



## DELTA CITY COUNCIL REGULAR MEETING

Wednesday, April 16, 2025 at 7:00 PM

Delta City Municipal Complex Council Chambers\*

### MINUTES

#### PRESENT

Mayor John Niles  
Council Member Betty Jo Western  
Council Member Kelly Carter  
Council Member KC Bogue

#### ABSENT

Council Member Kiley Chase  
Council Member Nick Killpack

#### ALSO PRESENT

Sherri Westbrook  
Stetson Henrie  
Rebecca Peterson  
Todd Anderson  
Dent Kirkland  
Jessica Anderson  
Hank Anderson  
Matt Ward

Sue Peterson  
Michelle Lovejoy  
Keiza Mauzy  
Derek Nielson  
Lanie Lovell  
Stan Robison  
Linda Sorenson  
Kurt Sorenson

#### 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, Carter, and Bogue were present. Council Members Killpack and Chase 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 2025-04-02

The Regular City Council Meeting minutes held on 4/2/25 were presented for approval. Council Member Western mentioned that Steele Weston's name was spelled incorrectly. Council Member

Carter MOVED to approve the Regular City Council Meeting minutes held on 4/2/25 with the recommended changes. Council Member Bogue 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 Bogue.

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

Council Members Killpack and Chase were absent

2. Accounts Payable, Payroll, and Electronic Disbursements Approval: 2025-04-16 \$225,047.72

The Council reviewed the accounts payable, payroll, and electronic transactions for the period ending 4/16/25 for \$225,047.72. Council Member Carter asked for clarification on Millard County solid waste; it is the bill for the landfill that goes through Delta City's billing. Council Member Carter asked what the Mid-Utah radio charge was for; it is for the Chamber of Commerce advertising and the sports package. Council Member Western MOVED to approve the disbursed payments dated 4/16/25 for \$225,047.72. 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 Western, Seconded by Council Member Bogue.

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

Council Members Killpack and Chase were absent

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

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

3. Mayor John Niles; Contribution Requests (Days of the Old West Rodeo, Delta Boys' Tennis Fundraiser, West Desert H.S. yearbook ad.)

Action: Discussion/Consideration for approval

Mayor Niles introduced requests for contributions from the Days of the Old West Rodeo, the Delta Boys' Tennis fundraiser, and the West Desert High School yearbook advertisement. Council Member Carter advised against the advertisement. A public hearing must be held to allocate the funds, and a formal purpose must be established. Council Member Western noted that local businesses benefit from the rodeo. City Attorney Anderson urged the Council to proceed with the public hearing and ensure compliance. Council Member Western would like the contribution list prepared for the public hearing on May 7th at 6:45 p.m.

Council Member Western MOVED to table this item and hold a public hearing on May 7th at 6:45 p.m. 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 Western, Seconded by Council Member Bogue.

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

Council Members Killpack and Chase were absent

4. Mayor John Niles; Deputy Recorder new hire

Action: Discussion only

Interviews for the deputy recorder took place, and Angie Dewsnup was chosen. Her first day is set for May 1st.

5. Council Member Kelly Carter; Miss Delta Scholarship monetary amount

Action: Discussion/Consideration for approval

Council Member Carter initiated a discussion about the Miss Delta Scholarship. The current award amount is \$150, which has remained unchanged for over twenty years. Council Member Carter proposed that the Council increase the award amounts to \$1500 for the Queen, \$1000 for the First Attendant, and \$500 for the Second Attendant. The Council intends for the funds to support higher education and be used at the schools the winners attend. Recorder Westbrook will investigate whether they can retain funds for younger contestants. Council Member Bogue suggested scheduling the scholarship program earlier in the year.

Council Member Carter MOVED to increase the Miss Delta scholarship monetary amount to \$1500 for Queen, \$1000 for First Attendant, and \$500 for Second Attendant to be directed to a secondary education. 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 Carter, Seconded by Council Member Western.

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

Council Members Killpack and Chase were absent

6. Council Member K.C. Bogue; Moratorium for Delta City Attorney

Action: Discussion only

Mayor Niles asked the Council if they would like to discuss this agenda item after receiving the resignation letter from City Attorney Todd Anderson. Council Member Bogue explained that the reason for the moratorium was to take proactive measures. A letter regarding a rate increase was received from Attorney Todd Anderson at the last council meeting.

