

Minutes: REGULAR CITY COUNCIL MEETING, June 4, 1984
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Council Member Don Dafoe	Yes
Council Member Ruth Hansen	Yes
Council Member Craig Greathouse	Abstained
Council Member Neil Dutson	Yes
Council Member Kjell Jenkins	Yes

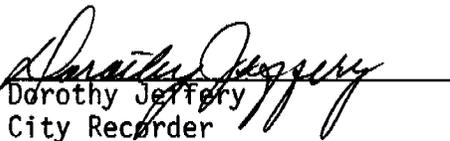
Motion carried.

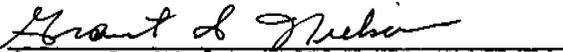
Following is a list of items requested by the Council to be placed on the June 11, 1984, Regular City Council Meeting Agenda:

1. Council Member Neil Dutson: Water and Sewer Service Fees and Hookup Charges.
2. Attorney Warren Peterson: Union Pacific Railroad Letter regarding Amtrak Pedestrian Crossing.
3. June 11, 1984, Public Hearing to be advertised.
4. CIB Meeting decision at the June 7, 1984, meeting.
5. Dennis Westwood: Monthly charges for maintaining of garbage dump.
6. Attorney Warren Peterson: Site lease agreement FAA installation at the Delta City Airport.

Mayor Nielson then asked if there were any further questions or comments to be discussed. There being none, Council Member Neil Dutson MOVED to adjourn the meeting. Motion SECONDED by Council Member Don Dafoe. Meeting adjourned at 10:10 p.m.

Attest:


Dorothy Jeffery
City Recorder


Grant S. Nielson, Mayor

MINUTES OF A PUBLIC HEARING HELD JUNE 11, 1984

PRESENT

Grant S. Nielson	Mayor
Don Dafoe	Council Member
Craig Greathouse	Council Member
Neil Dutson	Council Member
Kjell Jenkins	Council Member
Ruth Hansen	Council Member

ABSENT

None

OTHERS PRESENT

Jim Allan	City Manager
Warren Peterson	City Attorney
Dorothy Jeffery	City Recorder

Neil Forster
Mr. & Mrs. Ralph Ross
Mr. & Mrs. Wayne Cave
Calvin Dutson
Mr. & Mrs. Richard Fullmer
Jack Grayson
Fay Walker
Bill Alldredge
Jim Fletcher

City Superintendent

There were others in attendance at the meeting who did not sign the roster.

PROCEEDINGS

Mayor Nielson called the meeting to order at 6:30 p.m. and stated that notice of the time, place and agenda of the Public Hearing had been posted at the principal office of the governing body and had been provided to the Millard County Chronicle, the Millard County Gazette, and the local radio station, KNAK, and to each member of the governing body by personal delivery of copies of the notice and agenda at least two (2) days prior to the meeting AND PUBLISHED IN THE Millard County Chronicle according to law.

Mayor Nielson then read the following Notice of Public Hearing on Delta West Annexation:

Notice is hereby given that the Delta City Council will conduct a public hearing on Monday, June 11, at 6:30 p.m., in the City Council Chambers at the Municipal Building located at 76 North 200 West, Delta, Utah to receive public comment on petitions for a proposed annexation designated as the Delta West Annexation and on proposed amendments to the Delta City Master Policy Declaration relating to said annexation.

Copies of the proposed annexation plat, annexation petition and proposed amendments to the Delta City Master Annexation Policy will be on file in the office of the Delta City Recorder for public review between the hours of 9:00 a.m. and 5:00 p.m. on May 15, 1984, and thereafter until the date of the hearing.

Mayor Nielson then welcomed the group in attendance and opened the meeting for public comment.

Mr. Ralph Ross asked why the City is petitioning for the annexation of the Delta West Area when the majority of the residents in that area are opposed to it and have so stated in previously held meetings. Mayor Nielson explained that Delta City has decided that all areas where the City provides services such as water, sewer, police and fire protection, should be annexed into the City limits, thus allowing the City to collect the necessary taxes to assist in providing said services.

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Mr. Ross stated a Public Hearing had been held a few months ago regarding this same issue and of those who were in attendance at that time, the majority voiced their opposition to the annexation, and only one couple was in favor of it. That was a couple who were in negotiations for Delta City water with Former Council Member Don Bird, he said.

Mayor Nielson told Mr. Ross that the Public Hearing was scheduled because of the total number of signed petitions received, which is the legal procedure for any proposed annexation.

Council Member Kjell Jenkins stated that the meeting Mr. Ross was referring to was not a regularly scheduled public hearing, but was an information meeting only, and had been advertised as such.

Mr. Joe Riley asked why the forms requesting an annexation were being circulated by former council member, Don Bird. Council Member Kjell Jenkins explained there are several sources of obtaining information, and one is the consent form mentioned, another is an open Public Meeting such as this one. He also said the City Council is required to hold a public hearing whenever there is a proposed annexation.

Council Member Craig Greathouse explained that the informational meeting was called because of questions from some of the property owners living within the proposed annexation area.

Mr. Ross questioned the City's right to the sales tax of the businesses within the proposed annexation area, when most of the items sold by those businesses are used by the farmers on their properties located in the County.

Mr. Wayne Cave asked if the petitions that were signed some time ago were still legal and binding, or can a person request his petition be withdrawn.

Council Member Craig Greathouse told Mr. Cave that he could withdraw his petition if he so desired.

Mr. Ralph Ross asked why the local radio station had stated that the businesses west of Delta and some of Lyman Row had already been annexed into Delta City. Attorney Peterson explained that the radio station said there were people requesting annexation and that the City Council was still actively considering their petitions. It did not state that they had been annexed.

Mayor Nielson stated that those in attendance needed to be aware that approximately six weeks ago the City of Delta had some serious problems with their main culinary water well. It started to pump sand. The first the City was informed of the problem was when the West Millard Hospital reported sand in their water. This required the amount of water being pumped from that well be restricted immediately. At that point in time, the State Engineer had not approved the start up of the Gardner well. Therefore, the City was at a point that the possibility of rationing water could have occurred. However, the State Engineer did approve the Gardner well start

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up. But, those persons that live outside of the City limits and have Delta City water should be aware that if there ever is a shortage of City water, those outside of the City limits would have to be the first meters shut off.

Mr. Ross asked if this was possible. He said the water that Delta City received in 1942 was put in by a federal grant and that those living in Lyman Row had also had to sign for the grant monies. Mayor Nielson replied that the State Law required the City furnish water to residents within the City limits first. After several interruptions and threats by Mr. Ross, Mayor Nielson ruled that he was out of order and would have to leave unless he desisted. Mr. Ross did not interrupt further.

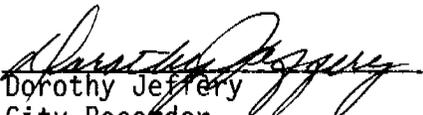
Mayor Nielson then asked how many of those in attendance at the meeting owned land in the proposed annexation area. There were eleven (11) land owners. Mayor then asked how many of these land owners were opposed to the annexation. There were eight (8) opposed to the annexation.

There was some discussion regarding the present availability of the City police and fire protection within the proposed annexation area, after which Mayor Nielson asked if there were any further comments regarding the proposed annexation.

There being none, he then declared the meeting adjourned at 6:59 p.m.


 Grant S. Nielson, Mayor

Attest:


 Dorothy Jeffery
 City Recorder

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PRESENT

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Ruth Hansen	Council Member
Don Dafoe	Council Member
Kjell Jenkins	Council Member
Neil Dutson	Council Member
Craig Greathouse	Council Member

ABSENT

None

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