



DELTA CITY COUNCIL REGULAR MEETING

Wednesday, June 21, 2023 at 7:00 PM

Delta City Municipal Complex Council Chambers*

MINUTES

PRESENT

Mayor Pro Tempore Betty Jo Western
Council Member Brett Bunker
Council Member Nick Killpack

NOT PRESENT

Mayor John Niles
Council Member Robert Banks
Council Member Kiley Chase

ALSO PRESENT

Sherri Westbrook
Matt Ward
Todd Anderson
Michelle Lovejoy

CALL TO ORDER

Mayor Pro Tempore Western called the meeting to order at 7:01 p.m. She 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, on the Utah Public Notice website, 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 Pro Tempore Western conducted a roll call. Council Members Killpack, Bunker, and Western were present. Council Member Banks, Chase, and Mayor Niles were absent.

OPENING REMARKS

Mayor Pro Tempore Western offered the opening remarks.

PLEDGE OF ALLEGIANCE

Mayor Pro Tempore Western led those in attendance in the Pledge of Allegiance.

CONSENT AGENDA

1. Minutes Approval: RCCM 2023-06-07

The minutes of the Regular City Council Meeting held on 6/7/23 were presented for approval. Council Member Bunker MOVED to approve the minutes of the Regular City Council Meeting held on 6/7/23. The motion was SECONDED by Council Member Killpack. Mayor Tempore Western asked if there were any other questions or comments regarding the motion. There being none, she called for a vote.

Motion made by Council Member Bunker, Seconded by Council Member Killpack
Voting Yea: Council Member Bunker, Mayor Pro Tempore Western, Council Member Killpack
Council Members Banks and Chase were absent

2. Accounts Payable, Payroll, and Electronic Disbursements Approval: 2023-06-21 \$311,293.21

Delta City Council Regular Meeting

MINUTES

June 21, 2023

*Delta City Municipal Complex Council Chambers, 76 North 200 West, Delta, Utah 84624-9440

The Council reviewed the accounts payable, payroll, and electronic transactions for the period ending 6/21/23 of \$311,293.21. Council Member Bunker MOVED to approve the disbursed payments dated 6/21/23 of \$311,293.21. The motion was SECONDED by Council Member Killpack. Mayor Pro Tempore Western asked if there were any questions or comments regarding the motion. There being none, she called for a vote.

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

Voting Yea: Council Member Bunker, Mayor Pro Tempore Western, Council Member Killpack

Council Members Banks and Chase were absent

PUBLIC COMMENT PERIOD – Ten (10) Minutes Total Limitation

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

3. Lyndon Friant, Jones & DeMille Engineering; Road Plan proposal
Action: Discussion/Consideration for approval

Lyndon Friant of Jones & DeMille Engineering presented a road plan proposal to the Council. Friant recommended applying for grants from UDOT. UDOT has a planning grant opening in October for master plans. Millard County received \$80,000 for the master road plan. Friant suggested that Delta City have a master road plan made at the same time as Millard County. Council Member Killpack would like a road plan in place by December 2024. Friant suggested starting traffic counts and identifying collector roads inside Delta City. Performing traffic counts at the same time as Millard County would save on travel costs.

Council Member Killpack MOVED to table the road plan proposal. The motion was SECONDED by Council Member Bunker. Mayor Pro Tempore Western asked if there were any questions or comments regarding the motion. There being none, she called for a vote.

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

Voting Yea: Council Member Bunker, Mayor Pro Tempore Western, Council Member Killpack
Council Members Banks and Chase were absent

5. Mayor Tempore Betty Jo Western; Resolution 23-474 Employee Bonus
Action: Discussion/Consideration for approval

Council Member Bunker MOVED to approve Resolution 23-474. The motion was SECONDED by Council Member Killpack. Mayor Pro Tempore Western asked if there were any questions or comments regarding the motion. There being none, she called for a vote.

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

Voting Yea: Council Member Bunker, Mayor Pro Tempore Western, Council Member Killpack
Council Members Banks and Chase were absent

6. Mayor Tempore Betty Jo Western; Resolution 23-471 FY 2022 - 2023 Amended Budget
Action: Discussion/Consideration for approval

Council Member Killpack noted that the revenue was more than expected, and Recorder Westbrook remarked that transient taxes are up.

Council Member Killpack MOVED to approve Resolution 23-471 with future adjustment and maintenance to keep compliant with state code. The motion was SECONDED by Council Member Bunker. Mayor Pro Tempore Western asked if there were any questions or comments regarding the motion. There being none, she called for a vote.

Motion made by Council Member Killpack, Seconded by Council Member Bunker.
Voting Yea: Council Member Bunker, Mayor Pro Tempore Western, Council Member Killpack
Council Members Banks and Chase were absent

7. Mayor Tempore Betty Jo Western; Resolution 23-472 FY 2023 - 2024 Salaries and Wages
Action: Discussion/Consideration for approval

Council Member Bunker MOVED to approve Resolution 23-472. The motion was SECONDED by Council Member Killpack. Mayor Pro Tempore Western asked if there were any questions or comments regarding the motion. There being none, she called for a vote.

