



# DELTA CITY COUNCIL REGULAR MEETING AGENDA

Wednesday, July 21, 2021 at 7:00 PM  
Delta City Municipal Complex Council Chambers\*

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## CALL TO ORDER

## OPENING REMARKS

## PLEDGE OF ALLEGIANCE

## CONSENT AGENDA

- [1.](#) Minutes Approval: CCPH (1) 2021-06-16
- [2.](#) Minutes Approval: CCPH (2) 2021-06-16
  
- [3.](#) Minutes Approval: RCCM 2021-06-16
  
4. Accounts Payable, Payroll, and Electronic Disbursements Approval: 2021-07-21 \$449,355.24

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

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

5. Mayor: John Niles  
Topic: Water Acquisition Fee Sherwood Shores  
Action: Discussion/Consideration for approval
6. Mayor John Niles  
Topic: Law Enforcement Fee increase  
Action: Discussion
7. Council Member Nick Killpack  
Topic: Resolution 21-454; Adopting the Delta City Transportation Plan  
Action: Discussion/Consideration for approval
8. Council Member Nick Killpack  
Topic: Ordinance 21-290, Land Use Amendments  
Action: Discussion/Consideration for approval
9. Dent R. Kirkland, Public Works Director, Public Works Update  
Discussion Only

## ADDITIONAL ITEMS

## ADJOURNMENT

**NOTICE:** Be advised the City Council may commence a Closed Meeting, pursuant to Utah Code Annotated (UCA) § 52-4-204 and § 52-4-205, (1953), as amended. Further, be aware the City Council may also conduct an Electronic Meeting so that a member of the Public Body may participate, pursuant to UCA §52-4-207, (1953), as amended. Agenda items are considered flexible and may be conducted sequentially different than illustrated herein to meet the needs of the City Council. Individuals and entities that have business before the City Council should be present at meeting commencement.

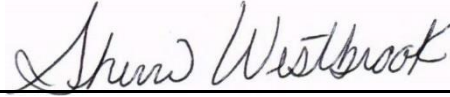
**CERTIFICATE OF MAILING & DELIVERY**

The below signed, duly-appointed and acting City Recorder for Delta City, Utah, hereby certifies that a copy of the foregoing Notice and Agenda was emailed to the Millard County Chronicle-Progress, LLC, chronpro@millardccp.com, electronically published on the Delta City and Utah Public Notice websites and was personally provided to each member of the City Council, on this date:

Monday, July 19, 2021

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**John Wesley Niles, Mayor**



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**Sherri Westbrook, Recorder**



**DELTA CITY COUNCIL  
CITY COUNCIL PUBLIC HEARING (2)**

Wednesday, June 16, 2021  
Delta City Municipal Complex Council Chambers  
76 North 200 West  
Delta, Utah 84624-9440

1 PRESENT

- 2 John W. Niles, Mayor
- 3 Brett C. Bunker, Council Member
- 4 Betty Jo Western, Council Member

5

6 ABSENT

- 7 Robert W. Banks, Council Member
- 8 Kiley J. Chase, Council Member
- 9 Nicholas W. Killpack, Council Member

10

11 OTHERS PRESENT

- 12 Sherri Westbrook, City Recorder
- 13 Todd F. Anderson, City Attorney
- 14 Michelle Lovejoy, Head Librarian
- 15 Jody Anderson, Treasurer

16

17

18 Mayor Niles called the meeting to order at 6:45 p.m. He stated that notice of the time, place and  
19 the agenda of the meeting had been posted at the Delta City Complex, on the Delta City website,  
20 on the Utah Public Notice website, had been provided to the Millard County Chronicle-Progress,  
21 LLC and to each member of the City Council at least 24 hours prior to the meeting. Mayor Niles  
22 conducted roll call. Council Members Bunker and Western were present. Council Members  
23 Chase, Banks and Killpack were absent.

