



DELTA CITY COUNCIL REGULAR MEETING

Wednesday, June 04, 2025, at 7:00 PM

Delta City Municipal Complex Council Chambers*

MINUTES

PRESENT

Mayor John Niles
Council Member Betty Jo Western
Council Member Kiley Chase
Council Member Nick Killpack
Council Member KC Bogue

ABSENT

Council Member Kelly Carter

ALSO PRESENT

Attorney Jessica Anderson
Sherri Westbrook
Angie Dewsnap
Justin Ashby
Sara Laub
Kevin Laub
Ron Larsen

Michele Steele
Leo Davis
Lynn Davis
Matt Ward
Lori Williams
Brad Williams
Derek Nielson

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 Western, Chase, Killpack, and Bogue were present. Council Member Carter 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 2025-05-21

The Regular City Council Meeting minutes held on 5/21/25 were presented for approval. Council Member Chase MOVED to approve the Regular City Council Meeting minutes held on 5/21/25. 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 Bogue

Council Member Carter was absent.

2. Accounts Payable, Payroll, and Electronic Disbursements Approval: 2025-06-04 \$970,558.81

The Council reviewed the accounts payable, payroll, and electronic transactions for the period ending 6/4/25 for \$970,558.81. Council Member Killpack MOVED to approve the disbursed payments dated 6/4/25 for \$970,558.81. 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 Western, Council Member Chase, Council Member Killpack, Council Member Bogue

Council Member Carter was absent.

PUBLIC COMMENT PERIOD – Ten (10) Minutes Total Limitation

No public comments.

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

3. Lori Williams: Request for Review - Code violations (Neighbor)

Action: Discussion/Consideration for approval

Lori Williams introduced herself to the Council. Stated that a neighbor has been involved in multiple code violations within Delta City and that she has brought this up previously with nothing being done.

Council Member Bogue suggested getting the Health Department involved, as there are children in the home, and maybe the city needs to help get things cleaned up. Council Member Chase asked about the availability of Delta City's Beautification Fund and encouraged the citizen to apply for this support. Mayor Niles added that this individual has also missed court dates and was found in violation and the courts have not done anything.

Citizen Michelle Steele introduced herself to the Council in support of Lori Williams and their neighborhood. She stated this citizen has too many chickens, is burning trash in his backyard, and is violating multiple other codes. She added that judges shouldn't have to enforce anything, the City Code is where the violations have occurred, and it is the City's job to enforce its own code.

Council Member Killpack stated that if windows are boarded, this is a fire hazard and needs to be checked on by the fire department. Council Member Chase added that if there are unlicensed vehicles parked on the street then this needs to be reported to the Sheriff's office. Public Works Assistant Director Justin Ashby added that anytime there is fire burning garbage in the backyard, contact the Fire Department and Fire Chief. Council Member Killpack stated that the City could send the Sheriff to take care of unlicensed vehicles, and a Delta City employee would be able to go at the same time to go over other code violations. Council Member Western added that after that is taken care of, discussion of going in to clean it up could be had.

4. Sara Laub: Request for Review - Would like to rent outbuilding as residential apartment

Action: Discussion/Consideration for approval

Sara Laub introduced herself to the Council. She stated that she is requesting to be allowed to use an outbuilding for a residential dwelling. Laub stated that she is requesting a variance in her zone (R-1-B). Council Member Western explained that a variance is very difficult to get approved and that there are 5 items that must be met in order to get that approval.

Council Member Chase added that this would be something for the Appellate Court and that is something that Delta City needs to acquire again. Council member Bogue read from the City Code about allowing accessory apartments in any residential area; Council Member Killpack explained why that is what the law states. The State said cities cannot restrict, in any zone, people from having an

Accessory Dwelling Unit (ADU) under very limited circumstances and mentioned three: 1) it must be owner-occupied, 2) ADU has to fall within the original footprint of the home, and 3) it must be a certain lot size.

Laub asked whether there is a possibility of making a modification to the accessory dwelling unit and expanding the definition. Council Member Killpack recommended that Laub take her request to Planning & Zoning Commission. Laub added that she has thought of renting the building to a business, but it makes more sense to rent it based on the residential area that she resides.

Council Member Killpack explained the purpose of Planning & Zoning Commission and that City Council takes their recommendation into consideration when making final decisions. He also said that a guesthouse is closer to Laub's specific situation with her outbuilding and could make this a part of her discussion with Planning & Zoning. Currently the lot size needs to be 1 acre for accessory structure and her lot is .8 acres. Council Member Killpack suggested making sure that the Planning & Zoning Commission knows the primary structure will be owner occupied. He also stated that Laub is in a medium density zone and most of the lots are much smaller than hers, so she could try to make the case that she is almost double what some are in the same zone.

