
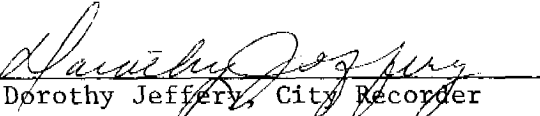


Councilman Bird MOVED the problem with the city dump maintenance agreement be settled by Mayor Leland J. Roper, Councilman Losee, Superintendent Neil Forster and the City Attorney Warren Peterson. They will report back to the council, MOTION SECONDED by Councilman Losee and motion carried.

3. Mayor Roper informed council 55 post that belonged to Mr. John Henrie that fenced a portion of the city dump had been burned and Mr. Henrie had requested the city replace them, Councilman Bird made a MOTION the 55 post be replaced, MOTION SECONDED by Councilman Morrison, motion carried.
4. Mayor Roper informed council a hearing has been scheduled for August 24, 1981 at 8:30 p.m. regarding the revocation of Ralph Christensen's Construction 1981 Delta City Business License.
5. A Planning and zoning meeting is scheduled for Wednesday, August 19 to discuss the proposed new zoning ordinance.

Mayor Roper asked if there was any further business or comments. There being none, Councilman Bird MOVED the meeting be adjourned, MOTION SECONDED by Councilman Losee, meeting adjourned at 10:45 p.m.

  
\_\_\_\_\_  
Leland J. Roper, Mayor

  
\_\_\_\_\_  
Dorothy Jeffery, City Recorder

MINUTES OF A PUBLIC HEARING HELD AUGUST 24, 1981

PRESENT:

Leland J. Roper	Mayor and presiding
Don Bird	Councilman
Cecil Losee	Councilman
Thomas Callister	Councilman
Willis Morrison	Councilman

ABSENT:

Max Bennett	Councilman
-------------	------------

OTHERS PRESENT:

Neil Forster	Public Works Superintendent
Ray Valdez	City Building Inspector
Jay Covington	City Administrative Intern

AAH558

46

Warren Peterson  
Dorothy Jeffery

City Attorney  
City Recorder

John Quick  
Roger Stowell  
Bob Pendray  
Jim Pendray

Bush and Gudgell Engineers  
IPP Representative  
Pendray Construction  
Pendray Construction

Mayor Roper, being present, called the meeting to order at 7:00 p.m.  
Dorothy Jeffery, being present, acted as secretary.

Mayor Roper stated that notice of the time, place and purpose of the meeting had been duly advertised in the Millard County Chronicle and notice was mailed to each member of the governing body.

Mayor Roper explained that the meeting was a public hearing for the purpose of receiving and considering public comment regarding the proposed annexation of Brown, Garrett, and Myers Enterprises into the existing boundaries of the Delta City Limits. The property mentioned is the Quinn Shepherd Property consisting of 10 acres, bordering 350 East, and is contiguous with Delta City on the South.

After stating the purpose of the meeting, Mayor Roper read the following Amendment:

TO WHOM IT MAY CONCERN:

This amendment is to amend the names of Ownership, on the piece of property, being petitioned by Brown, Garrett, & Myers. The property commonly known as Quinn Shepherd Property, containing ten (10) acres. As new owners of the property we request that the City Council and the Planning and Zoning Commission, continue to process the request for annexation, as petitioned by Brown, Garrett and Myers.

Our plans are to continue on with the project as outlined in the existing petition.

Mayor displayed for council's review a copy of the proposed amendment to Delta City Policy Declaration Statement for Annexation for Petition in the Name of Kay H. Traveler and Allen Webb, copies of the document are on file in the office of the Delta City Recorder for public review.

The Mayor stated that Mr. Kay H. Traveler and Mr. Alan Webb's plans are to continue on with the project as outlined in the existing petition. Mayor Roper then asked the City Attorney if there was any legal action that had to take place regarding this matter.