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25 **Public Hearing to discuss proposed appropriations for the Fiscal Year 2022 budget.**

26 The Public Hearing was adjourned at 6:50 p.m.

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MINUTES APPROVED: 07/21/21

Unapproved



**DELTA CITY COUNCIL  
CITY COUNCIL PUBLIC HEARING (1)**

Wednesday, June 16, 2021  
Delta City Municipal Complex Council Chambers  
76 North 200 West  
Delta, Utah 84624-9440

1 PRESENT

- 2 John W. Niles, Mayor
- 3 Brett C. Bunker, Council Member
- 4 Betty Jo Western, Council Member

5

6 ABSENT

- 7 Robert W. Banks, Council Member
- 8 Kiley J. Chase, Council Member
- 9 Nicholas W. Killpack, Council Member

10

11 OTHERS PRESENT

- 12 Sherri Westbrook, City Recorder
- 13 Todd F. Anderson, City Attorney
- 14 Michelle Lovejoy, Head Librarian
- 15 Jody Anderson, Treasurer

16

17

18 Mayor Niles called the meeting to order at 6:30 p.m. He stated that notice of the time, place and  
19 the agenda of the meeting had been posted at the Delta City Complex, on the Delta City website,  
20 on the Utah Public Notice website, had been provided to the Millard County Chronicle-Progress,  
21 LLC and to each member of the City Council at least 24 hours prior to the meeting. Mayor Niles  
22 conducted roll call. Council Members Bunker and Western were present. Council Members  
23 Chase, Banks and Killpack were absent.

24

25 **PUBLIC HEARING TO DISCUSS THE AMENDMENT OF THE CURRENT OPERATING BUDGET FOR**  
26 **FISCAL YEAR 2021**

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28 The Public Hearing was adjourned at 6:40 p.m.

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MINUTES APPROVED: 07/21/21

Unapproved



**DELTA CITY COUNCIL  
REGULAR CITY COUNCIL MEETING**

Wednesday, June 16, 2021  
Delta City Municipal Complex Council Chambers  
76 North 200 West  
Delta, Utah 84624-9440

1 PRESENT

- 2 John W. Niles, Mayor
- 3 Brett C. Bunker, Council Member
- 4 Betty Jo Western, Council Member
- 5 Nicholas W. Killpack, Council Member

6

7 ABSENT

- 8 Robert W. Banks, Council Member
- 9 Kiley J. Chase, Council Member

10

11 OTHERS PRESENT

- 12 Sherri Westbrook, City Recorder
- 13 Todd F. Anderson, City Attorney
- 14 Matt Ward, Chronicle Progress
- 15 Travis Stanworth, Asst. Public Works Director
- 16 Dent Kirkland, Public Works Director
- 17 Michelle Lovejoy, Head Librarian
- 18 Mason Richins, City Intern
- 19 Jody Anderson, Admin. Director; Treasurer
- 20 Deb Greathouse
- 21 Charlie Edwards
- 22 Jane Beckwith
- 23 Bill Edwards
- 24 Bruce Curtis
- 25 Colton Griffiths

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27

28 Mayor Niles called the meeting to order at 7:00 p.m. He stated that notice of the time, place and  
29 the agenda of the meeting had been posted at the Delta City Complex, on the Delta City website,  
30 on the Utah Public Notice website, had been provided to the Millard County Chronicle-Progress,  
31 LLC and to each member of the City Council at least 24 hours prior to the meeting. Mayor Niles  
32 conducted roll call. Council Members Bunker, Western and Killpack were present. Council  
33 Members Chase and Banks were absent. Council Member Western offered the opening remarks  
34 and Mayor Niles led those in attendance in the Pledge of Allegiance.

35

36 **MINUTES**

37

38 The minutes of the Regular City Council Meeting held 6/02/21 were presented for approval.  
39 Council Member Killpack noticed that on line 29 there was a repeated phrase. Council Member  
40 Bunker MOVED to approve the minutes of the Regular City Council Meeting held 6/02/21 with  
41 the correction noted. The motion was SECONDED by Council Member Western. Mayor Niles

42 asked if there were any other questions or comments regarding the motion. There being none,  
43 he called for a vote. The motion passed with Council Member Killpack, Council Member Bunker,  
44 and Council Member Western in favor. Council Members Chase and Banks were absent.

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#### 46 **ACCOUNTS PAYABLE**

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48 The Council reviewed the accounts payable, payroll and electronic transactions for the period  
49 ending 6/16/21 in the amount of \$243,789.19. Council Member Western MOVED to approve the  
50 disbursed payments dated 6/16/21 in the amount of \$243,789.19. The motion was SECONDED  
51 by Council Member Killpack. Mayor Niles asked if there were any questions or comments  
52 regarding the motion. There being none, he called for a vote. The motion passed with Council  
53 Member Killpack, Council Member Bunker, and Council Member Western in favor. Council  
54 Members Chase and Banks were absent.

