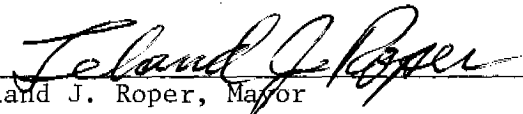


Resolution #81-45 was then signed by Mayor Leland J. Roper in open meeting, attested by City Recorder, Dorothy Jeffery, and accepted as part of the official records of the City of Delta. Copies of the resolution are on file in the office of the City Recorder for public review.

5. Attorney Peterson stated the sales and use tax ordinance will be discussed at the September 28th Council Meeting.
6. Attorney Peterson explained in detail, Tex Searles plans for the required dedication of water for the annexation of his property and mobile home park.
7. Attorney Peterson presented copies of the proposed revised code of ordinance for the council's review. These will be discussed at a later date.
8. Attorney Peterson explained to council there were some problems with the streets that had been vacated at 450 North and 350 East and 4th East. There will be further action regarding this property at a later date.

Mayor asked if there were any further business or comments, there being none, Councilman Morrison MOVED the meeting be adjourned, MOTION SECONDED by Councilman Bird, meeting was adjourned at 10:35 p.m.



Leland J. Roper, Mayor



Dorothy Jeffery, City Recorder

MINUTES OF A PUBLIC HEARING HELD SEPTEMBER 28, 1981
Page 1.

Proposed annexation of Bunker and Son's Bunker Hill Estates (Property of the Delta City Cemetary and North of the Quin Shepherd farms).

PRESENT:

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

AAH558

ABSENT:

Neil Forster Public Works Superintendent

OTHERS PRESENT:

Ray Valdez	City Building Inspector
John Quick	City Engineer
Warren Peterson	City Attorney
Dorothy Jeffery	City Recorder

Steven Jackson	Attorney for El Rancho Mobile Homes
Lyle Bunker	Bunker and Sons Const.
Gayle Bunker	Bunker and Sons Const.
Gary Bunker	Bunker and Sons Const.
Manley Abbott	County Resident
Quin Shepherd	County Resident
Riley Wood	City Resident
Wells Wood	City Resident
Edith Anderson	City Resident
Lon Wook	City Resident
Mrs. Lon Wood	City Resident
Douglas Robison	County Property Owner
Steve Pace	Pace Realty
Don Church	City Resident
Jack Grayson	Grayson Const.
Bruce Taylor	City Resident
Ronald Johnson	Valley Engineers Inc.

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 the following notice had been duly advertized in the Millard County Chronicle, posted in the Delta City Office Building and mailed to each member of the governing body of Delta City prior to the meeting:

NOTICE OF PUBLIC HEARING

NOTICE, is hereby given that Delta City Council will conduct a public hearing on Monday, September 28, 1981 at the Delta City Offices at 309 West Main, Delta, Utah at 7:00 p.m.

The Public Hearing is for the purpose of receiving public comments of the proposed annexation of Bunker and Son's - Bunker Hill Estates (Property just West of Delta City Cemetary and North of the Quin Shepherd Farms) into the corporate city limits of Delta City.

Copies of the proposed annexation of Bunker and Sons are on file in the office of the Delta City Recorder for public review.

Published in the Millard County Chronicle September 04, 11, and 18, 1981 by order of Delta City Council.

Mayor Roper informed council the only item that was missing on the proposed annexation application of the Bunker and Sons - Bunker Hill Estates, was the annexation fees.

Mr. Gayle Bunker stated he thought that the City was going to waive the fees because the fee requirements included in the application for annexation were adopted after they (Bunker and Sons), had applied for annexation of the aforementioned property.

Mayor Roper told Mr. Bunker a decision on the required annexation fees would have to be made by the council.

Mayor Roper explained the petition for annexation had proceeded to the public hearing stage, it was recommended to the City Council by the Planning and Zoning Board, reviews, and comment have been received by the City Administrator, City Engineer, and also the City Planner. From this public hearing the council will request from the City Attorney, Warren Peters, a preliminary resolution of annexation if they determine that is the action they wish to take.

Mayor Roper also stated there were two (2) petitions on the file received from the Bunkers, one dated April 3, 1981, and the other dated April 6, 1981. This was discussed with Mr. Gayle Bunker and it was determined that the petition to be used was the one dated April 6, 1981.

Mayor Roper presented to council, copies of the Policy Declaration that came as a requirement before this public hearing could be held.

Mayor Roper stated careful review should be made of compliance of the Comprehensive Development Plan, Zoning, Densities, and Constraints and barriers such as; the haymill; garbage dump, feed lots, canal, and adequate traffic circulation. Mayor further said land use would probably be best utilized for single family housing.

The additional information will be required: (Comments by John Quick, City Engineer)

1. Supply City with the name of the project engineer and architect.
2. Engineering and methods of water/sewer provision to development.
3. Robert Harris's concept or development plan for his property. (This has been supplied).
4. Careful review of all comment sheets.

The other item mentioned by Mayor was the Policy Declaration Statement which requires that the property to be annexed, shall have a detailed plan of the development. At least a preliminary layout should be required to determine if the annexation will impair the health safety and general welfare of the residents of Delta or will become a liability.

A general description of the proposed means of providing water/sewer and storm drainage for the area needs to be discussed, a layout of the entire tract to be annexed.

