

MINUTES OF A PUBLIC HEARING HELD
SEPTEMBER 14, 1981 BY THE DELTA CITY COUNCIL REGARDING
AN ANNEXATION PETITION SUBMITTED ON BEHALF
OF DELTA MILLING COMPANY

PRESENT: Leland J. Roper, Mayor and Chairman
Max Bennett, Councilmember
Don Bird, Councilmember
Cecil Losee, Councilmember
Willis Morrison Councilmember
(Councilmember Thomas Callister was absent)

OTHERS PRESENT: John Quick, City Engineer
Warren Peterson, City Attorney
Dorothy Jeffery, City Recorder

Robert Meals, Ecotek National
Carl Sudbury, Ecotek National

Other persons were present who did not sign the attendance register.

Mayor Roper called the meeting to order at 6:30 p.m. Dorothy Jeffery, the City Recorder, acted as secretary.

Mayor Roper stated that the notice of the time, place and purpose of the meeting had been duly advertised in the Millard County Chronicle and posted in the Delta City Office Building and that notice had been sent to other taxing entities in Millard County.

Mayor Roper explained to those in attendance that the meeting was a public hearing for the purpose of receiving and considering public comment regarding the annexation petition submitted by Ecotek National for annexation of property owned by Delta Milling Company. He reported that the Planning Commission had on July 22, 1981 by a unanimous vote recommended that the Delta City Council approve the petition for annexation of the property for development of the proposed Delta Industrial Park. He read the review and comments of the Delta City staff personnel who had reviewed the annexation.

Mayor Roper stated that a proposed policy declaration had been submitted with relation to this annexation. Mayor Roper then read the policy declaration as submitted. A copy of the policy declaration was then placed in the file for public use and review.

Mayor Roper then asked for questions or comments on the annexation, the proposed policy declaration and other matters related to this annexation.

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Councilmember Morrison asked whether the site would be developed and become operational as a unit or whether the project would be developed in phases. The Ecotek representatives answered that the project would probably be developed in phases, although a final decision had not been made at that time. Councilmember Morrison expressed concern that if the project was developed in small phases that the project would be cumbersome for the City to review and administer.

Councilmember Bird questioned whether the milling operation on the property would be put back into operation. The Ecotek representatives said that they planned to do so.

Mayor Roper then displayed the proposed site plan for the industrial park to show the councilmembers the proposed land use within the area proposed for annexation.

Councilmember Bird noted that the present water service to the property was a two-inch (2") water line and stated that this would not be sufficient for the development. Mayor Roper reported that the Richard Hall project on Block 12 has been required to install an eight-inch (8") water line and that his property was adjacent to the milling company property. Councilmember Morrison questioned whether the project would have to wait for sewer service to be made available to the property. He asked where the sewer line, if any, entered the property. City Engineer John Quick explained that the property would have to be served through sewer lift station "A". Councilmember Bird also asked what fire hydrants were available in the area and briefly discussed water improvements available for fire protection.

There was discussion of drainage for the project and also dedication of the roadways within the project.

The petitioners were asked by Warren Peterson, city attorney, and by Mayor Roper to explain the present ownership of the property. They explained that the property was owned by Delta Milling Company, but that it was under the control of a bankruptcy trustee at this time. They were asked to explain the relationship of Ecotek National to the property owner. They stated that Ecotek had been hired as a development consultant by a potential purchaser of the property. They explained the intended purchase of the property and explained the positions of various parties involved in the bankruptcy proceedings.

The Ecotek representatives requested instructions on how they should proceed to complete the annexation. Mayor Roper and Mr. Peterson explained that the Council would next have to consider the annexation and that if the annexation was given favorable review, a resolution giving preliminary approval to the annexation would be adopted by the Council. After the resolution approving annexation was adopted, the final policy declaration

would be prepared and written into an ordinance annexing the subject property. Also, an annexation agreement would be prepared to supplement the annexation ordinance and to provide assurance that all of the annexation criteria were understood. The Ecotek representatives were also advised that an annexation plat would have to be prepared and that they would need to provide evidence of ownership of the property and their authority to complete the annexation.

Mayor Roper then asked for further comments or questions from those in attendance at the hearing. There being no further comment, Councilmember Willis Morrison moved to adjourn the hearing. The motion was seconded by Councilmember Cecil Losee and approved unanimously. The meeting was adjourned at 7:35 p.m.

NOTE: The above minutes of a Public Hearing held September 14, 1981 were inadvertently lost by a minor employee. The minutes were retranscribed from tapes recorded at the original and approved at a Regular City Council Meeting held March 1, 1982. Councilmember Don Bird MOVED to accept the minutes and Councilmember Ruth Hansen SECONDED the motion. The motion carried unanimously.