Motion made by Council Member Bunker, Seconded by Council Member Killpack.
Voting Yea: Council Member Bunker, Mayor Pro Tempore Western, Council Member Killpack
Council Members Banks and Chase were absent

8. Mayor Tempore Betty Jo Western; Form PT-800 Adopting Tax Year 2023 Certified Tax Rate
Action: Discussion/Consideration for approval

Recorder Westbrook noted that the Council already accepted the tax rate in the budget, but it will need to be sent to the County.

Council Member Killpack MOVED to approve Form PT-800 and the 2023 certified tax rate. The motion was SECONDED by Council Member Bunker. Mayor Pro Tempore Western asked if there were any questions or comments regarding the motion. There being none, she called for a vote.

Motion made by Council Member Killpack, Seconded by Council Member Bunker.
Voting Yea: Council Member Bunker, Mayor Pro Tempore Western, Council Member Killpack
Council Members Banks and Chase were absent

9. Mayor Tempore Betty Jo Western; Resolution 23-473 FY 2023-2024 Budget Adoption
Action: Discussion/Consideration for approval

Council Member Bunker MOVED to approve Resolution 23-473. The motion was SECONDED by Council Member Killpack. Mayor Pro Tempore Western asked if there were any questions or comments regarding the motion. There being none, she called for a vote.

Motion made by Council Member Bunker, Seconded by Council Member Killpack.
Voting Yea: Council Member Bunker, Mayor Pro Tempore Western, Council Member Killpack
Council Members Banks and Chase were absent

10. Mayor Tempore Betty Jo Western; Six County Regional Growth Summit - Information Share
Action: Discussion Only

Delta City Council Members discussed the information they gathered at the Six County Regional Growth Summit.

Council Member Bunker attended a few break-out sessions where they urged making sure the code is in place.

Council Member Killpack suggested making a checklist for land use to meet compliance. Killpack learned that legislative authority will no longer have the authority to be administrators, so a checklist will be helpful. Killpack attended a session about annexation and the relationship between County and City. He also attended a session about exaction and how to recoup costs for the initial developer.

Mayor Pro Tempore Western attended sessions about taxes, budgeting, and grants for roads. She also attended a session on different ways to conduct meetings such as electronic-only public attendance.

City Attorney Anderson attended sessions on code enforcement and nuisance. Public Works Director Kirkland remarked that a lot of cities seem to have the same problems without solutions.

Council Member Killpack MOVED to move into closed session to discuss pending or reasonably imminent litigation at 7:47. The motion was SECONDED by Council Member Bunker.

-----Closed Session-----

Council Member Killpack MOVED to move into City Council Regular Meeting at 8:42 p.m. The motion was SECONDED by Council Member Bunker.

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

Public Works Director Kirkland provided a public works update to the City Council. They have been sweeping the streets. Parts have been ordered for station 1.2. They are experiencing problems with Gardener Well; Kirkland thinks it might be a power issue. The water tank has been drained and filled, and samples will be taken. They will finish painting the outside of the water tower next week. Asphalt is not available to patch the roads.

Council Member Killpack MOVED to move into a closed session for a discussion of the character, professional competence, or physical or mental health of an individual at 8:46 p.m. The motion was SECONDED by Council Member Bunker. Mayor Pro Tempore excused all City staff from attendance.

-----Closed Session-----

Council Member Killpack MOVED to move into City Council Regular Meeting at 10:28 p.m. The motion was SECONDED by Council Member Bunker.

4. Attorney Todd Anderson; Request for Proposal for Public Defender
Action: Discussion/Consideration for approval

Council Member Killpack presented the proposal for Public Defender to the City Council. Public Defender Larry Hunt, Gregory Stewart and Spencer Thomas, and Aaron Wise all submitted proposals. Council Member Bunker was pleased with the candidates but liked the idea of Gregory Stewart and Spencer Thomas being a team. Council Member Killpack would like Hunt to keep the cases that he has currently.

Council Member Killpack MOVED to approve the appointment of Gregory Stewart and Spencer Thomas as Public Defender for Delta City starting July 1st and allowing Larry Hunt to finish his open cases. The motion was SECONDED by Council Member Bunker. Mayor Pro Tempore Western asked if there were any questions or comments regarding the motion. There being none, she called for a vote.

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

Voting Yea: Council Member Bunker, Mayor Pro Tempore Western, Council Member Killpack
Council Members Banks and Chase were absent

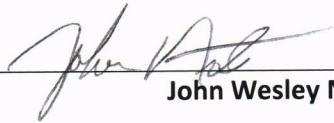
ADDITIONAL ITEMS

ADJOURNMENT

Council Member Bunker MOVED to adjourn the meeting. The motion was SECONDED by Council Member Killpack. Mayor Pro Tempore Western asked if there were any questions or comments regarding the motion. There being none, she called for a vote.

