

Bill Campbell asked council if there was any legal way a single lot located just outside of the city limits could be annexed if it is not contiguous to the city.

It was explained to Mr. Campbell the state statute must be complied with which states the property proposed for annexation must be contiguous.

There was a general discussion of the requirements of a single lot proposed for annexation.

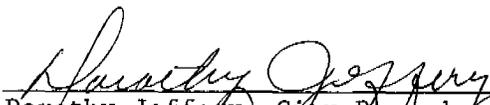
Councilman Bird told council he had been given a bill for a water pump that was replaced by Mr. Jim Robson at his place of business which he feels was damaged by the sand in the city water line, after discussion of the issue it was the opinion of the council the city was not liable for the pump.

Superintendent Forster informed council that city employee Kenneth Poulsen has completed his probation period of employment and was eligible for city insurance and Utah State Retirement. Mr. Forster also stated after his evaluation of Mr. Poulsen he recommended to council a merit raise of \$50.00 per month be given to Mr. Poulsen as he is doing an excellent job.

Councilman Bennett MOVED Mr. Poulsen be granted the merit raise of \$50.00 per month and given the city insurance coverage and Utah State Retirement, MOTION SECONDED by Councilman Callister and received the unanimous affirmative vote of all councilmen present.

There being no further business or comment, Councilman Callister MOVED the meeting be adjourned, SECONDED by Councilman Bennett, meeting adjourned at 10:45 p.m.


Leland J. Roper Mayor


Dorothy Jeffery, City Recorder

MINUTES OF A PUBLIC HEARING HELD SEPTEMBER 08, 1980

PRESENT:

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

ABSENT:

None

OTHERS PRESENT:

Neil Forster	City Superintendent
Dorothy Jeffery	City Recorder
Warren Peterson	City Attorney

Douglas Robison	County Property Owner
Robert Cruz	Developer
Gordon Twitchell	County Resident
Clinton Tolbert	City Resident
Gayle Bunker	Bunker & Sons Const.
Gary Bunker	Bunker & Sons Const.
Rex Day	Days Insurance
Steve Pace	Realtor
Craig Johnson	Developer
Quin T. Shepherd	County Resident

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 sent to each member of the governing body prior to the meeting.

Mayor Roper explained to those in attendance that this was a second public hearing on the Annexation Policy and was scheduled due to some suggested changes made, this meeting is a public hearing for the purpose of receiving and considering public comment on the proposed amendments to the general Annexation Policy Declaration Statement setting standards for consideration of petitions for annexation of territory into the corporate limites of the City of Delta.

Mayor Roper stated the amendments to the Annexation Policy Declaration has been reviewed by the City Council, City Planning/Zoning Commission, City Engineer, Eric DeHaan and the City Attorney Warren Peterson. The Mayor was then asked to read the entire document to the group which he did, afterwhich the floor was opened for discussion.

The following questions and answers were discussed:

Question: Item 3 page 1 - The petitioner must convey at the time of annexation seven per-cent (7%) of the total land annexed under the petitioner's annexation petition.

Is the required seven per-cent (7%) to be used for roadways, sidewalks and etc?

Answer: No, the seven per cent (7%) will be used by the city for parks and storm drainage however Item 3-C states, when permitted by the Council, the petitioner may, at the Council's sole discretion, pay an amount equal to the value of the property which must be otherwise dedicated under this policy.

Question: Item 3-B The petitioner shall provide an appraisal by an MAI certified appraiser, with the appraisal dated not more than two (2) months previous to the date of annexation.

For what reason must the petitioner provide an appraisal by an MAI certified appraiser?

Answer: The dedication may at the discretion of the council be provided for in cash therefore you must have an accurate appraisal of the value of the land to determine the cash amount, or it is simply a method for establishing the value of the dedication.

Question: (a) Does the city need the above mentioned seven per cent (7%) as well as the required three (3) acre feet of water per acre - (b) is there water available and (c) if so at what price?

