

NOTICE AND AGENDA

Notice is hereby given that the Millville City Council will hold their regularly scheduled Council Meeting on Thursday, October 12, 2023, at the Millville City Office, 510 East 300 South in Millville, Utah, at 7:00 p.m.

1. Call to Order / Roll Call – Mayor Hair
2. Opening Remarks / Pledge of Allegiance – Councilmember Grange
3. Approval of agenda
4. Approval of minutes of the City Council Meeting – September 14, 2023
5. Agenda Items—
 - A. Presentation of a plaque to LuAnn Callahan honoring Councilmember Callahan’s decade of service to Millville City – Mayor Hair
 - B. Message from CAPSA – Maddie Soto
 - C. Public comment period (2 min/person)
 - D. Consideration for ordinance updating City Code Chapter 8.04 – Garbage Collection and Disposal – Recorder Twedt
 - E. Consideration for ordinance updating City Code Chapter 17.12 to allow for zoning selection at time of annexation - Recorder Twedt
 - F. Consideration of a resolution canceling the 2023 Millville Municipal Election – Recorder Twedt
 - G. Report on P&Z Meetings held September 21, 2023 & October 5, 2023 – Development Coordinator Everton
 - H. Consideration of a resolution accepting the R.K.S. Minor Subdivision (approximately 450 E. 300 S.) – Mayor Hair
 - I. Consideration of a resolution accepting the Knowles Farm Minor Subdivision (approximately 295 E. 200 S.) – Mayor Hair
 - J. Consideration of a resolution accepting the Wilker Subdivision (approximately 420 N. 100 W.) – Mayor Hair
 - K. Scheduling of public hearing for Cold Storage Annexation – Recorder Twedt
 - L. Connection to sewer for Stauffer Subdivision – Gary Stauffer
 - M. Discussion on fees for Millville homes that are only used a portion of the year – Mayor Hair
 - N. Review of Utility Adjustments for FY24 Q1 – Treasurer Hobbs
 - O. Budget Review for FY24 Q1 – Recorder Twedt
 - P. Winter social planning – Mayor Hair
 - Q. Scheduling of work session with P&Z to discuss Alder and Heritage developments – Mayor Hair
 - R. City Reports: Roads, Parks, Water – Public Works Director Kendrick
 - S. Councilmember reports and other items for future agendas
6. Adjournment.

In compliance with the American with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during public meetings should notify Corey Twedt at (435) 881-2669 at least three days prior to the meeting.

This agenda was posted on October 9, 2023, to the City posting locations, the City Website and the Utah Public Meeting Notices Website.



Corey Twedt, Recorder

MILLVILLE CITY COUNCIL MEETING
City Hall – 510 East 300 South – Millville, Utah
September 14, 2023

PRESENT: David Hair, Daniel Grange, Clay Wilker, Pamela June, Ryan Zollinger, Jeremy Ward, Tara Hobbs, Chad Kendrick, Corey Twedt, Cole Thornton, Jeff Nielsen, Todd Lundahl, Gary Stauffer, Alex Bearnson, Stephanie White, Katie Owens, Matt Anderson, Wendy Wilker, Jason Leishman, Sheri Leishman, Dan Ames

Call to Order/Roll Call

Mayor David Hair called the City Council Meeting to order for September 14, 2023, at 7:00 p.m. He said that he was sad to report that Councilmember Michael Callahan had passed away this week and that he will be missed. The roll call indicated Mayor David Hair and Councilmembers Pamela June, Councilmember Clay Wilker, Ryan Zollinger, and Daniel Grange were in attendance.

Opening remarks/Pledge of Allegiance

Councilmember June welcomed everyone to the Council Meeting and led all present in the pledge of allegiance. She then offered a word of prayer.

Mayor Hair added that one of the many things he appreciated about Councilmember Callahan was his love of the American flag and his military service.

Approval of agenda

The agenda for the City Council Meeting of September 14, 2023, was reviewed.

Councilmember Grange moved to approve the agenda for September 14, 2023.

Councilmember Zollinger seconded. Councilmembers Wilker, June, Grange, and Zollinger voted yes. (A copy of the agenda is included as Attachment “A”.)

Interviews and selection to fill mid-term City Council vacancy

Mayor Hair said that the City had only received one applicant to fill the open mid-term vacancy position left by Councilmember Michael Callahan. The applicant is Jeremy Ward. The consensus of the Council was that Jeremy Ward would be a great fit and do a good job in the City Council to fulfill the remainder of the term left by Councilmember Callahan.

Councilmember Grange motioned to appoint Jeremy Ward to fill the mid-term vacancy in the City Council. The term will end on December 31, 2023. Councilmember Zollinger seconded. Councilmembers Wilker, June, Grange, and Zollinger voted yes.

Oath of Office for new City Councilmember

Recorder Twedt then swore in Councilmember Jeremy Ward.

Approval of minutes of the previous meeting

The Council reviewed the minutes of the City Council Meeting for August 10, 2023.

Councilmember June motioned to approve the minutes for August 10, 2023.

Councilmember Grange seconded. Councilmembers Ward, June, Wilker, Grange, and Zollinger voted yes.

Public comment period

Mayor Hair opened the floor for any public comments.

Cole Thornton said that he is concerned about the large monthly sewer fees plus the requirement for homeowners to pay for their lateral connections. He said that there are people in Millville that are wanting to stay here forever, and he is worried about the costs.

Mayor Hair explained that there wasn't a way around this. The sewer project is expensive. The City has some construction loans. When they close, the City has to begin making regular monthly payments. To cover the costs of those payments on the City debt, we have to increase the monthly sewer bill for the residents. With the loan that just closed, the monthly sewer rate increased this month from \$5 to \$40. When the next loan closes, the rate will go up to \$60. When residents can connect to the working sewer lines, the rate will increase to \$90 per month.

Councilmember Zollinger said that he understood the concern and frustration. This is a big change for Millville City and nobody that lives here is going to like it. It will be expensive for Millville as it will be for many other communities throughout the State of Utah to deal with sewer collection and treatment.

Cole thanked the Council for the time. Recorder Twedt said that he would be happy to sit down with Cole if he is interested in seeing the background and numbers for the debt to understand the details of where the costs are coming from.

Request for a business license for Cache Valley Native Plants

Katie Owens has submitted a request for a business license for Cache Valley Native Plants at 80 West 550 North. She said she wants to start a small home business from her home. She said that she is interested in growing plants that do well in this dry climate that can be sold to others for their yards. Katie said she plans to offer online orders for customers to come by for pickup or to meet by appointment with one customer at a time at her home. Councilmember Ward asked about her plans for the greenhouse. Katie said that it would be a small 8'x10' residential-style greenhouse.

Councilmember Wilker moved to approve the business license for Cache Valley Native Plants. Councilmember Zollinger seconded. Councilmembers Ward, June, Wilker, Grange, and Zollinger voted yes. (A copy of the license application is included with the minutes as Attachment “B”.)

Report on P&Z Meeting held September 7, 2023

Councilmember June reviewed with the Council the Planning Commission’s draft minutes for the meeting held September 7, 2023.

Consideration of an ordinance updating City Code 8.04 – Garbage Collection and Disposal

Recorder Twedt reviewed with the Council the ordinance with updates to the City Code dealing with garbage collection to better align with the new contract garbage service from Waste Management.

Councilmember Zollinger brought up a couple of issues that he thought should be clarified before the updates are adopted. The rest of the Council agreed that it would be good to resolve these questions:

- 8.04.070.D – Define “unusable waste” and change “unusual” to “unusable”.
- Clarify that if a 3rd party is paid to do work on your home or business, they can handle the garbage.

Recorder Twedt said that he would get these issues resolved and then bring back an amended version at a future City Council meeting. (The related staff report is included with the minutes as Attachment “C”.)

Consideration of a resolution accepting the Cold Storage Annexation Petition

Recorder Twedt reviewed with the Council the resolution that would accept the petition for the Cold Storage Annexation. He clarified that this is not the final acceptance of the annexation. It is just the next step to continue reviewing the request and make sure it is right for Millville City. Recorder Twedt said that the Planning Commission had reviewed the request at their last meeting and recommended approval by the City Council.

Councilmember Grange motioned to approve Resolution 2023-21. Councilmember June seconded. Councilmembers Ward, June, Wilker, Grange, and Zollinger voted yes. (The approved resolution is included with the minutes as Attachment “D”.)

