



## DELTA CITY COUNCIL REGULAR MEETING

Wednesday, August 06, 2025 at 7:00 PM

Delta City Municipal Complex Council Chambers\*

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### MINUTES

#### PRESENT

Mayor John Niles  
Council Member Betty Jo Western - arrived @ 7:03  
Council Member Kiley Chase  
Council Member Nick Killpack  
Council Member Kelly Carter  
Council Member KC Bogue

#### ALSO PRESENT

Sherri Westbrook  
Angie Dewsnap  
Jessica Anderson  
Justin Ashby  
Michelle Lovejoy  
Ron Larsen  
Stetson Henrie  
Nicole Henrie  
Matt Ward  
Rebecca Peterson

#### 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 on 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 Bogue, Carter, Chase, and Killpack were present. Council Member Western was absent for roll call but did arrive later at 7:03.

#### OPENING REMARKS

Council Member KC Bogue offered the opening remarks.

#### PLEDGE OF ALLEGIANCE

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

#### CONSENT AGENDA

1. Minutes Approval: CCPH 2025-07-16

The minutes of the City Council Public Hearing held on 7/16/2025 to present and accept comments on Ordinance 25-317 Adoption of Delta City Construction Standards were presented for approval. Council Member Bogue MOVED to approve the City Council Public Hearing minutes held on 7/16/2025. Council Member Chase 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 Bogue, Seconded by Council Member Chase.

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

Council Member Western was absent for this vote.

2. Minutes Approval: RCCM 2025-07-16

The minutes of the Regular City Council Meeting held on 7/16/2025 were presented for approval. Council Member Chase MOVED to approve the Regular City Council Meeting minutes held on 7/16/2025. 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 Chase, Seconded by Council Member Killpack.

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

3. Accounts Payable, Payroll, and Electronic Disbursements Approval: 2025-08-06 \$1,272,440.40

The Council reviewed the accounts payable, payroll, and electronic transactions for the period ending 8/6/2025 for \$1,272,440.40.

Council Member Bogue asked for clarification on total; he also asked about Zions Bank Card and Recorder Westbrook identified the transaction list in the agenda and also about a specific payment made to Dutson Supply. Westbrook stated that was a return from a bond that was being held.

Recorder Westbrook stated that she had transposed the amount. Went through all documentation included and adjusted the amount to \$1,172,440.40.

Council Member Carter MOVED to approve the disbursed payments dated 8/6/2025 for \$1,172,440.40. Council Member Killpack 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 Carter, Seconded by Council Member Killpack.

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

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

No public comment.

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

4. Mayor Niles; Amendment to Delta City Code 8-12-050 Weapons Discharge

Action: Discussion/Consideration for approval

City Attorney Jessica Anderson presented changes to Delta City Code 8-12-050 Weapons Discharge. Mayor Niles read from the updated code and asked for further clarification by Anderson.

8.12.050 Weapons Discharge B. It shall also be unlawful to discharge or shoot a BB Gun, pellet gun, air gun, paintball gun, bow and arrow, blowgun, wrist rocket, slingshot, or any other type of instrument designed to propel or throw missiles capable of doing bodily harm within the incorporated limits of the City, or upon any City-owned property in such a manner as to endanger persons or property or to cause the projectile or missile to cross into property owned by another when the person shooting the projectile or missile does not have permission to use such property for the purpose of discharging the weapon or devise.

Penalty was also changed from a Class B Misdemeanor to an infraction for first offense and Class C with a second offense.

Council Member Killpack confirmed that one cannot shoot with the intent to hurt someone; and Council Member Chase clarified that it pertains only to personal property and that it must not leave that property. Council Member Western asked about getting permission on other property and it was agreed that permission would have to be given.

Council Member Bogue MOVED to approve an amendment to Delta City Code 8-12-050 Weapons Discharge. Council Member Carter 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 Bogue, Seconded by Council Member Carter.

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

5. Council Member K.C. Bogue: Bulk Water Sales price increase

Action: Discussion/Consideration for approval

Council Member Bogue presented to the Council that selling potable bulk water could help compensate for other needs. Currently the rates are at \$10.00/1,000 gallons. Council Member Bogue shared numbers from Recorder Westbrook for purchases from fill station for last fiscal year.

