



# DELTA CITY COUNCIL REGULAR MEETING

Wednesday, April 19, 2023 at 7:00 PM

Delta City Municipal Complex Council Chambers\*

---

## MINUTES

### PRESENT

Mayor John Niles  
Council Member Brett Bunker  
Council Member Betty Jo Western  
Council Member Kiley Chase  
Council Member Nick Killpack (via Zoom)

### NOT PRESENT

Council Member Robert Banks

### ALSO PRESENT

Judd Hill  
Brandon Anderson  
Clint Sorenson  
Rachel West  
Kevin Morris  
Trevor Johnson  
Matt Ward  
Rod Moore  
Kaela Jenkins  
Mike Zurn  
Kristen Chase  
Marcus Chase

Dallen Richins  
Sarah Richins  
Austin Richins  
Adam Richins  
Richard Jacobson  
Shellie Dutson  
Michele Steele  
Sherri Westbrook  
Todd Anderson  
Dent Kirkland  
Michelle Lovejoy

### CALL TO ORDER

Mayor Niles called the meeting to order at 7:01 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, and Bunker were present. Council Member Banks was absent.

### OPENING REMARKS

Council Member Chase offered the opening remarks.

### PLEDGE OF ALLEGIANCE

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

### CONSENT AGENDA

1. Minutes Approval: RCCM 2023-04-05

The minutes of the Regular City Council Meeting held on 4/5/23 were presented for approval. Council Member Bunker MOVED to approve the minutes of the Regular City Council Meeting held on 4/5/23.

The motion was SECONDED by Council Member Chase. 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 Bunker, Seconded by Council Member Chase.  
Voting Yea: Council Member Bunker, Council Member Western, Council Member Chase, Council Member Killpack  
Council Member Banks was absent

2. Accounts Payable, Payroll, and Electronic Disbursements Approval: \$85,400.29

The Council reviewed the accounts payable, payroll, and electronic transactions for the period ending 4/19/23 of \$85,400.29. Council Member Western MOVED to approve the disbursed payments dated 4/19/23 of \$85,400.29. 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  
Council Member Banks was absent

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

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

3. Mayor Niles: Resolution 2023-469; Resolution to join the petition and rezone Delta City-owned property from M-H to R4 Zone  
Action: Discussion/Consideration for approval

Council Member Western MOVED to approve Resolution 2023-469 to join the petition and rezone Delta City-owned property from M-H to R4 zone. 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  
Council Member Banks was absent

4. Souvall Investments LLC; Zone Change Request: Ordinance 2023-300 Action: Discussion/Consideration for approval

Souvall Investments appeared before the City Council seeking a zone change from M-H to R4. After a public hearing and discussion, the Planning and Zoning Commission positively recommended changing the zone to R4. Council Member Chase attended the public hearing, and the public was against 450 North being built, and there was some opposition against 4plexes. Some minds were changed when it was explained by Chairman Droubay that it was currently zoned mobile home.

City Attorney Anderson requested that the land owner's name needed to be on the zone change.

Council Member Chase MOVED to approve the Zone Change Request of Ordinance 2023-300. 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.



Motion made by Council Member Chase, Seconded by Council Member Western.  
Voting Yea: Council Member Bunker, Council Member Western, Council Member Chase, Council Member Killpack  
Council Member Banks was absent

5. Marcus Chase and Dallen Richins: Governor's Honor Academy sponsorship  
Action: Discussion/Consideration for approval

Delta High School Juniors Marcus Chase and Dallen Richens appeared before the City Council seeking funding to attend the Governor's Honor Academy. A full sponsorship would be \$1300 each. Council Member Chase recused himself from this item. Council Member Western is familiar with this very elite program and she would like to offer the full amount. Council Members Bunker and Killpack would like to offer half. Michael Zurn offered to donate \$200 to each boy.

Council Member Western MOVED to approve the donation of \$650 each to Marcus Chase and Dallen Richins to attend the Governor's Honor Academy. 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, and Council Member Killpack  
Voting Abstaining: Council Member Chase  
Council Member Banks was absent

6. Rod Moore: Days of the Old West PRCA Rodeo  
Action: Discussion/Consideration for approval

Rod Moore appeared before the City Council seeking \$3000 in donations for the Days of the Old West PRCA Rodeo. Council Members Chase and Western were in favor of giving the rodeo money. Mayor Niles suggested a \$1500 donation.

Council member Chase MOVED to approve the donation of \$1500 to the Days of the Old West PRCA Rodeo. 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 Chase, Seconded by Council Member Bunker.  
Voting Yea: Council Member Bunker, Council Member Western, Council Member Chase, Council Member Killpack  
Council Member Banks was absent

7. Kevin Morris; Millard County Tourism: Request for "Beer Garden" at the Millard County Fair Grounds  
Action: Discussion/Consideration for approval

Kevin Morris of Millard County Tourism and Events Coordinator Rachel West appeared before the City Council to request a change to the city ordinance to allow for beer gardens for special events. They have had discussions with Sheriff Jacobson to see how they could control it. They would like to hire a third-party vendor who would provide their bouncers and bartenders, and the liability would be under them. This would be for beer, not liquor. Council Member Western would like to see food for sale as well and a limit on drinks. Council Member Western also had concerns about fights and belligerence.