Answer: (a) Yes the city does need them both in order to protect the present city resident - (b) Water has been advertized for sale in one of the local papers for \$700.00 per acre foot, however the price is a negotiable item between the purchaser and the seller.

Question: Does the City have water that could be purchased by a developer and then returned to the city?

Answer: Not at the present time. The city has met with the irrigation company presidents to discuss the possibility of surface water being used for trading purposes, this however must be determined by the stockholders, the council will request time on their agenda to discuss this matter.

Question: Item 4 page 2 in part states The water rights so dedicated and conveyed to the city must be rights for culinary quality, underground water.

It appears it is the responsibility of the individual to make the trade with irrigation company not the city, is that correct?

Answer: Yes, the city does not have in place at the present time, anything to effect trade with the irrigation company or anyone else.

There was a very lengthy discussion of this issue.

Question: Does the parcel of land purposed for annexation have to be contiguous?

Answer: Yes, that is a state law.

Question: Does the city have any immediate plans for additional sewer districts?

Answer: No, unless it is in an annexed area.

Question: Is there any funds available for additional sewer services?

Answer: Not at this time.

Question: Item 1 Each petition for annexation shall include a detailed plan describing the proposed development of the property subsequent to its annexation into Delta City, including a description of the means for providing utility services and extention of streets into the proposed annexation territory and any other information necessary or useful for providing municipal services into the annexation area. the development planned shall include an accurate plat of the property prepared by a licensed surveyor. pproval by Delta City of an annexation petition shall be expressly conditioned on strict compliance with the development plan submitted. Deviation from the development plan shall terminate the right to receive utility and municipal services from Delta City.

Could the requirement be changed to allow a petitioner to present to P/Z a preliminary plat of the proposed annexation area with just the concept of the plans to assure the proability of the final plans being approved before he has spent the amount of money it will require to hire a licensed surveyor?

Answer: That is a very good suggestion and maybe it should be implied in that paragraph.

Question: Does the improvements for the entire area proposed for annexation have to be included in the petition for annexation or can it be developed in

stages of 10 acres of a 50 acre parcel of land proposed for annexation

Answer: Yes it can be developed in smaller amounts and it can also be annexed in smaller amounts. The last sentence of #2 on page 1 states, If installation of the improvements is so deferred, the petitioner or its successors shall install all of the necessary improvements prior to any new occupancy of the annexed territory.

Attorney Peterson stated it has been proposed by the Planning/Zoning commission and attorney Thorpe Waddingham, that the one requirement of water dedication be worded so that the change application can actually be approved, but the petitioner would be allowed, in his application for change in use at the point of diversion, for the use to continue at the existing location and use until the time of annexation.

Mayor Roper asked if there were any further questions or comments, there being none the Mayor thanked all those in attendance for coming to the meeting and for their comments. Councilman Morrison MOVED the meeting be adjourned, SECONDED by Councilman Bird, MOTION CARRIED Meeting adjourned at 7:49 p.m.


Leland J. Roper, Mayor


Dorothy Jeffery, City Recorder

MINUTES OF A PUBLIC HEARING HELD SEPTEMBER 15, 1980

PRESENT:

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

ABSENT:
None

OTHERS PRESENT:

Neil Forster	City Superintendent
Dorothy Jeffery	City Recorder
Warren Peterson	City Attorney
Don DaFoe	City Planning/Zoning Chairman
Steve Young	Millard Community Council
Ken Hutchens	City Resident
Vicky & Douglas Robison	V.I.P. Mobile Home Park in SLC
Shirle Debenham	Realtor
Dale Bond	City Resident
R. L. Larsen	Ray Larsen Construction Co.
Clinton Tolbert	B. Kitten Trl. Court
LaMont Works	City Resident
Robert Pendray	Pendray Construction Co.
Mrs. Ed Lyman	City Resident