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DELTA CITY CITY COUNCIL REGULAR MEETING

Wednesday, June 15, 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 Kiley Chase
7 Council Member Nick Killpack

8 NOT PRESENT

9 Council Member Robert Banks

10 ALSO PRESENT

11 Todd Anderson
12 Dent Kirkland
13 Sherri Westbrook (via Zoom)
14 Jody Anderson
15 Michelle Lovejoy
16 Matt Ward
17 Bruce Curtis
18 Keith Morris
19 Charlie Edwards
20 Bill Edwards
21 Molly Brown

22

23 **CALL TO ORDER**

24 Mayor Niles called the meeting to order at 7:01 p.m. He stated that notice of the time, place and the agenda of
25 the meeting had been posted at the Delta City Complex, on the Delta City website, on the Utah Public Notice
26 website, had been provided to the Millard County Chronicle-Progress, LLC and to each member of the City
27 Council at least 24 hours prior to the meeting. Mayor Niles conducted roll call. Council Members Bunker,
28 Western, Chase, and Killpack were present. Council Members Banks was absent.

29 **OPENING REMARKS**

30 Council Member Chase offered the opening remarks.

31 **PLEDGE OF ALLEGIANCE**

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

33 **CONSENT AGENDA**

34 1. Minutes Approval: RCCM 2022-05-18

35 The minutes of the Regular City Council Meeting held 5/18/22 were presented for approval. Council
36 Member Western MOVED to approve the minutes of the Regular City Council Meeting held 5/18/22.
37 The motion was SECONDED by Council Member Killpack. Mayor Niles asked if there were any other
38 questions or comments regarding the motion. There being none, he called for a vote.

Motion made by Council Member Western, Seconded by Council Member Killpack.
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: June 15, 2022 \$178,776.52

The Council reviewed the accounts payable, payroll and electronic transactions for the period ending 6/15/22 in the amount of \$178,776.52. Council Member Bunker MOVED to approve the disbursed payments dated 6/15/22 in the amount of \$178,776.52. 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

PUBLIC COMMENT PERIOD – Ten (10) Minutes Total Limitation

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

3. Spencer Pack; Zone Change, Ordinance 22-297
Action: Discussion/Consideration for Approval

Nick Killpack provided a report to the Council about Spencer Pack's zone change from A5 to I1. A few people were in attendance at the Public Hearing to express concerns about what the impact on wildlife would be if the zoning were to change to industrial. There was discussion about what is not permitted to be built in city limits. The Planning and Zoning Commission had a positive recommendation on this zone change.

Council Member Killpack MOVED to approve Ordinance 22-297. 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

4. Tom Tasker: Preliminary Plat Approval for Tasker Block 99 Minor Subdivision
Action: Discussion/Consideration for Approval

Tom Tasker would like to subdivide his property just north of 300 North. Sewer and water will need to be installed and a bond for the sidewalk will need to be placed. Curb and gutter will not be required because it is in the redevelopment area. The Planning and Zoning Commission had a positive recommendation for the preliminary plat for the Tasker Block 99 Minor Subdivision.

Council Member Chase MOVED to approve the preliminary plat for the Tasker Block 99 Minor Subdivision. 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. Travis Stanworth, Preliminary Plat Approval for Stanworth Block 71 Minor Subdivision
Action: Discussion/Consideration for approval

Travis Stanworth would like to subdivide his property. Curb and gutter is already installed and the property is located on a paved road. Sidewalk will need to be installed. The Planning and Zoning Commission had a positive recommendation for the preliminary plat for the Stanworth Block 71 Minor Subdivision.

Council Member Bunker MOVED to approve the preliminary plat for the Stanworth Block 71 Minor Subdivision. 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 Bunker, Seconded by Council Member Western.
Voting Yea: Council Member Bunker, Council Member Western, Council Member Chase, Council
Member Killpack
Council Member Banks was absent

6. Mayor Niles; Planning & Zoning Member replacement and Alternate member
Action: Discussion/Consideration for Approval

Megan Davies has asked to be excused from the Planning and Zoning Commission Board. Mayor Niles has a list of names and has asked that the Council to suggest more names of any individual that would like to be a member of the Planning & Zoning Commission. Mayor Niles discussed having an alternate member for the Planning and Zoning Commission.

Council Member Chase MOVED to approve the Planning and Zoning Member replacement and Alternate Member. The motion was SECONDED by Council Member Killpack. 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 Killpack.
Voting Yea: Council Member Bunker, Council Member Western, Council Member Chase, Council
Member Killpack
Council Member Banks was absent

7. Mayor Niles; Resolution 22-462, National Independence Day, Juneteenth
Action: Discussion/Consideration for Approval

Mayor Niles asked for the addition of Juneteenth to be added to the personnel policy as a Federal Holiday and follow the policy pertaining to the recognition of the holiday when occurring on a non-work day.

Council Member Bunker MOVED to approve Resolution 22-462. The motion was SECONDED by Council Member Killpack. 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 Killpack.
Voting Yea: Council Member Bunker, Council Member Western, Council Member Chase, Council
Member Killpack.

126 Council Member Banks was absent
127

128 8. Mayor Niles; Resolution 22-463 Adopting Budget for FY 2023
129 Action: Discussion/Consideration for Approval

130 Council Member Killpack inquired about the Law Enforcement Budget item, Recorder Westbrook
131 remarked that it is paid off of the invoice and was left as is but can be added.
132 Attorney Anderson would like to either include irrigation or get rid of the line item. Recorder
133 Westbrook left it there for the beautification budget.