5. Victor Chaudhary: Application to Appear - Would like to discuss solutions to violation letter
Discussion/Consideration for approval

Victor Chaudhary was not in attendance. Mayor Niles explained a violation letter was sent for having a storage container on his site; he had talked with Chaudhary who had concerns about where to put new furniture that had been ordered to update rooms at the Days Inn Hotel. Mayor Niles had told him that he would have 90 days.

Council Member Chase asked about Chaudhary applying for a one-year permit. Council Member Killpack stated that a container could be on-site for a commercial business for 90 days. Attorney Anderson added that Temporary Storage for Containers of, or Business Purpose (section C) states 30 days. Council Member Chase added to have Chaudhary get a 30-day permit.

6. Mayor Niles: Street Light Agreement
Action: Discussion/Consideration for approval

Mayor Niles shared with the Council that a request was submitted in March of 2024 to get a streetlight put on the corner of Manzanita Ave and 400 S. He received a written contract and presented this to Council for a decision. There are no streetlights on Manzanita. Council Member Chase agreed that it makes sense to get a streetlight in that location as even when driving a vehicle, it is difficult to see in that area. Council Member Bogue asked if there were any concerns with the City's Public Works Department and Assistant Director Ashby stated that there were no issues.

Council Member Chase MOVED to approve and enter into a street light agreement with PacifiCorp to provide a streetlight on the corner of 400 S and Manzanita Ave for the amount of \$6,523.20. 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 Western, Council Member Chase, Council Member Killpack, Council Member Bogue

Council Member Carter was absent.

7. Mayor Niles: Public Works Employee
Action: Discussion/Consideration for approval

Mayor Niles presented to Council that the Public Works Department is in need of hiring another employee. Council Member Bogue asked about whether the Public Works Director position had been advertised. Council Member Killpack asked if this would be a new hire for Public Works employee or the Director Position. Mayor Niles stated that this would be for an employee to help relieve and run call on the weekends so as not to wear out the current employees. Public Works employee Derek Nielson asked about putting out for both the Director and employee at the same time. Council Member Bogue stated that the Director position should be advertised and start there. After that position is filled, the decision of whether to get another employee could be determined.

Council Member Killpack MOVED to approve advertising and hiring a Public Works Director prior to hiring another Public Works employee. 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 Western, Council Member Chase, Council Member Killpack, Council Member Bogue

Council Member Carter was absent.

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. He stated Nate Nickle is willing to take over more of the building arrangements, the building permit side of it such as zoning, setbacks, and similar items. Nickle met with City Attorney Anderson to figure who will be doing what regarding this. Ashby also stated that Nickle is looking into some software programs for building permits and uniformity.

The Delta City splash pad is up and going and employees helped get the planting and maintenance of the park back on track. Some issues with one of the flow meters up at the ridgetop that he has been up to every night; Ashby feels this is resolved. Council Member Chase asked Ashby if Library Director Michelle Lovejoy had talked with him about the front walk to the library. She has had complaints from patrons about it becoming a tripping hazard. Assistant Director Ashby said he would connect with Lovejoy.

Ashby shared that a water line leak was fixed this past week. Sweeper has been operating and sweeping streets the last few days. With the sewer project, Phase is about finished; just wrapping up a few remaining items.

Ashby then presented to the Council that the state has contracted to have pipes checked for lead. The state will cover this cost and has a contractor coming that will test 379 homes in Delta from Sherwood Shores through all of the City. Council Member Bogue asked about letting homeowners know and Ashby said that the contractor will take care of notices. Council Member Killpack asked about next steps if lead lines are found. Ashby stated that Delta City would be responsible for anything from the street to the meter; homeowner would be responsible from meter to house.

ADDITIONAL ITEMS

Mayor Niles asked the Council about sponsoring Days of the Old West Rodeo. Attorney Anderson added that it is a donation and that this and advertisement falls within the corporate purpose. Council Member Killpack said the rodeo is part of the culture of the community and the motivation is to help local businesses with the tourists being drawn to the rodeo. Matt Ward added that the rodeo is an event that should be supported because it is popular with the residents of the area. Council Member Western stated that the High School Volleyball Team runs the concessions as part of a fundraiser and this supports that effort, as well. She also added that

sponsorship has already been budgeted for this year. Council Member Chase would like to see the Chamber of Commerce built up to be more of a driving force in the community; it should be there as support to local businesses, not just advertisement. It was agreed on that because the rodeo sponsorship is already budgeted and it was previously decided to provide this sponsorship, that it would be followed through on for this year.

ADJOURNMENT

Council Member Killpack MOVED to adjourn meeting at 8:01 pm. 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 Western, Council Member Chase, Council Member Killpack, Council Member Bogue
Council Member Carter was absent.

The meeting was adjourned at 8:01 p.m.





John Wesley Niles, Mayor



Sherri Westbrook, Recorder