Mr. Quick recommended the project be approved, subject to review of the Planning and Zoning Commission.

The following are comments from Steve Young, City Planner:

AAH558

1. The water pressure would be a problem to the storage facility, can be built on a hill if pressure provided. For the most part, the area offers good drainage, sandy soil, to help contain over-land drainage. Close proximity of schools make it an ideal single family area.
2. The Bunker Hill Estates Plan is relatively a good one, with a few minor problems; such as the canal, garbage dump, and the basic traffic flow. The development plan at this time has not been received.

Mayor Roper stated the property owned by Mr. Bill Garrett, Mitch Myers and Bill Brown, which is contiguous with Delta City and the annexation of that property is a determining factor in the property proposed for annexation by Bunkers, has been sold to a Mr. Traveler and that Mr. Traveler intends to develop a PUD of high density parking.

Development Plans for the Robert Harris Property has been received by Delta City.

Following the above comments the floor was opened for public comments:

Quin Shepherd: For the record, Gayle has come to see me several times regarding annexation and I have told him I am not interested in the annexation of my property and that I was not in favor of that development but that I would not oppose his plans.

There is a small strip of land that has been used by the county as a road, the property is not a public right-of-way and I do not intend to have any water/sewer lines laid through that piece of property.

There was a general discussion of that narrow strip of property and the past use of the land and the future plans for the property. This will be used for access to Quin's property.

It was determined by council, the North side of the proposed development plan was not within the Annexation area of the Delta City Annexation Policy Declaration. Mr. Gayle Bunker explained to council only that portion of the project that was in the Annexation Policy Declaration area was included in their proposal for annexation, Councilman Bird said, "Then you do not intend to request annexation of the North side of your project?", Mr. Bunker stated only that property that was in the Delta City Annexation Policy Declaration area was included in their request.

Councilman Morrison: The plan you presented, includes the complete project of 200 single units and 120 town houses, I assume the project would have to be cut down to the amount of units that will fit into the annexation area.

Gayle Bunker: Yes, those number of units would have to be adjusted accordingly.

Quin Shepherd: What plans do you have for drainage Gayle?

Gayle Bunker: The City is working on the drainage problem for the whole city.

Quin Shepherd: With that area all black topped, the drainage could be a real problem.

Edith Anderson: What about the sewer for the project?

Mayor Roper: The sewer will have to go into the proposed sewer line.

Edith Anderson: Then you are saying the sewer will not go into the present system.

Mayor Roper: No the project will not be allowed into the present system but there is plans for a trunk line in that area. We have received letters from property owners in that area agreeing to join a special sewer district in order to get the sewer in place. This has not been done on the water as of this date.

Wells Wood: Then your saying the project will not be allowed to hookup to the present sewer system at any thime is that right? Not any number of units?

Mayor Roper: That's right, not in the present system.

Wells Wood: What bearing is the project going to have on the business that are presently in that area like the Intermountain Farmers, the feed lot and etc. These are business that if you allow homes to be built there they will, in all probability, after a few families move in, they will want the present business condemned and moved out of that area.

Mayor Roper: That is difficult to answer, but I would think you are right in saying they will be jeopardized by that size of a residential development in the area.

Attorney Peterson: The City should look at land use patterns in deciding whether or not to approve that annexation and whether you are creating an incompatible land use situation as to whether there is actually going to be conflict.

Mayor Roper: Stated the Bunker petition does not include the Traveler property and without that project, the Bunker property is not contiguous, where does the city council stand in making a determination on this hearing.

Attorney Peterson: The council doesn't have to make a determination in this hearing, the project should be examined here to see if the property is contiguous, but until you actually adopt the annexation ordinance itself you don't have to worry about whether it is contiguous or not. This is a point that would be tagged as a matter that must be cleared prior to the adoption of the annexation ordinance however.

There was a general discussion at this point in the meeting, on ways to make the Bunker property contiguous.

Councilman Morrison: Asked, Bunkers if they would join a special sewer district if they were annexed, to whcih, Mr. Bunker answered him by stating the city has a letter on file stating they would join the special service district if and when the special district became a reality.

Councilman Morrison: I'm not sure we should annex the property until the sewer plans are in place and we have some answers to some of the questions we are not facing.

AAH558

100

There was some discussion regarding the need for additional property to be used for single housing units and the additional costs to the city for such things as fire protection, police protection, street maintenance and etc. That is a never ending cost. The cost of the initial installation of the water/sewer lines would be paid for by the developer but the other above mentioned costs would have to be paid for out of the city taxes.


Quin Shepherd: I would like to ask Gayle if he proposes to develop this property himself if it is annexed? Mr. Bunker answered, Yes, Mr. Shepherd, I have had people come to the house and say the property is for sell and wanted to know what I knew about it. Mr. Bunker said, "Anything is for sell" but we have no plans to sell it we plan to develop it ourselves, that's what we bought it for.

There was additional discussion regarding the special water/sewer district, the time frame that was being considered for the project, the cost of the project, etc.

Mayor Roper asked if there were any further comments or questions, there being none, he thanked all those in attendance at the meeting for their interest and concerns afterwhich, Councilman Morrison MOVED the meeting be adjourned, MOTION SECONDED by Councilman Bennett, Meeting adjourned at 7:55 p.m.



Leland J. Roper, Mayor



Dorothy Jeffery, City Recorder

PRESENT:

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