Cache County School District property east of Ridgeline High School

Wendy Wilker provided a map of the property along the canal that is of concern for this discussion. She said that there is approximately 15’ of property on the west side of the canal that is owned by the Cache County School District.

Wendy said that the issue is that the school does not have enough parking for the students or the events that are held at the school. Also, the City did not push for enough sidewalks in the right locations when the school was built. The 550 North Road is not very safe for pedestrians, so kids often follow the canal and then cut through the Wilker property. This problem is worse during the school year since there are more kids and no water in the canal, so it is easier to cross. During large school events, people park on 550 North and walk right through the Wilker property to get to the school. When Wendy goes out to tell the people that they are trespassing, she is often sworn at or worse.

Wendy has been talking about the issue with the school district for years. They offered to put in a gate but said that it couldn't be locked because the canal company needs access. Recorder Twedt asked if it could be locked, and a key given to the canal company. Wendy said that she didn't think a gate would do much to deter people from trespassing.

Wendy said that in one of the on-site meetings with the school district, they said they could transfer ownership of the property to Millville City, but they do not want to deed it out to each individual property owner. It was discussed that the reason the school district didn't want to deal with the individual property owners was because of the time and cost associated with getting rid of property as indicated by the steps outlined in the staff report.

Wendy said that if the other property owners were not interested, maybe the City could take ownership and transfer it to the Wilkers so that they could better police their property and do more to stop the trespassing. Wendy said that when the school was built, the City was supposed to provide a safe walking path. With the high school being built in that location, it had changed the lives of the Wilkers significantly and if the City could do anything to help, it would be appreciated.

Councilmember Zollinger said that there would be a cost for the City to be involved with this and he thinks that the homeowners that would get the property should agree to pay for the expenses. He said that it may be better to put in a 10' chain-link fence.

It was determined that Recorder Twedt and Councilmember Wilker would work together to come up with a rough cost estimate of what it would take for the City to take the property and transfer it out to the homeowners.

Heritage Development Discussion

Tami Midzinski was not present at the meeting. The Council briefly discussed the development request for townhomes and some commercial businesses on a parcel north of the high school. It was discussed that the Planning Commission was very against any medium to high-density development on this property.

Cole Thornton said that he thinks the Council needs to protect the integrity of Millville for as long as possible and only allow single-family residential development. Mayor Hair pointed out that Cole had come in to discuss the high monthly sewer rate. This rate would

decrease with more development and more people in Millville. Mayor Hair said that this is not a reason to push for new development, but it is a factor that residents should remember.

Alder Development Discussion

Alex Bearnson said that they have gone back and forth on this quite a bit now with both cities and they really just want to come to a decision on what to do so that they can move forward with development planning. He said that they would like to develop this portion in Millville if Millville is interested and if Millville is willing to work on a new zone type that would work for the proposed development.

Councilmember June said that she was not a fan of what they were trying to do. With the HOA fees and the proposed PID, the cost would be too much for many potential residents to handle. She said that her preference would be to maintain this in Millville under the existing Millville Commercial Zoning as outlined in the General Plan. She said that she doesn't think the proposed density makes sense in this area.

Councilmember Grange was excused from the meeting at this time.

Alex said that Millville would bring in an additional approximate \$168,000 per year in property taxes with the additional residential units.

Councilmember Wilker discussed some possible considerations for a simple in-house study to determine the revenue from this type of development as well as how it would affect the rest of the City.

Councilmember Ward asked questions about the density. It was discussed that there are currently about 700 homes in Millville. With this proposed development, the number of residential units would increase to approximately 2,000.

A phasing plan for the development was briefly discussed.

The boundary line between the two cities was then discussed. Alex explained that with the current proposal, the boundary line adjustment would only move three acres of property from Millville City to Providence City. Councilmember Zollinger suggested that the property line and division between Millville and Providence be made at the river. He said that he felt this would be a better boundary line for infrastructure and services.

Councilmember Wilker said that the City would need to understand the financial impact better to know what it would cost for Millville and how fast the City could recoup its investments.

Councilmember June discussed the floodplain that covers much of the area designated for this future development. She asked Alex what he planned to do to mitigate the flooding

issues. Alex said that there are both floodplain and wetland issues that will be expensive to mitigate. These are issues that they are aware of and will need to work through.

Councilmember June said that she would never approve this type of development. She said that she would want to keep the Millville parcels in Millville and maintain what is in our General Plan with future Commercial Zoning and development.

It was determined that the Millville City Council would schedule a work session with the Planning Commission to discuss this development and get a better handle on what the City should do. (A copy of the related staff report is included with the minutes as Attachment “G”.)

City Reports

Director of Public Works Chad Kendrick said that the sewer construction continues to progress and is going well. He said that the pavement on the highway is currently scheduled for October 8th.

Dan Aemes expressed frustration with Millville City over the sewer construction happening near his home in Nibley. He also said that the Cemetery Board was not done pursuing legal action against Millville City, although the Cemetery Board had settled with the City to drop their lawsuit just weeks ago.

Councilmember Reports and Items for Future Agendas

(A copy of the Councilmember Assignments List is included with the minutes as Attachment “H”.)

Councilmember June asked about the status of the Merritt complaint. Recorder Twedt said that the City had sent a notice of violation and that the neighbor had until September 20th to be in compliance with City Code.

Adjournment

Councilmember Zollinger moved to adjourn the meeting. Councilmember Ward seconded. Councilmembers Ward, June, Wilker, and Zollinger voted yes with Councilmember Grange excused. The meeting adjourned at 9:07 p.m.



AGENDA REPORT: GARBAGE DISPOSAL CODE UPDATES October 12, 2023

Background

In the past, solid waste collection services throughout Cache County have been governed by the Cache County Solid Waste Advisory Board (SWAB) and provided by Logan City's Environmental Department. On May 31, 2022, Logan City gave official notice to the other cities in Cache Valley that they would no longer be offering garbage services to residents outside of Logan City. The Cache Waste Consortium (CWC) was then established consisting of most of the cities in Cache Valley to seek out garbage services. After RFPs were prepared and sent out and bids were received, Waste Management was selected as the garbage service provider for cities participating in the Cache Waste Consortium. The planned transition from Logan City to Waste Management is October 1, 2023.

As part of the contract entered into by the CWC with Waste Management, each participating entity must adopt an ordinance that gives exclusivity to our waste hauler. This is not different than the previous exclusivity given to our previous waste hauler. The Millville City attorney – who is also the attorney for the CWC – has created a draft ordinance to be used for this purpose. Millville City staff has taken the draft ordinance and implemented it into our existing code while making updates and removing all references to the service previously provided by the SWAB.

There was an initial City Council review of the proposed code changes in September 2023. In that review, a couple of concerns were brought up that have been addressed in this latest version (shown in pink).

Included Documents

- Ordinance 2023-7 – Garbage Collection
- City Code Chapter 8.04 – Garbage Collection and Disposal – showing changes
- City Code Chapter 8.04 – Garbage Collection and Disposal – clean updated version

**MILLVILLE CITY
ORDINANCE 2023-7**

**UPDATES TO CITY CODE CHAPTER 8.04 – GARBAGE COLLECTION
AND DISPOSAL**

WHEREAS, the Utah Code § 10-11-1(2)(ii) grants municipalities the right to regulate the abatement of garbage and refuse; and

WHEREAS, in response to Logan City’s abrupt termination of waste collection services to cities in Cache Valley, Millville City (the “City”) in concert with several other municipalities and Cache County formed an interlocal entity called the Cache Waste Consortium (the “Consortium”) to procure waste collections services for Cache County and the participating municipalities; and

WHEREAS, the Consortium entered into that certain Solid Waste Services Agreement with Waste Management of Utah, Inc. (“Waste Management”) dated March 22, 2023 (the “Services Agreement”) by which Waste Management agreed to provide waste collection services for all cities in the Consortium; and

WHEREAS, as a condition of Waste Management entering into the Services Agreement, Waste Management demanded exclusive ability to provide waste collection services in all jurisdictions that are part of the Consortium; and

WHEREAS, the Services Agreement requires the City to adopt an ordinance making Waste Management the exclusive waste collection services provider in the City; and

WHEREAS, the Millville City Council determined it was in the best interests of the residents of the City to participate as part of the Consortium and adopt an ordinance as required by the Services Agreement;

NOW, THEREFORE, the Millville City Council hereby adopts, passes and publishes the modifications shown on the included attachment for City Code Chapter 8.04 – Garbage Collection and Disposal.