Council Member Bogue stated that he feels bulk water should be raised double or more from what it is right now; water is more expensive to pump, has gone up in price, is a limited commodity. Council Member Carter expressed similar concerns that with large companies coming in Delta residents should benefit from this somehow. Council Member Bogue recommended doubling or even tripling the current bulk water rate. Council Member Carter asked Westbrook where these funds are going and confirmed they are going into water fund accounts to help fund maintenance, upgrades, etc.

Rebecca Petersen stated there are two different rates. \$10.00/1,000 prepaid or \$15.00/1,000 for billed. There are some farmers using for livestock, but mostly big companies. The recommendation by Council Members were to no longer have a billed option; just all pre-paid. Council Member Carter stated that the City can sell excess but does not have to sell water if no excess is available. Attorney Anderson verified that it is in excess of the need.

Council Member Bogue MOVED to approve a price increase for Bulk Water Sales, to include pump station and construction meter hydrants to \$30.00/1,000 gal and prepay only. Council Member Western 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 Bogue, Seconded by Council Member Western.

Voting Yea: Council Member Western, Council Member Chase, Council Member Killpack, Council Member Carter

6. Library Director Michelle Lovejoy; Programming Librarian new hire

Action: Discussion only

Library Director Michelle Lovejoy presented the new Programming Librarian hire, Chelsea Hathaway, to the Council. Interviews were held last week with two applicants; both great interviewees. Chelsea Hathaway, who was working part-time in the library, was chosen and all are excited for the future. Today was the final day for the Summer Reading Program and there were some phenomenal numbers; 617 participants in 5 weeks with 5810 reported books read. Library Director Lovejoy applied for and received \$5000 grant award from State Library and this will be used to purchase a Smartboard.

7. Assistant Public Works Director Justin Ashby; Hiring & Personnel Policy Modifications

Action: Discussion/Consideration for approval

Assistant Public Works Director Ashby greeted the Council and expressed wanting to present some Personnel Policy Modifications. Firstly, Ashby requested a move from 3 days to 4 for paternity leave. Current policy only has information on Parental Leave, nothing specific on Maternity or Paternity. Council Member Bogue stated this should be moved to hours, not days; Council Member Killpack agreed that it should be 40 hours.

Current call is currently 5 miles and Assistant Public Works Director Ashby would like to see this be extended to 10 miles. Council Member Bogue stated that he believes call needs to be cut down to one guy; Ashby expressed concern about this being a major safety issue. Four guys are currently in rotation. Council Member Bogue added that call can be a hindrance; but also that if needed because someone cannot come in, it could be outsourced. Public Works Employee Stetson Henrie stated that while he is okay with the idea of one person on call, the challenge is with new personnel, it will take at least two years being first on call before they can do it without. Council Member Chase added that if this one-person call moves forward, there needs to be a very specific set of procedures that is spelled out and followed for any safety concern. He encouraged public works to come up with procedures and rules about sewer, trenches, calling in a second. Safety issues require that the procedures must be very specifically spelled out and followed. Council Member Carter inquired about what happens in an unsafe situation and is there a system in place that could call others to get there. Ashby confirmed something like a life alert button-type situation. Council Member Bogue asked about current call-out procedures. Stated that City should have a system that puts a message out if a person gets called out. He would like to see some flexibility with call distance. Assistant Public Works Director Ashby stated that C Station had always dictated 15 minutes; however, that now has a redundant system. Council Member Killpack asked for clarification about what constitutes an emergency? He would like to get a report from Sunrise Engineering on back-up time on D Station. City needs to find what works well with keeping a safe environment and is best for operators. Council Member Carter stated that this should be a Mayor and Department Head decision and that procedures should be decided on at that level. He, personally, would agree to at least 10 miles.

Assistant Public Works Director Ashby asked the Council about requirement of Commercial Driver Licenses (CDLs). Council Member Carter stated Delta City should pay for this. Council Member Chase added that it is worth the investment. Council Member Bogue agreed that CDL should be during orientation and during first 6 months. Council Member Chase suggested putting a stipulation that if an employee leaves within 6 months it must be paid back. Council Member Killpack introduced an idea of a \$2500 sign on bonus if a candidate already has a CDL.

