

CITY OF DELTA, UTAH
PUBLIC HEARING
JULY 6, 2006

PRESENT

Gayle Bunker	Mayor
Kiley Chase	Council Member
Bruce Curtis	Council Member
Glen Swalberg	Council Member
Betty Jo Western	Council Member

ABSENT

Robert Banks	Council Member
Alan Riding	Public Works Director

ALSO PRESENT

Richard Waddingham	City Attorney
Ken Clark	Asst. Public Works Director
Gregory Jay Schafer	City Recorder
Howard & Tanya Quackenbush	City Residents
Steve & Carol Broderick	Lyman Row Residents
Alma & Sephronia Broderick	Lyman Row Residents
Boyd Broderick	Lyman Row Resident
Sam Wardle	Lyman Row Resident
Lee Roy Stephensen	Lyman Row Resident
Ralph Ross	Lyman Row Resident
Vera Giles	Lyman Row Resident
John & Jacquelyn Viula	City Resident
Don Poulsen	Area Resident
Betty Carter	City Resident
Norma Fullmer	Lyman Row Resident
Vance Lovell	Scout Leader
Daniel Stephenson	Boy Scout
Kyle Simmons	Boy Scout

Mayor Bunker called the public hearing to order at 6:30 p.m. He stated that notice of the meeting time, place and agenda had been provided to the Millard County Chronicle/Progress and to each member of the City Council at least two days prior to the meeting. City Recorder Gregory Schafer acted as secretary.

Mayor Bunker explained that the purpose of the public hearing was to receive public comment

regarding the proposed West Delta 2006 Annexation. Notice of the proposed annexation was published in the newspaper for several weeks indicating that written protests to the annexation must be filed prior to June 3, 2006 and no written protests were received from the affected entities allowed to file protests during the time period. Mayor Bunker indicated that no action will be taken on the proposed annexation at this time but public comment will be accepted.

Mayor Bunker opened the public hearing to comment from the floor. Several Lyman Row area residents indicated that they had filed protests to the proposed annexation with the County Clerk and Delta City. Mayor Bunker noted that only "affected entities" such as Millard County, the fire district, taxing entities, school district, etc., were allowed to file protests with the Boundary Commission during the protest period. The residents complained that they were not informed that their protests would not be accepted. City Attorney Waddingham advised the residents that all affected entities in Millard County were notified by mail of the proposed annexation and their right to protest. None of the affected entities filed a protest.

Lee Roy Stephensen stated his opinion that the proposed annexation was being done to benefit the Clyde Bunker family.

Howard Quackenbush told those in attendance that he is the lead petitioner on the proposed annexation. He spoke in favor of the proposed annexation for several reasons: 1) he is attempting to develop a business which will benefit not only himself but the community, 2) it is in his best interest to work hard at benefitting the community and better the situation, 3) the annexation will fit in the Delta City growth plan, and 4) this is an opportunity for Delta City to gain full access for maintenance of existing system areas. Mr. Quackenbush indicated that the majority of property owners in the proposed annexation area have signed the petition for annexation but there is a small and very vocal minority that will complain about the annexation but, whether they know it or believe it, they will ultimately save money by being annexed into Delta City through reduction in water rates that will more than compensate for any increased taxes. Mr. Quackenbush feels that the proposed annexation will, overall, be a good thing for Delta City, the community and will provide additional tourism opportunities.

Vera Giles stated that none of the Lyman Row residents were in favor of Lyman Row being annexed into Delta City and she did not think that Delta City wants Lyman Row annexed. Ms. Giles did not think Delta residents would want convention business nor the traffic involved with a convention.

John Viula stated that he owns a house located in the Lyman Row area which he uses as rental property. Mr. Viula felt that the annexation would only increase his property taxes because he does not pay for the water at the rental. He was also concerned about losing animal rights in the Lyman Row area.

Ralph Ross asked City Attorney Waddingham whether the Clyde Bunker family is providing culinary water to Delta City for the annexation. City Attorney Waddingham stated that providing water to Delta City prior to annexation was a requirement a number of years ago but Delta City

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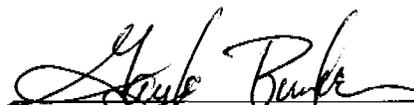
ordinances at this time do not require dedication of water rights for annexation. Delta City does require water dedication at the time of development

Sam Wardle questioned whether or not Mr. and Mrs. Quackenbush had acquired funding for their project. Mr. Quackenbush indicated that they are in the process of funding the project but did not feel that his personal financial information should be public knowledge. Mr. Wardle reminded Mr. Quackenbush that he is changing the lifestyle that Lyman Row residents have enjoyed for many years. Mr. Wardle asked Council Members to vote with their conscience and not with their money when making a decision on the proposed annexation.

Tanya Quackenbush stated that a convention center is not being built. The proposed facility will be a thirty room hotel with reception center facilities to be used for meetings.

Mayor Bunker thanked the public for their comments and reiterated that there will be no decision made on the proposed annexation at this time. Mayor Bunker stated that the requirements for annexation have been met and the petition for annexation meets all requirements of state law. He indicated that it is the intent of Delta City to adopt a Lyman Row Residential zone as a part of the annexation in order to provide zoning which will cause as little impact as possible on any current life style enjoyed by residents of the Lyman Row area. Mayor Bunker stated that input is requested from Lyman Row residents as to allowed uses for the Lyman Row Residential Zone.

Mayor Bunker declared the public hearing closed at 7:00 p.m.


GAYLE BUNKER, Mayor


GREGORY JAY SCHAFFER, CMC, City Recorder

MINUTES APPROVED: RCCM 07-20-06