This ordinance shall become effective on October 12, 2023.

ADOPTED AND PASSED, by the MILLVILLE CITY COUNCIL this 12th day of October 2023.

MILLVILLE CITY

David Hair, Mayor

ATTEST:

Corey Twedt, City Recorder

COUNCILMEMBER	YES	NO	ABSENT	ABSTAIN
Jeremy Ward				
Daniel Grange				
Clay G. Wilker				
Pamela June				
Ryan Zollinger				

POSTED: _____

MILLVILLE CITY CODE
TITLE 8 - HEALTH AND SAFETY
CHAPTER 8.04 - GARBAGE COLLECTION AND DISPOSAL

[8.04.010: PURPOSE~~DEFINITIONS~~](#)

[8.04.020: DEFINITIONS~~COLLECTION OF GARBAGE~~](#)

[8.04.030: CITY COLLECTOR GRANTED EXCLUSIVE FRANCHISE~~SERVICE CHARGE~~](#)

[8.04.040: REQUIREMENT FOR COLLECTION SERVICES~~METHOD OF PAYMENT OF SERVICE CHARGES~~](#)

[8.04.050: SERVICE CHARGE~~PERMITS~~](#)

[8.04.060: METHODS OF PAYMENT OF SERVICE CHARGE~~ENFORCEMENT, SERVICE OF NOTICES AND ORDERS, HEARINGS~~](#)

[8.04.070: PROHIBITIONS~~INSPECTION~~](#)

[8.04.080: INDEMNITY~~EQUIPMENT~~](#)

8.04.010: PURPOSE

The City is a party to that certain Interlocal Cooperation Agreement between Cache County and Participating Municipalities of Cache County for Creation of an Interlocal Entity for County and Municipal Solid Waste Disposal dated November 2022 (the “Interlocal Agreement”) which established the interlocal entity called the Cache Waste Consortium (the “Consortium”). The Consortium may from time to time enter into certain Solid Waste Services Agreements (the “Services Agreement”) whereby providers agree to provide waste collection services for all governmental entities who are a part of the Consortium. The Services Agreements require governmental entities in the Consortium to adopt ordinances for the enforcement of the exclusive right granted to the provider under contract with the Consortium. This Chapter is meant to, and should be interpreted to, meet the requirements of the current Services Agreement of the Consortium. (Ord. 2023-7, 2023)

8.04.0240: DEFINITIONS

BIN: A watertight metal or heavy plastic receptacle with a hinged plastic lid and a capacity of between one (1) and eight (8) cubic yards, designed or intended to be mechanically dumped into a packer-type truck and provided to the City by the City Collector.

CART: A watertight heavy plastic receptacle with a rated capacity of approximately sixty-four (64) or ninety-six (96) gallons, having a hinged, tight-fitting lid, and two (2) wheels and provided to the City by the City Collector.

CITY COLLECTOR: The provider currently established by resolution of the City Council.

COLLECTION SERVICE(S): The process by which Solid Waste is removed from a Commercial or Residential Premises, transported to a transfer, disposal or processing facility, and subsequently disposed or processed.

COMMERCIAL PREMISES: (i) Multi-Family Complexes, and (ii) Premises at which business or governmental activity is conducted, including, but not limited to, retail sales, services, medical facilities, wholesale operations, manufacturing and industrial operations, governmental operations, and schools.

CONTAINER: A Bin, Cart or Roll-Off Container provided by the City Provider.

DWELLING UNIT: Any individual living unit that includes a kitchen, and a room or suite of rooms, and is designed or occupied as separate living quarters for an individual or group of individuals. However, Dwelling Unit does not include a hotel or motel unit.

GREEN WASTE: Any vegetative matter resulting from normal yard and landscaping maintenance that is not more than three (3) feet in its longest dimension or six (6) inches in diameter. Green Waste includes, but is not limited to, plant debris such as palm, yucca and cactus, grass clippings, leaves, prunings, weeds, branches, brush, undecorated Christmas trees, and other forms of vegetative waste.

MULTI-FAMILY COMPLEX: Any Premises with four (4) or more Dwelling Units, where such Dwelling Units receive centralized Collection Services (and not individualized Cart-based Collection Services).

MULTI-FAMILY DWELLING UNIT: A Dwelling Unit in a Multi-Family Complex.

OVERAGE: (i) Refuse, Recyclables or Green Waste exceeding its Container's intended capacity such that the lid is lifted by at least ten inches (or would be lifted by at least ten inches if lowered) or (ii) Refuse, Recyclables or Green Waste placed on top of or in the immediate vicinity of the Container, in bags or otherwise.

PREMISES: Any parcel of real property in the City where Solid Waste is generated or accumulated.

RECYCLABLES: Aluminum cans, PET bottles with the symbol #1 with screw tops only, HDPE plastic bottles and containers with the symbol #2 (milk jugs, detergent containers, and shampoo bottles, etc.), PP plastic bottles and containers with symbol # 5 (ex. yogurt containers, syrup bottles), steel and tin cans, glass food and beverage containers – any color, newspaper, mail, uncoated paperboard (Cereal boxes, food and snack boxes), old corrugated containers/cardboard (uncoated) (moving boxes, pizza boxes), magazines, glossy inserts and pamphlets.

REFUSE: Solid Waste that is set out for collection and disposal pursuant to this Agreement. Refuse does not include Recyclables or Green Waste set out for collection.

RESIDENTIAL PREMISES: A Single-Family Premises.

ROLL-OFF CONTAINER: An all-metal container with ten (10) cubic yards or more capacity that is loaded onto a specialized collection vehicle.

SERVICE RECIPIENT: An owner or occupant of a Residential or Commercial Premises who is receiving Collection Services.

SINGLE-FAMILY PREMISES: (i) any Premises with less than four (4) Dwelling Units, and (ii) any Premises with four (4) or more Dwelling Units where each Dwelling Unit receives individualized Cart-based Collection Services (and not centralized Collection Services), which Premises have been registered or verified with the City for the receipt of Collection Services.

SOLID WASTE: All putrescible and non-putrescible solid, semi-solid, and liquid wastes that are generated or coming to exist in the City, including discarded Recyclables and Green Waste, but excluding Unacceptable Waste.

UNACCEPTABLE WASTE: Any waste tires, radioactive, volatile, corrosive, flammable, explosive, biomedical, infectious, bio-hazardous, regulated medical or hazardous waste, toxic substance or material, as defined by, characterized, or listed under applicable federal, state, or local laws or regulations, any materials containing information protected by federal, state or local privacy and security laws or regulations (unless tendered to the City Collector pursuant to a separate agreement), or any material the acceptance or handling of which would cause a violation of any applicable statute, rule or regulation, damage to the City Collector's equipment

of facilities, or present a substantial endangerment to the health or safety of the public or the City Collector's employees. Title to and liability for Unacceptable Waste shall remain with the generator at all times. (Ord. 2023-7, 2023: Prior code § 10-411)

~~COMMERCIAL GARBAGE: Refers to garbage produced in commercial establishments, public or quasi-public institutions or establishments, including restaurants, hotels, motels and similar establishments.~~¶

~~¶~~

~~COMMUNITY WASTE: Lawn cuttings, clippings from bushes and shrubs, leaves and trees and tree branches.~~¶

~~¶~~

~~CONTAINER OR REGULATION CONTAINER: A type of garbage or trash container of galvanized metal or other approved material and having a tight fitting lid or properly and sufficiently treated weather resistant paper bag manufactured specifically for use in garbage and refuse collection.~~¶

~~¶~~

~~GARBAGE: Waste from the preparation, handling, storing, cooking or consumption of food and food products.~~¶

~~¶~~

~~REFUSE: All waste matter, except garbage, attending or resulting from the occupancy of residences, apartments, hotels, or other places of dwelling and from the operation of a business. Refuse shall not be deemed to include industrial waste or waste matter resulting from the construction, demolition or repair of a building or other structure.~~¶

~~¶~~

~~RESIDENTIAL GARBAGE: Refers to and means garbage produced in places of private residence and dining halls not open to the public. (Prior code § 10-411)~~