Assistant Public Works Director Ashby presented Council with current Delta City policy of asking on a job application if the applicant has a felony and to check "yes" or "no". Policy also stated that an applicant must "pass a criminal background check", but there is no further explanation or clarification of what constitutes a "pass". City Attorney Anderson stated that there need to be some qualifications and it depends on the type of felony. There should be some guidelines. Council Member Chase stated that it is typically 7 years. Matt Ward added that public perception is typically where the issue will arise.

Assistant Public Works Director Ashby also presented Council with consideration of modification to the tattoo policy that tattoos are not allowed on face, head, or neck. Attorney Anderson stated that you can have one on your neck if it is smaller than 1 inch. Council Member Bogue asked if policy was being adjusted to suit one guy; and due to legal parameters he encouraged that the individual that has been worked with in the past on policy, Mitch, should be consulted for this. Mayor Niles said that could be checked into. Attorney Anderson did look at other city policies (Lehi, West Valley, and Salt Lake City) and none have any policies on tattoos. Council Member Bogue asked how fellow co-workers feel about this. Library Director Lovejoy stated that this policy was shared and a consensus made about a

year ago. Council Member Killpack stated that anything regarding felony should be dealt with by City Attorney. Council Member Chase recommended that Mayor and Department Heads make a recommendation, then bring to Council. More research should be done by legal and what other cities do.

8. Justin Ashby, Assistant Public Works Director, Public Works Update  
Discussion Only

Assistant Public Works Director Ashby presented the Council with an update regarding the Public Works Department.

Public Works employees have been busy. Last week a fire hydrant that was hit by a vehicle was removed. Equipment worked on and maintenance performed. Employees also took time on Thursday to remove old office furniture so new could be installed on Friday. Lift stations were cleaned and working on sidewalks.

Decision was made not to re-grade alleyways as it was just too expensive. Communicated with Jake Smith on chip-seal and waiting on dates that this can be done. Council Member Bogue asked about getting on the calendar immediately. Council Member Carter added getting ahead of this for next spring.

C-station should be asphalted and done by 11th of August. Ashby stated that the plan is to use extra funds in the sewer budget to newly line this well. Phaze had to reline a block on main street that was partly 8 inch and partly 10 inch; they went in and moved to all 10 inch. Council Member Carter asked about booster pump for water pressure information. Jones & Demille is currently working on water master plan; funding has already been started on this. If this goes through, it would help with water pressure concerns, especially residents by cemetery.

#### **ADDITIONAL ITEMS**

Mayor Niles reminded Council about Delta City Employee Summer Party on August 19<sup>th</sup> at 6:00 pm and requested RSVP, if anyone hasn't already.

Mayor Niles also presented to Council that Miss Delta's Queen has requested her scholarship monies now to help with college enrollment at Southern Utah University; this is usually awarded at end of reign. She has enrolled in classes; council agreed to give her the monies at this time. Rebecca Petersen shared with council that Miss Delta would also like to put together a fundraiser for the Jared Rawlinson family and she is very involved and invested in the community.

Council Member Betty Jo Western presented to the Council that Danny Leary with the Jehovah Witnesses would like to share literature in the park with the use of a cart. Attorney Anderson stated that the group would like to do this for passive solicitation; they would only share if approached. Anderson also shared that there is nothing in current Code that would not allow this for religious solicitation without a permit. Council Member said they are also interested in an information booth during city events.

9. Closed Session: Discussion of the character, professional competence, or physical or mental health of an individual  
Action: Discussion/Consideration for approval

Council Member Killpack MOVED for Council to enter into a closed session at 8:20 p.m. to discuss the character, professional competence, or physical or mental health of individuals. Council Member



Western 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 Western.

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

**\*CLOSED SESSION\***

Council Member Chase MOVED to return to open meeting at 9:06 p.m. Council Member Western 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 Chase, Seconded by Council Member Western.

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

Opened public meeting again at 9:06 p.m.

**ADJOURNMENT**

Council Member Western MOVED to adjourn meeting at 9:07 pm. Council Member Killpack 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 Western, Seconded by Council Member Killpack.

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

The meeting was adjourned at 9:07 p.m.



  
John Wesley Niles, Mayor

  
Sherri Westbrook, Recorder