Attorney Peterson stated that the Planning and Zoning Commission was aware of the type of development and it had been certified. The public hearing tonight was for the purpose of reviewing the annexation and the criteria set out in the proposed amendment and would be adopted by the ordinance actually annexing the property. The specifics would go into the annexation ordinance.

The Mayor informed council he had a statement from Quinn Shepherd stating he authorized the annexation as far as his intentions were concerned and he requests that the City accept that request for annexation. The following is the aforementioned statement from Quinn Shepherd:

TO DELTA CITY:

I, QUIN T. SHEPHERD, do hereby authorize Brown, Garrett & Myers Enterprises to request a Petition for Annexation to the Delta City Council for Annexation into the Delta City limits of the property presently being purchased from me by Brown, Barrett & Myers Enterprises, on a real estate contract. I do hereby request that the City accept that request for annexation.

Dated this \_\_\_\_ day of February 1981.

A question was asked by Councilman Don Bird if Quin was planning to retain some 300 feet of his property to be used as a right-of-way. The answer was yes.

There was a discussion of the amount of water that would be required for the property to be annexed and the water/sewer lines that would be needed to service that area.

Mr. Webb displayed the proposed plans for the PUD for the council to review and discuss. Mr. Webb stated the plans are just a proposal and that when they are ready to develop they will have a complete set of plans and specifications that will spell out the water usage and the sewer needs it will be presented to you under a planned unit development and will need the council's approval prior to any construction being started on the project.

Attorney Peterson explained to council that there are several things to be considered regarding the project, for annexation, such as:

1. Is the project feasible. Is it feasible to annex it and provide city services.
2. Is the project something the council feels would be of benefit to the City of Delta.
3. How will the services be provided to the area.

The council should make certain that every condition that the council wants to impose or other interested propertyowners, is put into this public hearing.

There were no other property owners or entities were in attendance at the meeting to agree or object to the proposed annexation.

Councilman Bird stated some concern regarding the cost of the 8" water line that Rex Day is putting in for his project and will at some future date be connected to the project proposed for the Quin Shepherd property.

Councilman Morrison asked about the street within a PUD.

Attorney Peterson stated that all of the street in a PUD are private streets unless the street go all the way through the PUD and those streets would have to be dedicated streets.

Councilman Morrison suggested the annexation be conditioned to the city engineer, John Quick, studying it and making his recommendations to the council.

There was a general discussion of the private parks in the project and the fact that the parks would be for the use of those persons living in the PUD and not for the public use.

AAH558

48

Attorney Peterson stated the parks by law have to be for the use of the residents of that area.

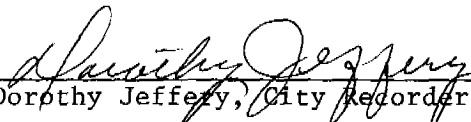
Mayor Roper told council the time was about used and asked if Mr. Webb or Mr. Traveler had any questions.

Mr. Webb stated he just wanted the council to understand the plans the council reviewed tonight were just the parliamentary plans and not the final plans.

Attorney Peterson informed council that it was required by law to give 5 days for any other effected entity to file a protestt to the annexation. Following the 5 days Delta City can then go ahead with the resolution to conditionally annex the proposed property.

Mayor Roper asked if there was any further comments or suggestions, there being none Councilman Willis Morrison MOVED the meeting be adjourned, MOTION SECONDED by Councilman Callister. Meeting adjourned at 7:58 p.m.

  
Leland J. Roper, Mayor

  
Dorothy Jeffery, City Recorder

MINUTES OF A REGULAR COUNCIL MEETING HELD AUGUST 24, 1981

PRESENT:

Leland J. Roper	Mayor and presiding
Don Bird	Councilman
Willis Morrison	Councilman
Cecil Losee	Councilman
Thomas Callister	Councilman

ABSENT:

Max Bennett	Councilman
-------------	------------

OTHERS PRESENT:

Neil Forster	Public Works Superintendent
Ray Valdez	City Building Inspector