8.04.030: CITY COLLECTOR GRANTED EXCLUSIVE FRANCHISE

The City Collector is hereby granted the exclusive duty, right and privilege to provide Collection Services or otherwise handle all Solid Waste generated, deposited, accumulated or coming to exist at Commercial and Residential Premises in the City. (Ord. 2023-7, 2023: Ord. 2000-7 § 2: prior code § 10-412)

8.04.020: COLLECTION OF GARBAGE¶

~~¶~~

- ~~A. The municipality or its agent shall collect, remove and dispose of all residential, commercial garbage. The removal of which is not otherwise provided for by the establishment or institution as herein provided. All garbage and refuse shall be collected,~~

~~removed and disposed of with such frequency and in such manner as the governing body may from time to time establish by regulation.~~

~~¶~~

~~B. Except as otherwise expressly permitted by this chapter, no garbage or refuse shall be moved or hauled away or transported upon the streets or public ways of the municipality except by the municipality or its agent and except by authorized persons hauling commercial garbage or refuse as hereinafter provided. It is declared to be unlawful for any person, except as permitted in this chapter, to haul or remove garbage or refuse in the municipality.~~

~~C. Commercial establishments, public or quasi public, institutions and establishments creating commercial garbage may remove commercial garbage themselves or may employ the services of authorized contractors to remove commercial garbage. Authorized garbage haulers must apply for and receive permission to do so from the recorder. Haulage of refuse must be done in the manner at such times and in such vehicles as may be approved for such purposes as the governing body may from time to time by regulation provide.~~

~~¶~~

~~D. Nothing contained in this section shall preclude persons from hauling their own garbage, trash or community waste over the streets and alleys of the municipality in vehicles, containers approved by a sanitary inspector or such other personnel of the municipality as the governing body may authorize.~~

~~¶~~

~~E. The recipient of services provided in this chapter shall be subject to all collection and disposal rules and regulations as adopted by resolution of the city council.~~

~~¶~~

~~F. Nothing in this section shall be construed as eliminating the charge made for garbage service. (Ord. 2000-7 § 2: prior code § 10-412)~~

8.04.040: REQUIREMENT FOR COLLECTION SERVICES

All Commercial and Residential Premises in the City shall receive Collection Services through the City Collector and shall enroll in Collection Services with the City through the forms and agreements adopted by the City. (Ord. 2023-7, 2023)

8.04.0530: SERVICE CHARGE

~~A. The service charge for garbage collection shall be established by resolution from time to time by the governing body and shall be in an amount consistent with the amounts set forth in the contract between the municipality and the Cache County service area #1.~~

- B. Charges shall apply to all residences and business establishments whether or not they have also elected to haul their own garbage ~~or employ the services of authorized garbage haulers.~~ (Ord. 2023-7, 2023: Prior code § 10-413)

8.04.0640: METHOD OF PAYMENT OF SERVICE CHARGES

- A. The garbage service charges above imposed by this chapter shall be added to the charge made for water furnished through the water system of the municipality and shall be billed and collected in the same manner as water service charges are billed and collected.
- B. In the event that the obligee for the water service charges and the obligee for the garbage service charges do not coincide, or in the event that practical economic and administrative reasons do not make combined billing and collection feasible in the opinion of the governing body, the garbage service charges may be collected with such frequency and in such manner as the governing body shall by regulation provide. (Prior code § 10-414)

8.04.0750: PROHIBITIONSPERMITS

~~It is unlawful for any person who does not possess an unrevoked permit from the Cache County service area #1 in addition to any business license required by the municipality to engage in the business of refuse collection or refuse disposal for compensation in the municipality. The Cache County service area #1 shall issue permits for such applicants; provided that such permits shall be limited to persons having proper equipment and personnel to collect and dispose of refuse in accordance with the provisions of this chapter; and that no permit shall be required of any agency acting under contract with the municipality. (Prior code § 10-424)~~

- A. ~~Except as provided herein, it shall be unlawful for any person, except the City Collector, to collect or remove any Solid Waste, whether commercial or residential, accumulated or located within the City, or use the streets, avenues, alleys or ways within the City for the purpose of collection or transportation of same.~~
- B. ~~It shall be unlawful for more than one Single-Family Premises to share the same Collection Services account with the City.~~
- C. ~~Except as may occur through ordinary wear and tear, it shall be unlawful for any person to lose, damage or destroy any Container.~~

- D. It shall be unlawful for any person to intentionally remit any ~~Unacceptable~~Unusable Waste in any Container with the purpose of the ~~Unacceptable~~Unusual Waste being picked up as part of Collection Services.
- E. It shall be unlawful for any person to cause any Overage with any Container.
- F. It shall be unlawful for any person to fill any Container until it is overweight. For the purposes of this subsection, "overweight" shall mean two times the volume capacity of the Container (e.g. 192 pounds for a 96-gallon Cart).
- G. Nothing herein shall be construed to prohibit any owner, occupant or tenant of a Premises from personally handling, ~~or contracting with a third-party on a strictly limited basis, for purposes of~~ hauling, or transporting Solid Waste generated by or from such Premises for purposes of disposing of the same at an authorized disposal area or transfer station.
- H. Nothing herein shall be construed to prohibit the right of any person to sell Recyclables (i.e., receipt of a net payment) to any person lawfully engaged in the recycling business in the City or to donate Recyclables to any bona fide charity, provided that all such Recyclables are separated by the generator of the Recyclables. (Ord. 2023-7, 2023)

~~8.04.060: ENFORCEMENT, SERVICE OF NOTICES AND ORDERS, HEARINGS~~

~~¶~~

- ~~A. Whenever the Cache County service area #1 has determined that there are reasonable grounds to believe that there has been a violation or any provision of this chapter, notice of such alleged violation shall be given to the person or persons responsible therefor, as hereinafter provided. Such notice shall:~~

~~¶~~

- ~~1. Be put into writing;~~

~~¶~~

- ~~2. Include a statement of the reasons why it is being issued;~~

~~¶~~

- ~~3. Allow a reasonable time for the performance of any act it requires;~~

~~¶~~

- ~~4. Be served upon the holder of a permit issued under this chapter or upon the owner or agent or the occupant of any premises within the municipality; provided, that such notice shall be deemed to have been properly served when a copy thereof has been served personally or in accordance with any other method~~

~~authorized or required under the laws of this state for commencement of civil actions.~~

~~B. Such notice may:~~

- ~~1. Contain an outline of remedial action which, if taken, will effect compliance with the provisions of this chapter;~~
- ~~2. State that unless conditions or practices described in such notice which violate this chapter are corrected within reasonable time specified in such notice, the violator may be punished in accordance with the provisions of this chapter, or a permit which has been issued pursuant to this chapter may be suspended or revoked.~~

~~C. Any person who is affected by any notice issued in connection with the enforcement of any provision of this chapter may request, and shall be granted, a hearing on the matter before the Cache County service area #1 or its designee; provided, that such person shall file, in the office of the Cache County service area #1 a written request for such hearing and within ten (10) days after the date the notice was served. Upon receipt of such request, the Cache County service area #1 shall set a time and place for such hearing and shall give the petitioner written notice thereof. At such hearing the petitioner shall be given an opportunity to be heard. The hearing shall be commenced not later than ten (10) days after the day on which the request was filed, provided that, upon application of the petitioner, the Cache County service area #1 may postpone the date of the hearing for a reasonable time beyond such ten (10) day period when, in its judgment, the petitioner has submitted a good and sufficient reason for such postponement.~~

~~D. After such hearing, the Cache County service area #1 shall sustain, modify, or withdraw the notice, depending upon its findings based on such hearing as to whether or not the provisions of this chapter and of the regulations adopted pursuant thereto have been complied with. If the Cache County service area #1 sustains or modifies such notice, it shall be deemed to be an order. Any notice shall automatically become an order if a written request for a hearing has not been filed in the office of the Cache County service area #1 within ten (10) days after such notice was served. In the case of any notice which states that a permit required by this chapter may be suspended or revoked, the Cache County service area #1 may suspend or revoke such permit if an order is issued and corrective action has not been taken within the time specified in the notice.~~

~~E. The proceedings at such hearing, including the findings and decision of the Cache County service area #1, shall be summarized, reduced to writing, and entered as a matter of public record in the office of the Cache County service area #1. Such record shall include, also, a copy of every notice or order issued in connection with the matter.~~