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#### 56 **PUBLIC COMMENT PERIOD**

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58 Jane Beckwith told the Council that the Topaz Museum had received over 800 guests since the  
59 15<sup>th</sup> of May, 2021.

60

#### 61 **BUSINESS**

62

#### 63 **Colton Griffiths: Vacate Easement**

64 The applicant was not present, the Council would like to discuss this item at a further date.

#### 65 **Rob Droubay: Notch Peak Phase 3, Plat H, Lots 20 & 21, Final Approval**

66 Council Member Western explained that Lots 20 and 21 were in proper compliance to Delta City  
67 codes and had been presented to Planning & Zoning with no concerns from the commission.  
68 Council Member Bunker MOVED to approve Notch Peak Phase 3, Plat H, Lots 20 & 21. The motion  
69 was SECONDED by Council Member Killpack. Mayor Niles asked if there were any other questions  
70 or comments regarding the motion. There being none, he called for a vote. The motion passed  
71 with Council Member Killpack, Council Member Bunker, and Council Member Western in favor.  
72 Council Members Chase and Banks were absent.

#### 73 **Charlie Edwards; Antelope Valley RV, LLC: Water Connection**

74 Charlie and Bill Edwards thanked the Delta City Council for meeting with them. Bill Edwards  
75 explained that they were under contract to purchase the Antelope Valley RV Park. He explained  
76 that they had spoken to City Attorney Anderson regarding the creation of a water hookup. He  
77 expressed that they would like to purchase four acre feet of water from Delta City and bond an  
78 additional acre foot. Public Works Director Kirkland explained that Delta City policy required a



79 quarter acre foot for every lot and after negotiating with Bill and Charlie, the Edwards' decided  
80 to use the existing well water for the irrigation use. Council Member Bunker asked if they planned  
81 on keeping their water. Charlie said that keeping their ten acre feet would be their preference.  
82 The Council explained that the first two acre feet would be \$3,000 per acre foot, and every  
83 additional acre would be \$5,000 per square foot. Council Member Bunker MOVED to accept  
84 Antelope Valley RV Water Conception Plan. The motion was SECONDED by Council Member  
85 Killpack. Mayor Niles asked if there were any other questions or comments regarding the motion.  
86 There being none, he called for a vote. The motion passed with Council Member Killpack, Council  
87 Member Bunker, and Council Member Western in favor. Council Members Chase and Banks were  
88 absent.

89 **Jody Anderson; Administrative Director/Treasurer: Financial Services**

90 Treasurer Anderson informed the Council that The State Bank of Southern Utah was extremely  
91 interested in having Delta City move its services. They have extended several offers with rates  
92 substantially lower than Zions Bank. She suggested a slow transition of several city accounts to  
93 The State Bank of Southern Utah while keeping accounts that needed to remain separated at  
94 Zions Bank. Council Member Bunker asked if that would be a problem for Delta City employees.  
95 Treasurer Anderson didn't think there would be any issues. Council Member Killpack MOVED to  
96 increase Delta City's relationship with The State Bank of Southern Utah according to what is most  
97 prudent to Delta City at the discretion of Delta City staff. The motion was SECONDED by Council  
98 Member Bunker. Mayor Niles asked if there were any other questions or comments regarding  
99 the motion. There being none, he called for a vote. The motion passed with Council Member  
100 Killpack, Council Member Bunker, and Council Member Western in favor. Council Members  
101 Chase and Banks were absent.

102  
103 **Mayor John Niles: Resolution 21-450; Wages & Compensation**

104 City Attorney Anderson explained to the Council what Resolution 21-450 entailed, with a focus  
105 on allowances given to employees. Council Member Western asked how Delta City had come to  
106 the cell phone allowance that was given to employees. Treasurer Anderson said that the dollar  
107 amount was already in place. Council Member Bunker suggested making the phone rate  
108 consistent for all employees.  
109 Council Member Killpack MOVED to adopt Resolution 21-450 Wages & Compensation with a  
110 correction to Stetson Henry's compensation, to correct a missing vehicle allowance, and to bring  
111 all cell phone allowances to \$45.00. The motion was SECONDED by Council Member Bunker.  
112 Mayor Niles asked if there were any other questions or comments regarding the motion. There  
113 being none, he conducted roll call. The motion passed with Council Member Killpack, Council  
114 Member Bunker and Council Member Western in favor. Council Members Chase and Banks were  
115 absent.