134 Council Member Killpack MOVED to approve Resolution 22-463 with an added 4 percent increase for
135 law enforcement making it \$260,267 on line number 10-51-35. The motion was SECONDED by Council
136 Member Bunker. Mayor Niles asked if there were any questions or comments regarding the motion.
137 There being none, he called for a vote.

138 Motion made by Council Member Killpack, Seconded by Council Member Bunker.
139 Voting Yea: Council Member Bunker, Council Member Western, Council Member Chase, Council
140 Member Killpack
141 Council Member Banks was absent
142

143 9. Mayor Niles; Resolution 22-464, Amending Budget for FY 2022
144 Action: Discussion/Consideration for Approval

145 Council Member Bunker MOVED to approve Resolution 22-464. The motion was SECONDED by Council
146 Member Chase. Mayor Niles asked if there were any questions or comments regarding the motion.
147 There being none, he called for a vote.

148 Motion made by Council Member Bunker, Seconded by Council Member Chase.
149 Voting Yea: Council Member Bunker, Council Member Western, Council Member Chase, Council
150 Member Killpack
151 Council Member Banks was absent
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153 10. Mayor Niles; Resolution 22-465 Compensation/Salaries for FY 2023
154 Action: Discussion/Consideration for Approval

155 Council Member Chase MOVED to approve Resolution 22-465. The motion was SECONDED by Council
156 Member Western. Mayor Niles asked if there were any questions or comments regarding the motion.
157 There being none, he called for a vote.

158 Motion made by Council Member Chase, Seconded by Council Member Western.
159 Voting Yea: Council Member Bunker, Council Member Western, Council Member Chase, Council
160 Member Killpack
161 Council Member Banks was absent
162

163 11. Ordinance 22-295; Amending Title 18 of the Delta City Code
164 Action: Discussion/Consideration for Approval

165 The Planning and Zoning Commission gave a positive recommendation to amend Title 18 of the Delta
166 City Code. City Attorney Anderson presented the proposed changes for Title 18 which addresses House
167 Bill 82. State legislature only allows regulating parking, owner-occupation, and requirement of a
168 permit.

169 RV Parks will allow up to ten percent of cabins or park model trailers in the park.

170 Up to 3 storage containers will be allowed in the industrial and agricultural zones for personal use.

171 Commercial zones can be used temporarily for storage but will require a no cost permit. Council

172 Member Western would like storage units to be considered in the RR2 zone as well. RR2 Zone was

173 previously taken off because of the Droubay Covenant, but could be added back.

174 Council Member Killpack MOVED to approve Ordinance 22-295 with the addition of storage containers

175 being allowed in Zone RR2. The motion was SECONDED by Council Member Bunker. Mayor Niles asked

176 if there were any questions or comments regarding the motion. There being none, he called for a vote.

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

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

179 Member Killpack

180 Council Member Banks was absent

181

182 12. Ordinance 22-296; Amending Title 18 of the Delta City Code (Extended Stay Rental)

183 Action: Discussion/Consideration for Approval

184 The Planning and Zoning Commission gave a negative recommendation to this amendment of Title 18

185 of the Delta City Code. Transient room tax can only be collected on the first 30 days. Council Member

186 Killpack had concerns about a zoning issue, and that the hotels would be turned into apartment

187 buildings, and the RV parks into mobile home parks. Planning and Zoning wanted to scratch this

188 amendment and go back to how it is now. Council Member Chase recommended revisiting the idea in

189 the future, but there is a need for housing right now.

190 Kevin Morris of Millard County Tourism was in attendance. Morris met with local motels, and they will

191 keep 30 percent of rooms open for tourism, and they will have occupants move rooms every 30 days

192 so they will continue to collect transient room tax. Morris has talked with IPA, who told him that any

193 tourism dollars lost during this time will be compensated for. RV spots will be harder to move every 30

194 days. The RV park is willing to track long term stays and work with the city. They are offering to have

195 30-40 spots in the summer open for tourism and then fill them in the winter. They will have a one

196 vehicle limit, with additional parking available at Delta Valley Trucking. Council Member Western asked

197 if Antelope RV Park could label their spots, and Edwards replied that he already has the stencils and is

198 planning on it.

199 Council Member Bunker MOVED to table Ordinance 22-296. The motion was SECONDED by Council

200 Member Western. Mayor Niles asked if there were any questions or comments regarding the motion.

201 There being none, he called for a vote.

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

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

204 Member Killpack

205 Council Member Banks was absent

206

207 13. Dent R. Kirkland, Public Works Director, Public Works Update

208 Discussion Only

209 Public Works Director Dent Kirkland provided the Council with a Public Works update.

210 Kirkland met with Rob Droubay's engineer who showed them a new style of storm drain box which

211 exceeds the ten year storm requirement. Kirkland thinks it is worth it for Delta City to install them.

212

213 Roy Wood's property has been cleaned up, and will be made into a parking lot for the 4th of July.
214 Kirkland received the bill for the clean-up of the Wood property from the landfill and found out they
215 charged for city clean-up as well; they were previously told that there would be no charge for city
216 clean-up.

217 Seasonal help Grady Lovell will be leaving at the end of June.

218 **ADDITIONAL ITEMS**

219 Council Member Killpack would like Delta City to front the bill for one of the firefighter dinners.

220 **ADJOURNMENT**

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

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

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

227 Council Member Banks was absent

228

229 The meeting was adjourned at 9:13 p.m.
230

John Wesley Niles, Mayor

Sherri Westbrook, Recorder

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