~~F. If the corrective action ordered by the Cache County service area #1 under this chapter has not been taken within five (5) days after such decision or order thereof, the Cache County service area #1 shall give notice that the governing body shall hear the matter. Notice of the hearing shall be given by personal service or by leaving a copy at the residence or place of business of the person not complying, with anyone at such address who is over the age of fourteen (14) years and by mailing a copy of the notice to the last known address of the person not complying with the order.~~

~~¶~~

~~G. At the time set for the hearing by the Cache County service area #1, the governing body shall hear the matter and receive evidence and determine what corrective action is required, if any. The decision of the governing body shall be in writing and a copy mailed to the person not complying.~~

~~¶~~

~~H. Any person who does not comply with the decision of the governing body shall be guilty of a misdemeanor. The governing body may order the Cache County service area #1 to take the corrective action required if the person who does not comply fails to do so and a court action shall be commenced against such person for any costs incurred by the municipality.~~

~~¶~~

~~I. Whenever the Cache County service area #1 finds that an emergency exists involving a serious health hazard which requires immediate action to protect the public health, it may without notice or hearing issue a written order reciting the existence of such an emergency and the conditions violating this chapter which require corrective action to remove such health hazard. If such corrective action is not taken, the Cache County service area #1 may take the action including the abatement of any nuisance as may be necessary to protect the public health. Notwithstanding other provisions of this chapter, such order shall be effective immediately. Any person to whom such order is directed shall comply therewith immediately, but upon petition to the governing body shall be afforded a hearing as soon as possible, but in any case not later than three (3) days after the petition was filed. After such hearing depending upon the findings of the governing body as to whether or not the provisions of this chapter and of the regulations adopted pursuant hereto have been complied with the governing body may continue such order in effect, modify it or revoke it. (Prior code § 10-425)~~

~~¶~~

~~¶~~

8.04.070: INSPECTION

~~Any authorized employee or agent of Cache County service area #1, after identifying himself or herself, shall have the power to enter at reasonable times upon private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of the provisions of this chapter and where necessary shall obtain a search warrant from a court having jurisdiction. (Prior code § 10-426)~~

8.04.080: INDEMNITYEQUIPMENT

¶

~~A. All public or private vehicles used for the collection or disposal of refuse shall have enclosed bodies or suitable provision for covering the body. Provision and use of tarpaulin or canvas cover to enclose open bodies of collection vehicles may be permitted when specifically approved by the Cache County service area #1.¶~~

¶

~~B. Vehicles used for the collection or disposal of garbage, or of refuse containing garbage, shall have watertight, metal bodies of easily cleanable construction, shall be cleaned at sufficient frequency to prevent nuisance or insect breeding and shall be maintained in good repair. (Prior code § 10-427)~~

Any person who violates any provision of this Chapter shall indemnify the City against any and all costs and expenses incurred by the City as a result of the violation, including costs and attorney fees incurred in enforcing the provisions of this Chapter or collecting any amounts due and owing to the City due to Collection Services. (Ord. 2023-7, 2023)

**MILLVILLE CITY CODE
TITLE 8 - HEALTH AND SAFETY
CHAPTER 8.04 - GARBAGE COLLECTION AND DISPOSAL**

[8.04.010: PURPOSE](#)

[8.04.020: DEFINITIONS](#)

[8.04.030: CITY COLLECTOR GRANTED EXCLUSIVE FRANCHISE](#)

[8.04.040: REQUIREMENT FOR COLLECTION SERVICES](#)

[8.04.050: SERVICE CHARGE](#)

[8.04.060: METHOD OF PAYMENT OF SERVICE CHARGES](#)

[8.04.070: PROHIBITIONS](#)

[8.04.080: INDEMNITY](#)

8.04.010: PURPOSE

The City is a party to that certain Interlocal Cooperation Agreement between Cache County and Participating Municipalities of Cache County for Creation of an Interlocal Entity for County and Municipal Solid Waste Disposal dated November 2022 (the “Interlocal Agreement”) which established the interlocal entity called the Cache Waste Consortium (the “Consortium”). The Consortium may from time to time enter into certain Solid Waste Services Agreements (the “Services Agreement”) whereby providers agree to provide waste collection services for all governmental entities who are a part of the Consortium. The Services Agreements require governmental entities in the Consortium to adopt ordinances for the enforcement of the exclusive right granted to the provider under contract with the Consortium. This Chapter is meant to, and should be interpreted to, meet the requirements of the current Services Agreement of the Consortium. (Ord. 2023-7, 2023)

8.04.020: DEFINITIONS

BIN: A watertight metal or heavy plastic receptacle with a hinged plastic lid and a capacity of between one (1) and eight (8) cubic yards, designed or intended to be mechanically dumped into a packer-type truck and provided to the City by the City Collector.

CART: A watertight heavy plastic receptacle with a rated capacity of approximately sixty-four (64) or ninety-six (96) gallons, having a hinged, tight-fitting lid, and two (2) wheels and provided to the City by the City Collector.

CITY COLLECTOR: The provider currently established by resolution of the City Council.

COLLECTION SERVICE(S): The process by which Solid Waste is removed from a Commercial or Residential Premises, transported to a transfer, disposal or processing facility, and subsequently disposed or processed.

COMMERCIAL PREMISES: (i) Multi-Family Complexes, and (ii) Premises at which business or governmental activity is conducted, including, but not limited to, retail sales, services, medical facilities, wholesale operations, manufacturing and industrial operations, governmental operations, and schools.

CONTAINER: A Bin, Cart or Roll-Off Container provided by the City Provider.

DWELLING UNIT: Any individual living unit that includes a kitchen, and a room or suite of rooms, and is designed or occupied as separate living quarters for an individual or group of individuals. However, Dwelling Unit does not include a hotel or motel unit.

GREEN WASTE: Any vegetative matter resulting from normal yard and landscaping maintenance that is not more than three (3) feet in its longest dimension or six (6) inches in diameter. Green Waste includes, but is not limited to, plant debris such as palm, yucca and cactus, grass clippings, leaves, prunings, weeds, branches, brush, undecorated Christmas trees, and other forms of vegetative waste.

MULTI-FAMILY COMPLEX: Any Premises with four (4) or more Dwelling Units, where such Dwelling Units receive centralized Collection Services (and not individualized Cart-based Collection Services).

MULTI-FAMILY DWELLING UNIT: A Dwelling Unit in a Multi-Family Complex.

OVERAGE: (i) Refuse, Recyclables or Green Waste exceeding its Container's intended capacity such that the lid is lifted by at least ten inches (or would be lifted by at least ten inches if lowered) or (ii) Refuse, Recyclables or Green Waste placed on top of or in the immediate vicinity of the Container, in bags or otherwise.

PREMISES: Any parcel of real property in the City where Solid Waste is generated or accumulated.

RECYCLABLES: Aluminum cans, PET bottles with the symbol #1 with screw tops only, HDPE plastic bottles and containers with the symbol #2 (milk jugs, detergent containers, and shampoo bottles, etc.), PP plastic bottles and containers with symbol # 5 (ex. yogurt containers, syrup bottles), steel and tin cans, glass food and beverage containers – any color, newspaper, mail, uncoated paperboard (Cereal boxes, food and snack boxes), old corrugated containers/cardboard (uncoated) (moving boxes, pizza boxes), magazines, glossy inserts and pamphlets.

REFUSE: Solid Waste that is set out for collection and disposal pursuant to this Agreement. Refuse does not include Recyclables or Green Waste set out for collection.

RESIDENTIAL PREMISES: A Single-Family Premises.

ROLL-OFF CONTAINER: An all-metal container with ten (10) cubic yards or more capacity that is loaded onto a specialized collection vehicle.

SERVICE RECIPIENT: An owner or occupant of a Residential or Commercial Premises who is receiving Collection Services.

SINGLE-FAMILY PREMISES: (i) any Premises with less than four (4) Dwelling Units, and (ii) any Premises with four (4) or more Dwelling Units where each Dwelling Unit receives individualized Cart-based Collection Services (and not centralized Collection Services), which Premises have been registered or verified with the City for the receipt of Collection Services.

SOLID WASTE: All putrescible and non-putrescible solid, semi-solid, and liquid wastes that are generated or coming to exist in the City, including discarded Recyclables and Green Waste, but excluding Unacceptable Waste.

