



# DELTA CITY COUNCIL REGULAR MEETING

## 2022-11-16

Wednesday, November 16, 2022 at 7:00 PM  
Delta City Municipal Complex Council Chambers\*

### MINUTES

2 PRESENT

3 Mayor John Niles  
4 Council Member Brett Bunker  
5 Council Member Betty Jo Western  
6 Council Member Nick Killpack  
7 Council Member Robert Banks

8 ABSENT

9 Council Member Kiley Chase

10 ALSO PRESENT

11 Bob Bunker  
12 Tammy Bunker  
13 Alecia Turner  
14 Alan Riding  
15 Michelle Lovejoy  
16 Sherri Westbrook  
17 Dent Kirkland  
18 Todd Anderson

19 **CALL TO ORDER**

20 Mayor Niles called the meeting to order at 7:00 p.m. He stated that notice of the time, place and the agenda of  
21 the meeting had been posted at the Delta City Complex, on the Delta City website, on the Utah Public Notice  
22 website, had been provided to the Millard County Chronicle-Progress, LLC and to each member of the City  
23 Council at least 24 hours prior to the meeting. Mayor Niles conducted roll call. Council Members Banks,  
24 Western, Killpack, and Bunker were present. Council Member Chase was absent.

25 **OPENING REMARKS**

26 Council Member Banks offered the opening remarks.

27 **PLEDGE OF ALLEGIANCE**

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

29 **CONSENT AGENDA**

30 1. Minutes Approval: RCCM 2022-11-02

31 The minutes of the Regular City Council Meeting held 11/2/22 were presented for approval. Council  
32 Member Western MOVED to approve the minutes of the Regular City Council Meeting held 11/2/22.  
33 The motion was SECONDED by Council Member Bunker. Mayor Niles asked if there were any other  
34 questions or comments regarding the motion. There being none, he called for a vote.

35 Motion made by Council Member Western, Seconded by Council Member Bunker.

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

37 Member Banks  
38 Council Member Chase was absent.  
39

40 2. Accounts Payable, Payroll, and Electronic Disbursements Approval: 2022-11-16 \$347,390.65

41 The Council reviewed the accounts payable, payroll and electronic transactions for the period ending  
42 11/16/22 in the amount of \$347,390.65. Council Member Bunker MOVED to approve the disbursed  
43 payments dated 11/16/22 in the amount of \$347,390.65. The motion was SECONDED by Council  
44 Member Killpack. Mayor Niles asked if there were any questions or comments regarding the motion.  
45 There being none, he called for a vote.

46 Motion made by Council Member Bunker, Seconded by Council Member Killpack.  
47 Voting Yea: Council Member Bunker, Council Member Western, Council Member Killpack, Council  
48 Member Banks  
49 Council Member Chase was absent.  
50

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

52 Bob Bunker asked if there were any violations pertaining to the feed lot near the Droubay subdivision. He has  
53 heard rumor that it is a non-conforming use. The feed lot is zoned R1 and the corrals are in zone A5. He asked to  
54 receive documentation if things change. City Attorney Anderson informed him that a certain amount of animals  
55 are allowed per square feet, and if discontinued for 45 days, it would be considered as abandoned. Attorney  
56 Anderson believes that Delta City code supersedes state code.

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

58 3. Jose Alfredo Marquez; Zone Change Request from R2 to R4  
59 Action: Discussion/Consideration for approval

60 The Council reviewed Jose Alfredo Marquez' zone change request from R2 to R4. The public had  
61 concerns about increased traffic, density, and parking. All the public present at the Planning and  
62 Zoning meeting were against it. It received a negative recommendation from the Planning and Zoning  
63 Commission.

64 Council Member Bunker MOVED to deny the zone change request from R2 to R4 for Jose Alfredo  
65 Marquez. The motion was SECONDED by Council Member Killpack. Mayor Niles asked if there were  
66 any questions or comments regarding the motion. There being none, he called for a vote.

67 Motion made by Council Member Bunker, Seconded by Council Member Killpack.  
68 Voting Yea: Council Member Bunker, Council Member Western, Council Member Killpack, Council  
69 Member Banks  
70 Council Member Chase was absent.  
71

72 4. Attorney Todd Anderson; Ordinance 2022-299  
73 Action: Discussion/Consideration for approval

74 City Attorney Todd Anderson presented Ordinance 2022-299 to the Council with proposed changes to  
75 the code.

76 The proposed changes included when splitting a parcel on a zoning boundary, the owner will decide  
77 which zone they would like to be in, which will not be able to change once defined. There were some  
78 discrepancies in the fencing section, and it was decided that the sight distance triangle would be the  
79 better option. Two alternate Planning and Zoning Commission Members will be appointed who will

80 attend meetings and fill seats as needed. The Planning and Zoning Chairman can now vote, but if there  
81 is a tie, it does not pass. A change was made to the tandem parking which will make it so tandem  
82 parking will not be counted as parking. Fencing on narrow rights-of-way was discussed, room must be  
83 left outside the fence for the sidewalk.

84 Council Member Killpack MOVED to approve Ordinance 2022-299. The motion was SECONDED by  
85 Council Member Banks. Mayor Niles asked if there were any questions or comments regarding the  
86 motion. There being none, he called for a vote.

87 Motion made by Council Member Killpack, Seconded by Council Member Banks.  
88 Voting Yea: Council Member Bunker, Council Member Western, Council Member Killpack, Council  
89 Member Banks  
90 Council Member Chase was absent.  
91

92 5. Dent R. Kirkland, Public Works Director, Public Works Update  
93 Discussion Only

94 Public Works Director Kirkland provided a Public Works update to the Council. He explained that Friday  
95 was too muddy for the scheduled city cleanup, so they put a full day in on Saturday and hauled about  
96 35 loads of green waste. Kirkland updated the council on the CDBG surveys. Delta City will not qualify  
97 due to the LMI being at 43%, and 51% is needed. This survey should be redone in a year to see if the  
98 LMI percentage can be met then.

99 **ADDITIONAL ITEMS**

100 **ADJOURNMENT**

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

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

108 The meeting was adjourned at 7:53 p.m.  
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John Wesley Niles, Mayor

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Sherri Westbrook, Recorder

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