Motion made by Council Member Bunker, Seconded by Council Member Killpack.
Voting Yea: Council Member Bunker, Mayor Pro Tempore Western, Council Member Killpack
Council Members Banks and Chase were absent
The meeting was adjourned at 10:35 p.m.





John Wesley Niles, Mayor



Sherri Westbrook, Recorder

CITY OF DELTA, UTAH
EXECUTIVE SESSION (CLOSED MEETING) SWORN STATEMENT

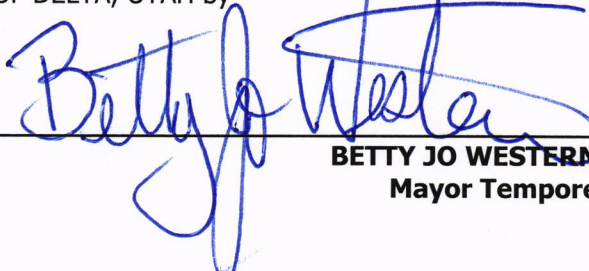
(As Permitted under Title 52, Chapter 4, Parts 204-205, Utah Code Annotated (1953 Ed), as amended)

I, Betty Jo Western, Mayor Tempore, swear, as the person presiding at this executive session, that the sole purpose for closing the session was to discuss the following:

- ☐ ___ §52-4-205(1)(a) Discussion of the character, professional competence, or physical or mental health of an individual; or
- ☐ ___ §52-4-205(1)(b) Strategy sessions to discuss collective bargaining; or
- ☒ ___ §52-4-205(1)(c) Strategy sessions to discuss pending or reasonably imminent litigation; or
- ☐ ___ §52-4-205(1)(d) Strategy sessions to discuss the purchase, exchange, or lease of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms; or
- ☐ ___ §52-4-205(1)(e) Strategy sessions to discuss the sale of real property when:
- public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms;
 - the public body had previously given public notice that the property would be offered for sale, and;
 - the terms of the sale are publicly disclosed before the public body approves the sale; or
- ☐ ___ §52-4-205(1)(f) Discussion regarding deployment of security personnel, devices, or systems, and
- ☐ ___ §52-4-205(1)(g) Investigative proceedings regarding allegations of criminal misconduct.

Sworn to and executed this date, June 21, 2023.

CITY OF DELTA, UTAH by



BETTY JO WESTERN
Mayor Tempore

STATE OF UTAH)
) ss.
CITY OF DELTA)

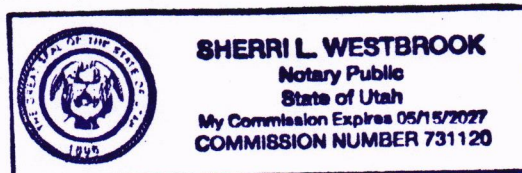
Subscribed and Sworn to this date, June 21, 2023, by Mayor Tempore Betty Jo Western.



SHERRI WESTBROOK
NOTARY PUBLIC

My Commission Expires 05-15-2027

Residing at 330 Nottingham, Delta, UT 84624



CITY OF DELTA, UTAH
EXECUTIVE SESSION (CLOSED MEETING) SWORN STATEMENT

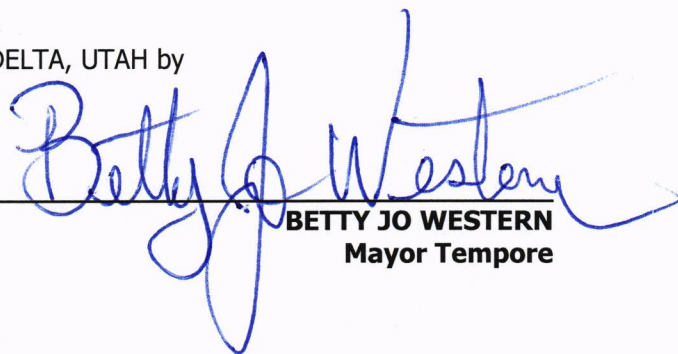
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- public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms;
 - the public body had previously given public notice that the property would be offered for sale, and;
 - the terms of the sale are publicly disclosed before the public body approves the sale; or
- ☐ §52-4-205(1)(f) Discussion regarding deployment of security personnel, devices, or systems, and
- ☐ §52-4-205(1)(g) Investigative proceedings regarding allegations of criminal misconduct.

Sworn to and executed this date, June 21, 2023.

CITY OF DELTA, UTAH by



BETTY JO WESTERN
Mayor Tempore

STATE OF UTAH)
) ss.
CITY OF DELTA)

Subscribed and Sworn to this date, June 21, 2023, by Mayor Tempore Betty Jo Western.



SHERRI WESTBROOK
NOTARY PUBLIC

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Residing at 330 Nottingham, Delta, UT 84624