UNACCEPTABLE WASTE: Any waste tires, radioactive, volatile, corrosive, flammable, explosive, biomedical, infectious, bio-hazardous, regulated medical or hazardous waste, toxic substance or material, as defined by, characterized, or listed under applicable federal, state, or local laws or regulations, any materials containing information protected by federal, state or local privacy and security laws or regulations (unless tendered to the City Collector pursuant to a separate agreement), or any material the acceptance or handling of which would cause a violation of any applicable statute, rule or regulation, damage to the City Collector's equipment

of facilities, or present a substantial endangerment to the health or safety of the public or the City Collector's employees. Title to and liability for Unacceptable Waste shall remain with the generator at all times. (Ord. 2023-7, 2023: Prior code § 10-411)

8.04.030: CITY COLLECTOR GRANTED EXCLUSIVE FRANCHISE

The City Collector is hereby granted the exclusive duty, right and privilege to provide Collection Services or otherwise handle all Solid Waste generated, deposited, accumulated or coming to exist at Commercial and Residential Premises in the City. (Ord. 2023-7, 2023: Ord. 2000-7 § 2: prior code § 10-412)

8.04.040: REQUIREMENT FOR COLLECTION SERVICES

All Commercial and Residential Premises in the City shall receive Collection Services through the City Collector and shall enroll in Collection Services with the City through the forms and agreements adopted by the City. (Ord. 2023-7, 2023)

8.04.050: SERVICE CHARGE

- A. The service charge for garbage collection shall be established by resolution from time to time by the governing body.
- B. Charges shall apply to all residences and business establishments whether or not they have also elected to haul their own garbage. (Ord. 2023-7, 2023: Prior code § 10-413)

8.04.060: METHOD OF PAYMENT OF SERVICE CHARGES

- A. The garbage service charges above imposed by this chapter shall be added to the charge made for water furnished through the water system of the municipality and shall be billed and collected in the same manner as water service charges are billed and collected.
- B. In the event that the obligee for the water service charges and the obligee for the garbage service charges do not coincide, or in the event that practical economic and

administrative reasons do not make combined billing and collection feasible in the opinion of the governing body, the garbage service charges may be collected with such frequency and in such manner as the governing body shall by regulation provide. (Prior code § 10-414)

8.04.070: PROHIBITIONS

- A. Except as provided herein, it shall be unlawful for any person, except the City Collector, to collect or remove any Solid Waste, whether commercial or residential, accumulated or located within the City, or use the streets, avenues, alleys or ways within the City for the purpose of collection or transportation of same.
- B. It shall be unlawful for more than one Single-Family Premises to share the same Collection Services account with the City.
- C. Except as may occur through ordinary wear and tear, it shall be unlawful for any person to lose, damage or destroy any Container.
- D. It shall be unlawful for any person to intentionally remit any Unacceptable Waste in any Container with the purpose of the Unacceptable Waste being picked up as part of Collection Services.
- E. It shall be unlawful for any person to cause any Overage with any Container.
- F. It shall be unlawful for any person to fill any Container until it is overweight. For the purposes of this subsection, “overweight” shall mean two times the volume capacity of the Container (e.g. 192 pounds for a 96-gallon Cart).
- G. Nothing herein shall be construed to prohibit any owner, occupant or tenant of a Premises from personally handling, or contracting with a third-party on a strictly limited basis, for purposes of hauling, or transporting Solid Waste generated by or from such Premises for purposes of disposing of the same at an authorized disposal area or transfer station.
- H. Nothing herein shall be construed to prohibit the right of any person to sell Recyclables (i.e., receipt of a net payment) to any person lawfully engaged in the

recycling business in the City or to donate Recyclables to any bona fide charity, provided that all such Recyclables are separated by the generator of the Recyclables. (Ord. 2023-7, 2023)

8.04.080: INDEMNITY

Any person who violates any provision of this Chapter shall indemnify the City against any and all costs and expenses incurred by the City as a result of the violation, including costs and attorney fees incurred in enforcing the provisions of this Chapter or collecting any amounts due and owing to the City due to Collection Services. (Ord. 2023-7, 2023)



AGENDA REPORT: ZONE SELECTION AT TIME OF ANNEXATION October 12, 2023

Background

This proposed change was discussed previously at a City Council meeting. The current Millville City Code requires that all property annexed into Millville City come in zoned as Agricultural. After that, the landowner generally pays an additional fee, files a zone change request, and then a zone change is processed through both Planning and Zoning as well as the City Council.

This seems like additional, unneeded red tape. Staff suggests that it would be better for a landowner to request the zoning they hope to get before the annexation is completed. This would provide additional transparency for both the landowner and the City. This would help the landowner know that they will be approved for the zoning they are hoping to get and won't be stuck with land zoned as agricultural after a time-consuming and expensive annexation. It will help the City know what the developer intends to do with the property before approving an annexation to bring it into the City.

The Planning Commission has reviewed the proposed change and has held a public hearing to receive input from the public. After the public hearing, The Planning Commission made a recommendation to the City Council to adopt the proposed changes.

Included Documents

- Ordinance 2023-8 including City Code Chapter 17.12 showing the proposed changes.

**MILLVILLE CITY
ORDINANCE 2023-8**

**UPDATES TO CITY CODE CHAPTER 17.12 – ESTABLISHMENT OF
ZONES TO ALLOW FOR ZONE SELECTION PRIOR TO ANNEXATION**

WHEREAS, Chapter 17.12 of the Millville City Code covers how zoning is established in Millville City; and

WHEREAS, it has been determined that providing an opportunity for developers to request appropriate zoning for land at the time of annexation instead of at a later date will benefit developers as well as Millville City by adding additional transparency; and

WHEREAS, the Millville City Planning Commission has discussed the proposed updates in public meetings, and a public hearing was held on September 21, 2023; and

WHEREAS, on September 21, 2023, the Millville City Planning Commission recommended the City Council adopt the proposed code changes;

NOW, THEREFORE, the Millville City Council hereby adopts, passes, and publishes the modifications shown on the included attachment for City Code Chapter 17.12 – Establishment of Zones.

This ordinance shall become effective on October 12, 2023.

ADOPTED AND PASSED, by the MILLVILLE CITY COUNCIL this 12th day of October 2023.

MILLVILLE CITY

David Hair, Mayor

ATTEST:

Corey Twedt, City Recorder

COUNCILMEMBER	YES	NO	ABSENT	ABSTAIN
Jeremy Ward				
Daniel Grange				
Clay G. Wilker				
Pamela June				
Ryan Zollinger				

POSTED: _____

MILLVILLE CITY CODE
TITLE 17 - ZONING
CHAPTER 17.12 - ESTABLISHMENT OF ZONES

[17.12.010: ESTABLISHMENT OF ZONES](#)

[17.12.020: DETERMINATION OF ZONING DISTRICT BOUNDARIES](#)

[17.12.030: ANNEXED AREAS](#)

[17.12.040: ZONES ESTABLISHED](#)

[17.12.050: PURPOSE OF ZONING DISTRICTS](#)

[17.12.060: APPLICATION OF DISTRICT REGULATIONS](#)

[17.12.070: OFFICIAL ZONING MAP](#)

17.12.010: ESTABLISHMENT OF ZONES

The city is divided into zones as shown on the map entitled zoning/city of Millville, which map and boundaries, notations, references, and other information shown thereon shall be as much a part of this title as if the information and matters set forth by the map were all fully described herein. (Ord. 99-02-18-01 § 2)

17.12.020: DETERMINATION OF ZONING DISTRICT BOUNDARIES

Where uncertainty exists with respect to the boundaries of the various zones, the following rules shall apply:

- A. Where the indicated boundaries on the zoning map are approximately street, public rights of way, or alleyways, the centerline of the street, public right of way, or alley shall be construed to be the zone district boundaries unless otherwise indicated.
- B. Where the indicated boundaries are approximately lot lines, the lot lines shall be construed to be the zoning district boundaries unless otherwise indicated.