116  
117 **Mayor John Niles: Resolution 21-452; FY 2022 Budget Adoption & Certified Tax Rate approval**

118 Council Member Bunker MOVED to adopt Resolution 21-452 for the Fiscal Year 2022 Budget  
119 Adoption and Certified Tax Rate. The motion was SECONDED by Council Member Killpack. Mayor

120 Niles asked if there were any other questions or comments regarding the motion. There being  
121 none, he conducted roll call. The motion passed with Council Member Killpack, Council Member  
122 Bunker and Council Member Western in favor. Council Members Chase and Banks were absent.

123

124 **Mayor John Niles: Resolution 21-453; FY 2021 Budget Amendment**

125 Council Member Western MOVED to adopt Resolution 21-453 for Fiscal Year 2021 Budget  
126 Amendment. The motion was SECONDED by Council Member Bunker. Mayor Niles asked if there  
127 were any other questions or comments regarding the motion. There being none, he conducted  
128 roll call. The motion passed with Council Member Killpack, Council Member Bunker and Council  
129 Member Western in favor. Council Members Chase and Banks were absent.

130

131 **Mayor Niles: Resolution 21-451 Fee Schedule**

132 Council Member Killpack asked about the wording of the cost per acre foot. He said that the rate  
133 increase happened at the third acre foot. After some additional discussion to clarify the Fee  
134 Schedule, Council Member Killpack MOVED to adopt Resolution 21-451 with the amendments  
135 presented. The motion was SECONDED by Council Member Bunker. Mayor Niles asked if there  
136 were any other questions or comments regarding the motion. There being none, he conducted  
137 roll call. The motion passed with Council Member Killpack, Council Member Bunker and Council  
138 Member Western in favor. Council Members Chase and Banks were absent.

139

140 **Todd Anderson, Attorney: Resolution 21-454; Adopting the Delta City Transportation Plan**

141 Council Member Killpack presented the Transportation Plan to the Delta City Council and mayor.  
142 He explained how he had classified the roads that were existing in Delta City limits and how he  
143 had differentiated them. He also told the Council that Delta City's roads did not match with  
144 Millard County's road plan. The addresses for Delta City would not be correct if they used Millard  
145 County's road plan, so the best course of action would be to expand Delta City's own grid. The  
146 solution that he suggested for those addresses that were already incorrect was to give the roads  
147 non-numerical names. He also said that according to his new plan, no new alleys would be able  
148 to be created. After he explained several other sections of the new Transportation Plan it was  
149 decided to have the Planning and Zoning Commission look over the Transportation Plan before  
150 having a public hearing. Council Member Killpack MOVED to table the Transportation Master Plan  
151 Resolution 21-454. The motion was SECONDED by Council Member Western. Mayor Niles asked  
152 if there were any other questions or comments regarding the motion. There being none, he called  
153 for a vote. The motion passed with Council Member Killpack, Council Member Bunker, and  
154 Council Member Western in favor. Council Members Chase and Banks were absent.

155

156 **Todd Anderson, Attorney: Ordinance 21-290, Land Use Amendments**

157 After reading over the ordinance City Attorney Anderson asked the Council what they wanted  
158 the lot size to be in the Mobile Home Zone. He explained that he had 9,000 square feet in his  
159 notes from the previous meeting discussion but the Planning and Zoning Commission had  
160 decided on 7,500 square feet. After some discussion, the Council realized that there had been an  
161 error and that 9,000 square feet was the originally decided lot size. Council Member Killpack  
162 MOVED to table the Resolution 21-290 to adopt changes to land use ordinances. The motion was

163 SECONDED by Council Member Bunker. Mayor Niles asked if there were any other questions or  
164 comments regarding the motion. There being none, he called for a vote. The motion passed with  
165 Council Member Killpack, Council Member Bunker, and Council Member Western in favor.  
166 Council Members Chase and Banks were absent.

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169 **Dent R. Kirkland, Public Works Director: Public Works Update**

170 Public Works Director Kirkland told the Council that they were working on asphalt patching and  
171 concrete pouring before the 4<sup>th</sup> of July. Director Kirkland said that there was an issue with the  
172 irrigation on a citizen’s property and asked the Council for direction. The council suggested giving  
173 them a refund but if the citizen wanted the additional irrigation watering then to make the repairs  
174 to provide it. He told the Council that the railroad was making progress in city limits. He also  
175 informed the Council that they would be losing an employee and would be looking for suitable  
176 applicants.

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180 **MINUTES APPROVED: 07/21/21**

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