Council Member Carter inquired whether Deputy Attorney Jessica Anderson would take on the role of City Attorney or if they needed to officially appoint her. Attorney Todd Anderson noted that Attorney Jessica Anderson has been sworn in and can assume that position.

City Attorney Todd Anderson has submitted his resignation letter to the Delta City Council, with his last day set for April 30th. Deputy Attorney Jessica Anderson will provide legal services in the interim until RFPs are received. Attorney Jessica Anderson will also manage prosecution services, and civil matters can be addressed by her.

Council Member Western asked Attorney Jessica Anderson if she is interested in the City Attorney position. Attorney Jessica Anderson plans to submit a bid and will bill the city at the current rate of \$175 in the meantime. Attorney Jessica Anderson noted that she will adjust the bid to reflect any necessary monetary increase.

Council Member Western confirmed to Attorney Todd Anderson that she had reached out to discuss Attorney Jessica Anderson taking on the interim attorney role. Attorney Todd Anderson responded that he had spoken with Council Member Western but was planning to finish out the month and didn't assume she was inquiring about Attorney Jessica Anderson taking on the role immediately.

Council Member Bogue inquired whether the letter sent out two weeks ago reflected the usual process and whether a contract was involved. Attorney Todd Anderson responded that there was no contract.

Council Member Bogue asked Mayor Niles why this item was for discussion only and not for consideration for approval. Attorney Todd Anderson noted that the mayor or two City Council members can add an agenda item. Council Member Bogue stated that he, Council Member Carter, and

Council Member Western all requested this to be included as an agenda item. Mayor Niles added that he did not want to hold a vote when two council members were absent.

7. Council Member Betty Jo Western; Request for Proposal for Delta City Attorney  
Action: Discussion/Consideration for approval

Council Member Western initiated a discussion regarding the reception of requests for proposals for the Delta City Attorney position. Council Members Western and Carter have obtained documents from other cities to assist with these requests. The document indicates that the attorney should be capable of drafting codes, familiar with water law, and able to handle both civil and criminal prosecution.

The Council discussed overall guidelines for submitting requests. Council Member Western suggested that the Council open the bids simultaneously. The sealed bids will be timestamped and stored in the vault. Only hard copies will be accepted; no electronic submissions will be allowed. The envelopes should be labeled as Delta City Legal Services RFP. The deadline for submission is May 5th at 5 p.m.

Attorney Anderson proposed implementing a method to terminate the contract, possibly through an annual review. A new RFP will be issued in four years.

The attorney is required to attend City Council and other board meetings as requested by the City Council. Mayor Niles, Recorder Westbrook, and Public Works Director Kirkland wish for the attorney to be able to draft code.

The conference room at the city office will be available for the attorney's use.

Council Member Western will talk about using a contract with a third party.

Council Member Carter MOVED to approve the request for proposals for the Delta City Attorney and for Council Member Western to work with a third party on the use of a contract. 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 Carter, Seconded by Council Member Western.

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

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

Public Works Director Kirkland presented the Council with a public works report. They have been spraying weeds, repairing the airport fence, and fixing water leaks.

The sewer project is slowing down. The liners have 33 days remaining for lining. Main Street will soon be reduced to one lane.

Council Member Carter noted that the mud in front of the Middle School has been cleared away.

## ADDITIONAL ITEMS

Council Member Western would like to revisit agenda item six. They would like Jessica Anderson to take over as the Delta City Attorney at this time. Council Member Bogue agreed. Council Member Carter inquired whether the agenda item could be voted on since it was not marked for approval consideration.

City Attorney Anderson stated that he would maintain the same rate until the end of the month. Attorney Anderson's resignation date will remain April 30th, but he will transfer items to Attorney Jessica Anderson based on the Council's suggestion.

## ADJOURNMENT

Council Member Carter MOVED to adjourn the City Council meeting. 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 Carter, Seconded by Council Member Western.

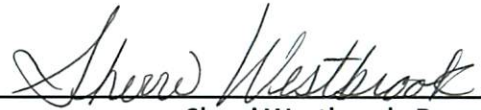
Voting Yea: Council Member Western, Council Member Carter, Council Member Bogue

Council Members Killpack and Chase were absent

The meeting was adjourned at 8:17 p.m.



John Wesley Niles, Mayor



Sherri Westbrook, Recorder