- C. Boundaries indicated as approximately following city limits shall be construed as following such city limits.
- D. Boundaries indicated as approximately following centerlines of streams or canals shall be construed to follow such centerlines.
- E. Boundaries indicated as parallel to or extensions of features indicated above shall be so construed. Distances not specifically indicated on the official zoning district map shall be determined by the scale of the map.
- F. Where a district boundary line divides a lot which was in single ownership at the time of passage of this title, the planning commission shall recommend to the city council, as a special exception, the extension of the regulations for either portion of the lot beyond the district line into the remaining portion of the lot.
- G. Where physical or cultural features existing on the ground are at variance with those shown on the official zoning district map, or in other circumstances not covered in the aforementioned rules, the planning commission shall recommend to the city council the district boundaries.
- H. Where land has not been subdivided into lots and/or blocks, the zoning district boundaries shall be determined by use of the scale measurement shown on the map unless otherwise indicated.
- I. Where uncertainty continues to exist, the planning commission shall recommend its interpretation of the map to the city council. If the council upholds interpretation, then that interpretation may be appealed to the appeal authority.
- J. Any property south of 400 South currently zoned as Agriculture (A), or any property south of 400 South annexed into city limits as Agriculture (A), that wants to be considered for a residential zone will only be considered as a Residential (R-3) Zone. (Ord. 2018-9, 2018, 2007-8, 2007: Ord. 99-02-18-01 § 2)

17.12.030: ANNEXED AREAS

~~New areas to the city shall automatically be classified as a Agricultural (A) zone until such classification shall have been changed by an amendment to the zoning ordinance as provided by law.~~

At the time of the annexation of new territory to the city, the City Council, with a recommendation from the Planning Commission, shall classify such territory for zoning. The City shall consider the following when determining zoning for the annexed territory.

- A. The General Plan, including the future land use map and Millville City Master Plans,
- B. Surrounding land use,
- C. The request of the applicant, and
- D. Any applicable State law or regulations (Ord. 2023-8, 2023: Ord. 99-02-18-01 § 2)

17.12.040: ZONES ESTABLISHED

For the purpose of this title, the following zones are created and the land within the corporate limits of the city is divided into zoning districts. The boundaries for the zoning districts are shown on the official zoning map of the city. The classification of zoning districts is as follows:

A	Agricultural zone
R-1	Single- and two-family residential zone (minimum 14,000 square foot lot size)
R-2	Single- and two-family residential zone (minimum 21,000 square foot lot size)
R-3	Single- and two-family residential zone (minimum 87,000 square foot lot size)
CG	Commercial general zone
OS	Open space zone
TC	Commercial town center
HO	Hillside development overlay zone

(Ord. 2020-1, 2020: Ord. 2018-6, 2018: Ord. 2012-4, 2012: Ord. 2000-16 § 1: Ord. 99-02-18-01 § 2)

17.12.050: PURPOSE OF ZONING DISTRICTS

In addition to the general purposes of this title identified in chapter 17.04 of this title, the various zoning districts each serve a more specific individual purpose, as described below.

- A. The A (agricultural) zoning district is proposed to provide areas for agricultural and related uses, along with very low density residential uses. This designation shall be applied to land with appropriate topographical conditions where the intrusion of urban uses would be inappropriate or untimely, due to lack or need of urban services and facilities.
- B. The R (residential) zoning districts are created to provide for the diverse needs and desires of the people of the city. These districts shall also allow for other compatible uses which may complement the primarily residential functions of the districts, under certain conditions. Basic urban services and utilities would be available in these zones:
 - 1. The R-1 (single-family and two-family residential) zone is intended to provide areas for single-family and two-family detached dwellings with a minimum lot size of 14,000 square feet.
 - 2. The R-2 (single-family and two-family residential) zone is intended to provide areas for single-family and two-family detached dwellings with a minimum lot size of 21,000 square feet.
 - 3. The R-3 (single-family and two-family residential) zone is intended to provide areas for single-family and two-family detached dwellings with a minimum lot size of 87,000 square feet.
- C. The CG (commercial general) district is intended to provide various commercial uses.
- D. The OS (open space) zone is intended to provide for open space land within the city and to provide for the accommodation of natural features or hazards.
- E. The TC (commercial town center) district is intended to provide a “downtown” feel and provide residents a place to shop, eat and do business.
- F. The HO (hillside development overlay) zone is established to protect and preserve the hillside areas of the city. The goal is to minimize adverse effects of development within these areas. (Ord. 2020-1, 2020: Ord. 2018-6, 2018: 2012-4, 2012: Ord. 2000-16 § 1: Ord. 99-02-18-01 § 2)

17.12.060: APPLICATION OF DISTRICT REGULATIONS

- A. No building or part thereof or other structure shall be erected, altered, added to, or enlarged, nor shall any land, building, structure, or premises be used, designated, or intended to be used for any purpose or in any manner other than is included among the uses hereinafter listed as permitted in the district in which such building, land, or premises are located.
- B. No building or structure or part thereof shall be erected, reconstructed, or structurally altered to exceed in height the limit hereinafter designated for the district in which such building is located, unless building height exception is expressly allowed.
- C. No building, structure, or part thereof shall be erected, nor shall any existing building be altered, enlarged, rebuilt, or moved into any district, nor shall any open space be encroached upon or reduced in any manner, except in conformity to the yard, building site area, and building location regulations hereinafter designated for the land use and the district in which such building or open space is located.
- D. No yard or other open space provided about any building for the purpose of complying with provisions of this title shall be considered as providing a yard or open space for any other building, and no yard or other open space on one building site shall be considered as providing a yard or open space for a building on any other building site. (Ord. 99-02-18-01 § 2)

17.12.070: OFFICIAL ZONING MAP

- A. The boundaries of the districts established in section 17.12.040 of this chapter are established as shown on the official zoning map, which together with all explanatory matter thereon is adopted by reference and declared to be part of this title.
- B. The official zoning map shall be identified by the signature of the mayor of the city, attested by the city recorder, and shall bear the seal for the city under the following words:

This is to certify that this map is the official zoning map for the City of Millville, Utah, referred to in Section 17.12.070, Millville City Ordinances,

together with the date of the adoption of this title.

- C. No changes of any nature shall be made on the official zoning map except in conformity with the procedures set forth in this title. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this title and punishable as provided under chapter 17.84 of this title.
- D. Regardless of the existence of purported copies of the official zoning map, which may from time to time be made or published, the official zoning district map, which shall be located in the planning commission hearing room, shall be the final authority as to the current status of zoning districts.
- E. In the event that the official zoning map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the city council may, by resolution, adopt a new official zoning map or any subsequent amendment thereof. The new official zoning map shall be identified by the signature of the mayor of the city, attested by the city recorder, and shall bear the seal of the city of Millville, Utah, under the following words:

This is to certify that this official zoning map supersedes and replaces the official zoning map dated adopted (date of adoption of map being replaced) as part of Ordinance No. of the City of Millville, Utah, dated .

Unless the prior official zoning map has been lost or has been totally destroyed, the prior map or any significant remaining parts thereof shall be preserved together with all available records pertaining to its adoption or amendment. (Ord. 99-02-18-01 § 2)



AGENDA REPORT: ELECTION CANCELLATION

October 12, 2023

Background

In June, during the election candidacy filing period, three residents filed for candidacy for the three open City Councilmember positions for the 2023 municipal election: Jeremy Ward, Ryan Zollingr and Pamela June.

That makes three candidates for the three open positions. The write-in filing period ended on September 18, 2023. The Council should now adopt the resolution to cancel the 2023 election.

Included Documents

- Resolution 2023-22 for cancellation of the 2023 municipal election.

**MILLVILLE CITY
RESOLUTION 2023-22**

CANCELLATION OF THE 2023 MUNICIPAL ELECTION

WHEREAS, the Utah State Code 20A-1-206 gives instructions for canceling a local municipal election; and

WHEREAS, all municipal officers are elected in an at-large election under Utah Code Subsection 10-3-205.5(1); and

WHEREAS, the number of municipal officer candidates, including any eligible write-in candidates under Utah Code Section 20A-9-601, for the at-large municipal offices does not exceed the number of open at-large municipal offices for which the candidates have filed; and

WHEREAS, there are no other municipal ballot propositions;

NOW THEREFORE, it is hereby resolved the Millville City Council is canceling the 2023 municipal election and certifies that each municipal officer candidate is a candidate for an at-large municipal office for which the number of candidates does not exceed the number of open at-large municipal offices and the candidates are hereby considered to be elected to the office.

Approved and adopted this 12th day of October 2023.