Morris and West could not proceed any further if the city ordinance does not change.

Sheriff Jacobson suggests using this issue to revamp the process of using the fairgrounds in the future. The permitting process needs to be formalized on a County level. This will require more police presence. Sheriff Jacobson recommends limiting the amount of alcohol served. Sheriff Jacobson recommends hiring a third party.

Council Member Bunker liked the idea of using a third party but wondered if it is worth the money. West confirmed that it would be percentage based.

City Attorney Anderson brought up the fact that they would need to get Delta City's approval before the County and State, and would need to obtain a special permit. The city could require a third party to be hired.

Council Member Chase would like to hear input from the public.

Millard County Commissioner Trevor Johnson spoke to the Council about the steps Millard County is making to better the rodeo and the County Fair. Council Member Western defended the County Fair.

Council Member Bunker MOVED to table the discussion about beer gardens. 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 was absent

8. Mayor Niles: Resolution 2023-467; Consolidated Fee Schedule  
Action: Discussion/Consideration for approval

Mayor Niles presented Resolution 2023-467 and the changes made to the consolidated fee schedule to the Council. To pay the CIB loan back in thirty years, the water and sewer rates will need to be raised by \$11. Mayor Niles recommended raising the water by \$4 and the sewer by \$4. Council Member Chase added that some grants won't even be entertained if the rates aren't raised.

City Attorney Anderson recommended discussing big user accounts and overaged. Mayor Niles suggested a percentage increase in those cases.

There were some typo fixes in the park unit charges section.

Dog boarding fees have been removed.

Council Member Bunker MOVED to approve Resolution 2023-467 with the modifications made. 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 was absent

9. Mayor Niles: Resolution 2023-468; Consideration for and adoption of Parameters Resolution authorizing the issuance of not to exceed \$5,500,000 in Sewer Revenue Bonds of Delta City and calling of a public hearing to receive input with respect to the issuance of such Bonds and any potential impact to the private sector from the construction of the Project.  
Action: Discussion/Consideration for approval



Mayor Niles presented Resolution 2023-468 to the Council. City Attorney Anderson replied that it was necessary to pass the resolution so they can issue the bond to take the grant for the sewer project.

A Public Hearing will be set for May 17<sup>th</sup> at 6:45 p.m.

Council Member Chase MOVED to approve Resolution 2023-468. 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 Chase, Seconded by Council Member Bunker.

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

Council Member Banks was absent

10. Public Works Director, Dent Kirkland; Airport - proposal received

Action: Discussion/Consideration for approval

Public Works Director Kirkland presented the airport proposal to the Council. Armstrong Engineering was the only bid received.

Council Member Western MOVED to approve Armstrong Engineering for the airport. 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

Council Member Banks was absent

11. Public Works Director, Dent Kirkland; Approve Gateway Company for Water Tank rehabilitation

Action: Discussion/Consideration for approval

Public Works Director Dent Kirkland was seeking approval from the Council to approve Gateway Company for the Water Tank rehabilitation. The water tank will need to be sandblasted and painted inside the tank. The estimation of the job would be five to six weeks to do the work. There is lead in the tank, and the disposal fee is included in the estimate.

Council Member Western MOVED to approve Gateway Company for the Water Tank rehabilitation after due diligence and research. 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

Council Member Banks was absent

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

Discussion Only

Public Works Director Kirkland provided the Council with a Public Works update. The restrooms are opened back up in the park, and Katie Rodriguez is back to work.

13. Mayor Niles; Pickleball Court update

Action: Discussion only

Mayor Niles provided the Council with a pickleball court update. Sunrise Engineering has taken away the covering over the courts and added a fourth court. Jody Anderson is currently applying for a grant.

**ADDITIONAL ITEMS**

Council Member Chase reminded the Council about the Wakasa ceremony on the 22<sup>nd</sup> from 10-5:30 p.m.

**ADJOURNMENT**

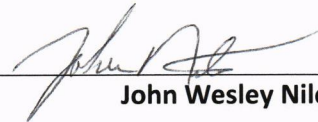
Council Member Killpack MOVED to adjourn the meeting. The motion was SECONDED by Council Member Bunker. Mayor Niles asked if there were any questions or comments regarding the motion. There being none, he called for a vote.

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

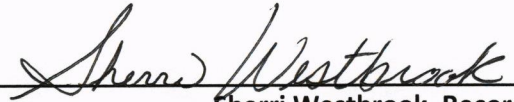
Voting Yea: Council Member Bunker, Council Member Western, Council Member Chase, Council Member Killpack

Council Member Banks was absent

The meeting was adjourned at 8:45 p.m.



John Wesley Niles, Mayor



Sherri Westbrook, Recorder