matt Ward

Dent Kirkland  
Lisa Myers

### 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, on the Utah Public Notice website, 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 Western, Killpack, Chase, Banks, and Bunker were present.

### OPENING REMARKS

Council Member Bunker offered the opening remarks.

### PLEDGE OF ALLEGIANCE

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

### CONSENT AGENDA

1. Minutes Approval: RCCM 2023-04-19

The minutes of the Regular City Council Meeting held on 4/19/23 were presented for approval. Council Member Banks MOVED to approve the minutes of the Regular City Council Meeting held on 4/19/23. The motion was SECONDED by Council Member Western. 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 Banks, Seconded by Council Member Western. Voting Yea: Council Member Bunker, Council Member Western, Council Member Chase, Council Member Killpack, and Council Member Banks.

2. Accounts Payable, Payroll, and Electronic Disbursements Approval: 2023-05-17 \$381,481.33

The Council reviewed the accounts payable, payroll, and electronic transactions for the period ending 5/17/2023 of \$381,481.33. Council Member Western MOVED to approve the disbursed payments

dated 5/17/2023 in the amount of \$381,481.33. 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 Western, Seconded by Council Member Killpack.

Voting Yea: Council Member Bunker, Council Member Western, Council Member Chase, Council Member Killpack, and Council Member Banks.

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

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

3. Joan Myers/Lisa Myers: Preliminary Plat approval, Myers Legacy Estates Subdivision  
Action: Discussion/Consideration for approval

Lisa Myers presented the Preliminary Plat for Myers Legacy Estates Subdivision with the changes that were requested from Planning & Zoning. Planning & Zoning gave a positive recommendation to City Council on the Myers Legacy Estates Subdivision.

Council Member Western MOVED to approve the Preliminary Plat for Myers Legacy Estates Subdivision. 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.

Motion made by Council Member Western, Seconded by Council Member Banks.

Voting Yea: Council Member Bunker, Council Member Western, Council Member Chase, Council Member Killpack, and Council Member Banks.

4. Nick Killpack: RFP for Public Defender  
Action: Discussion/Consideration for approval

Council Member Killpack explained that there have been some concerns with the Public Defender/Indigent Defense. The city has a constitutional responsibility to provide the citizens with this resource. Killpack explained his concerns and recommended issuing a Request for Proposal (RFP) for the Indigent Council. An RFP would give the city the chance to look at other options. Fillmore City is also interested in making a change. Delta City and Fillmore City can work in conjunction on this request. City Attorney Todd Anderson explained that the proposals would be due by June 15<sup>th</sup>. That would allow the council to decide at the second meeting in June and allow the chosen applicant to begin on July 1, 2023. Anderson also explained that there is no one in Millard County practicing public defense. He explained that he expects any proposals received will be from Utah County. He did confirm with the Judge that the court will continue with Webex, virtual court. That will help to keep costs down.

Council Member Western MOVED to approve the issuance of a RFP for Public Defender/Indigent Council. 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.

Motion made by Council Member Western, Seconded by Council Member Bunker.

Voting Yea: Council Member Bunker, Council Member Western, Council Member Chase, Council Member Killpack, and Council Member Banks.

5. Dent Kirkland; Speed Limit & Weight Limit on 750 North  
Action: Discussion/Consideration for approval

Dent Kirkland explained that there are a lot of complaints about 750 North Street. The street is damaged caused by increased heavy traffic from a Millard County location to Hwy 6. He stated that he and the mayor attended a county impact alleviation meeting for the power plant and tried to ask for some assistance and they stated that it doesn't really fit it in the scope and asked for some more information and maybe some costs and then come back. After discussion, it was decided to calculate the cost of 1.5 miles of road and present that to the committee with Delta City taking some responsibility for a portion of the cost.

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

Dent Kirkland reported that the water tank project is going well. The leak that was in the tank was caused by a ladder inside the tank that had rotted off and the movement of the ladder created the leak. The portion with the leak has been cut out and replaced. The company anticipates completing the sandblasting and painting within the next week or two. Once the project is complete, the tank should be in good shape for many years. He also reported that they have spent some time on getting gravel on some alleyways hoping that the county will mag them. Twin D was in town looking at a problem area of the sewer. They were unable to fix the situation. Kirkland will look at some other companies that may be able to fix it. Nuisance issues were discussed and how to handle those issues.

#### ADDITIONAL ITEMS

#### ADJOURNMENT

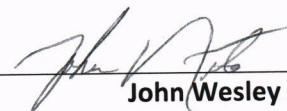
Council Member Bunker MOVED to adjourn the meeting. The motion was SECONDED by Council Member Chase. Mayor Niles asked if there were any questions or comments regarding the motion. There being none, he called for a vote.


Motion made by Council Member Bunker, Seconded by Council Member Chase.

Voting Yea: Council Member Bunker, Council Member Western, Council Member Chase, Council Member Killpack, Council Member Banks.

The meeting was adjourned at 7:58 p.m.



  
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John Wesley Niles, Mayor

  
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Sherri Westbrook, Recorder