



DELTA CITY COUNCIL REGULAR MEETING

Wednesday, November 02, 2022 at 7:00 PM

Delta City Municipal Complex Council Chambers*

MINUTES

CALL TO ORDER

PRESENT

Mayor John Niles
Council Member Brett Bunker
Council Member Betty Jo Western
Council Member Kiley Chase
Council Member Nick Killpack
Council Member Robert Banks

ALSO PRESENT

Alecia Turner
Derek Huntsman
Mary Christensen
Jon Haderlie, CPA
Cody Powell
Steven Tervort
Becca Jeffery
Steve Styler
Vicki Nielson
Spencer Nielson
Duane Rawlinson

Dan Bringard
Sue Bringard
Vicki Lyman
Diane Greene
Gary Greene
Jody Anderson
Dent Kirkland
Matt Ward
Michelle Lovejoy
Sherri Westbrook
Todd Anderson

CALL TO ORDER

Mayor Niles called the meeting to order at 7:01 p.m. He stated that notice of the time, place and the 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 to each member of the City Council at least 24 hours prior to the meeting. Mayor Niles conducted roll call. Council Members Banks, Western, Chase, Killpack, and Bunker were present.

OPENING REMARKS

Mayor Niles offered the opening remarks.

PLEDGE OF ALLEGIANCE

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

CONSENT AGENDA

1. Minutes Approval: RCCM 2022-10-05

The minutes of the Regular City Council Meeting held 10/5/22 were presented for approval. Council Member Western MOVED to approve the minutes of the Regular City Council Meeting held 10/5/22.

The motion was SECONDED by Council Member Bunker. 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 Western, Seconded by Council Member Bunker.

Voting Yea: Council Member Bunker, Council Member Western, Council Member Chase, Council Member Killpack, Council Member Banks

2. Minutes Approval: CCSM 2022-10-13

The minutes of the City Council Special Meeting held 10/13/22 were presented for approval. Council Member Banks MOVED to approve the minutes of the City Council Special Meeting held 10/13/22. The motion was SECONDED by Council Member Killpack. 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 Banks, Seconded by Council Member Killpack.

Voting Yea: Council Member Bunker, Council Member Western, Council Member Chase, Council Member Killpack, Council Member Banks

3. Accounts Payable, Payroll, and Electronic Disbursements Approval: 2022-11-02 \$371,236.45

The Council reviewed the accounts payable, payroll and electronic transactions for the period ending 11/2/22 in the amount of \$371,236.45. Council Member Killpack MOVED to approve the disbursed payments dated 11/2/22 in the amount of \$371,236.45. 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

PUBLIC COMMENT PERIOD – Ten (10) Minutes Total Limitation

Duane Rawlinson appeared before the Council to voice his concerns about a new 14 home unit being built in his neighborhood surrounded by single family homes. Rawlinson is worried about traffic on Center Street and around Delta South Elementary School. Rawlinson would have preferred to be notified about this possibility sooner.

Becca Jeffery wanted to know when the land where the new 14 home unit is to be built was zoned R4, as she was not aware of the change.

Vicki Nielson would like to see single family homes built there. Nielson has concerns about drainage issues in that area with added homes.

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

4. John Haderlie; Larson & Company, PC: FY 2022 Annual Audit presentation

Action: Discussion/Consideration for approval

Auditor John Haderlie completed the FY 2022 annual audit and presented his results to the Council. Haderlie made the Council aware of the changes to the audit report that requires the Council to identify problems throughout the year that could affect the audit.

One compliance issue was found. The general fund balance is above the 35 percent allowance. The general fund is \$900,000 over the limit. There were a few causes of this, ARPA money received, and Delta City was overpaid by the state for sales tax. Haderlie advised that the money should be moved by the end of the year to another fund, but does not think it will be a problem in the future.

Last year's audit report showed that governing officials did not all complete their training but that was corrected this year.

Council Member Killpack MOVED to approve the FY 2022 Annual Audit Report prepared by Larson & Company, PC. The motion was SECONDED by Council Member Banks. 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 Banks.

Voting Yea: Council Member Bunker, Council Member Western, Council Member Chase, Council Member Killpack, Council Member Banks

5. Steve Styler; Delta Multi-Plex Plat "A"

Action: Discussion/Consideration for approval

Steve Styler appeared before the Council seeking approval on Delta Multi-Plex Plat "A". Styler originally approached the city a year ago looking to build 20 units. He felt it would make the area too dense, so he decided to make 2 four-plexes, and 2 three-plexes. 14 units in total will be built with 66 exterior parking spaces. Each unit will be 1800 square feet with an unfinished basement. Styler is building similar units in Nephi.

Council Member Killpack provided information to the Council about the Planning and Zoning meeting held 10/12/2022. There were concerns about parking on 50 East, traffic, kids walking, storm drains, and access to the Southeast lots on 50 East. Council Member Killpack had concerns about the frontage of the lots on the Southeast side, and whether or not the frontage was borrowed from another lot.

Delta Multi-Plex Plat "A" received a positive recommendation from the Planning and Zoning Commission, but Council Member Killpack opposed.

Public Works Director Kirkland informed that the storm drains will be tying into a storm drain that goes to open drain on Lone Tree Road. There was also a change made to the location of the fire hydrant.

City Attorney Anderson advised that this land was zoned R4, and has been zoned R4 for a long time, which allows up to a 4 unit residential unit. The borrowing of frontage is not prohibited, but is not allowed either as written in the code. Attorney Anderson recommended a CC&R be signed. Anderson brought up that the public voiced their opinion of wanting to be able to sell the units to inspire pride in ownership and would like to bring it up at Planning and Zoning.

Council Member Chase sees no issues with three of the lots but has concerns about the Southeast lot.

Council Member Western is in favor of this project, and expressed her concerns about the city being too restrictive. Council Member Banks agrees and would like to support the Planning and Zoning Commission's positive recommendation. Council Member Bunker agreed.

Council Member Western MOVED to approve Delta Multi-Plex Plat "A". The motion was SECONDED by Council Member Banks. 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 Banks.

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

Voting Nay: Council Member Killpack

6. Mayor Niles; CDBG Surveys

Action: Discussion Only

Mayor Niles thanked the Council for obtaining the CDBG surveys.

7. Mayor Niles; Dominion Energy update
Action/Discussion Only

Mayor Niles provided an update on the Dominion Energy project to the Council. There was a small turnout at the town hall meeting. Council Member Chase suggested more posts on social media before the next meeting. Public Works Director Kirkland informed the Council that Dominion Energy submitted a building permit, and unless something happens at the meeting, it will pass.

8. Mayor Niles; Planning & Zoning Alternate Commission Member
Action: Discussion/Consideration for approval

Council Member Chase MOVED to approve the appointment of Lindsey Dutson as an Alternate Commission Member for the Planning and Zoning Commission. 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

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

Public Works Director Dent Kirkland provided the Council a Public Works update. Katie Rodriguez has been laid off for the season. They are working on installing Christmas lights and decorations. Kirkland has concerns about weather on Friday for cleanup.

ADDITIONAL ITEMS

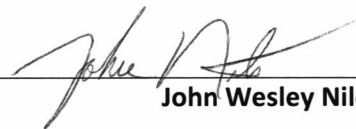
ADJOURNMENT

Council Member Killpack MOVED to adjourn the meeting. 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

The meeting was adjourned at 9:31 p.m.



John Wesley Niles, Mayor

Sherri Westbrook, Recorder