SIGNED:

David Hair, Mayor

ATTEST:

Corey Twedt, City Recorder

COUNCILMEMBER	YES	NO	ABSENT	ABSTAIN
Jeremy Ward				
Daniel Grange				
Ryan Zollinger				
Clay G. Wilker				
Daniel Grange				

MILLVILLE PLANNING COMMISSION MEETING

City Hall - 510 East 300 South - Millville, Utah

September 21, 2023

PRESENT: Garrett Greenhalgh, Bonnie Farmer, Lynette Dickey, Larry Lewis, Darcy Ripplinger, Kara Everton, Pam June, David Hair

Call to Order/Roll Call:

Commissioner Greenhalgh opened the meeting for September 21, 2023, at 8:03 pm. Commissioners Garrett Greenhalgh, Lynette Dickey, Bonnie Farmer, Larry Lewis, and Darcy Ripplinger (Alt) are present. Commissioner Thompson is absent, and Commissioner Anderson is excused. Development Coordinator Kara Everton was present and took the minutes.

Opening Remarks/Pledge of Allegiance

Commissioner Greenhalgh led all present in the Pledge of Allegiance.

Approval of Agenda

The agenda for the Planning Commission Meeting was reviewed. Commissioner Farmer moved to approve the agenda for September 21, 2023. Commissioner Lewis seconded. Commissioners Garrett Greenhalgh, Lynette Dickey, Bonnie Farmer, Larry Lewis, and Darcy Ripplinger (Alt) were present. Commissioner Thompson is absent, and Commissioner Anderson is excused.

Approval of the Minutes of the Previous Meeting

The Planning Commission reviewed the minutes for the Planning Commission Meeting on September 7, 2023. **Commissioner Farmer moved to approve the minutes.** Commissioner Ripplinger seconded. Commissioners Garrett Greenhalgh, Lynette Dickey, Bonnie Farmer, Larry Lewis, and Darcy Ripplinger (Alt) were present. Commissioner Thompson is absent, and Commissioner Anderson is excused.

5.A. PUBLIC HEARING – relating to Proposed Update to Code: Chapter 17.12.030

Annexed Area

Commissioner Lewis motioned to begin the public hearing. Commissioner Dickey seconded. Commissioners Garrett Greenhalgh, Lynette Dickey, Bonnie Farmer, Larry Lewis, and Darcy Ripplinger (Alt) were present. Commissioner Thompson is absent, and Commissioner Anderson is excused.

Public Hearing began at 8:05 P.M.

PRESENT: Garrett Greenhalgh, Bonnie Farmer, Lynette Dickey, Larry Lewis, Darcy Ripplinger, Kara Everton, Pam June, David Hair

Public Comment Period: No Public Comment

Commissioner Greenhalgh commented that the change in this ordinance is a good move for further transparency in city development.

Commissioner Farmer motioned to close the public hearing. Commissioner Lewis seconded. Commissioners Garrett Greenhalgh, Lynette Dickey, Bonnie Farmer, Larry Lewis, and Darcy Ripplinger (Alt) were present. Commissioner Thompson is absent, and Commissioner Anderson is excused.

5.B. Discussion on Proposed Update to Code: Chapter 17.12.030 Annexed Area

There was no further discussion.

Commissioner Ripplinger motioned to recommend the Proposed Update to Millville City Code Chapter 17.12.030 Annexed Area. Commissioner Dickey seconded. Commissioners Garrett Greenhalgh, Lynette Dickey, Bonnie Farmer, Larry Lewis, and Darcy Ripplinger (Alt) were present. Commissioner Thompson is absent, and Commissioner Anderson is excused.

5.C. Other

- Commissioner Larry Lewis was concerned with the proposed development in Providence that included the baseball park. He suggests smaller scale commercial businesses at that location. Mayor Hair said that they are proposing businesses along 1700 South, but the proposal is to have a residential/mixed-use/commercial in this development that runs west of the Blacksmith Fork River and connect a road to Hwy 165. Mayor Hair said that there needs to be a meeting between City Council and Planning & Zoning on what direction Millville City wants to move forward regarding the future developments being proposed. Commissioner Bonnie Farmer mentioned that if there was a need for apartments in Millville, that location will be preferred. Commissioner Garrett Greenhalgh stated that right now we do not have to accommodate low-income housing due to our population size, and that we would need to double our size to have those regulations enforced. Mayor Hair said that we will hit that population mark eventually, so we need to plan ahead and think about locations, roads, utilities, impact, etc. Commissioner Dickey said that even if the location is developed for commercial use, the utilities would still need to be brought to the property.

6. City Council Minutes from September 14, 2023

- The city council suggested scheduling a work session to discuss potential future developments. The commission has varying schedules in October being in and out of town. Some dates may need to be proposed to see what the best availability will be.
- Darcy Ripplinger wanted to discuss the Wilker property proposed fence discussion and what the decision was moving forward. Mayor Hair said that the City Council has decided to wait on the homeowners to get more information and present it in the future.
- Commissioner Farmer inquired about some questions that were brought up regarding the Wilker Private Lane and Subdivision.

7. Agenda Items/Notes for Next Meeting

8. Calendaring of future Planning Commission Meeting

October 5, 2023, at 8:00 pm. Commissioner Farmer & Commissioner Dickey will be gone.

9. Adjournment

Chairman Greenhalgh moved to adjourn the meeting at approximately 8:52 p.m.

MILLVILLE PLANNING COMMISSION MEETING
City Hall - 510 East 300 South - Millville, Utah
October 5, 2023

PRESENT: Garrett Greenhalgh, Larry Lewis, Darcy Ripplinger, Matt Anderson, Kara Everton, Pam June, Tara Hobbs, Chad Kendrick, Tom Davis, Clay & Wendy Wilker, Colter Wilker, Camille & Brian David, David Hair, Callie Knowles

Call to Order/Roll Call:

Commissioner Greenhalgh opened the meeting for October 5, 2023, at 8:00 pm. Commissioners Garrett Greenhalgh, Darcy Ripplinger (Alt) and Matt Anderson (alt) were present. Commissioner Thompson is absent, with Commissioner Farmer & Commissioner Dickey are excused and Commissioner Lewis to arrive shortly. Development Coordinator Kara Everton was present and took the minutes.

Opening Remarks/Pledge of Allegiance

Commissioner Greenhalgh led all present in the Pledge of Allegiance.

Approval of Agenda

The agenda for the Planning Commission Meeting was reviewed. **Commissioner Anderson moved to approve the agenda for October 5, 2023.** Commissioner Ripplinger seconded. Commissioners Garrett Greenhalgh, Darcy Ripplinger (Alt) and Matt Anderson (alt) voted in favor. Commissioner Thompson was absent, with Commissioner Farmer & Commissioner Dickey are excused and Commissioner Lewis to arrive shortly.

Approval of the Minutes of the Previous Meeting

The Planning Commission reviewed the minutes for the Planning Commission Meeting for September 21, 2023. **Commissioner Ripplinger moved to approve the minutes.** Commissioner Anderson seconded. Commissioners Garrett Greenhalgh, Larry Lewis, Darcy Ripplinger (Alt) and Matt Anderson (alt) voted in favor. Commissioner Thompson was absent, and Commissioner Farmer & Commissioner Dickey are excused and Commissioner Lewis to arrive shortly.

Commissioner Lewis arrived at this point.

5.A. Zoning Clearance- Accessory Building- Tom Davis- 270 N 350 E, Millville UT

Tom is present. The height of the shed will be around 18' tall. No electricity or plumbing. There will be storage in the roof portion.

Commissioner Ripplinger motioned to approve the Zoning Clearance for an Accessory Building for Tom Davis located at 270 N 350 E., Millville UT. Commissioner Anderson seconded. Commissioners Garrett Greenhalgh, Larry Lewis, Darcy Ripplinger (Alt) and Matt Anderson (alt) voted in favor. Commissioner Thompson was absent, and Commissioner Farmer & Commissioner Dickey are excused.

5.B. Zoning Clearance Pool- Lakeview Pools and Spas for Angalee Roberts located at 593 E 100 S

There is not a representative present. The concrete will go to approximately 1' away from the property line. At present Millville City does not have a code specifically for pools. Commissioner Anderson suggested we create a code to specify our requirements for a fence, setbacks, etc. with how many pools have been installed recently.

Commissioner Ripplinger motioned to approve the Zoning Clearance for a Pool for Lakeview Pools and Spas for Angalee Roberts located at 593 E 100 S, Millville UT with the contingency that a fence is installed before water fills. Commissioner Lewis seconded. Commissioners Garrett Greenhalgh, Larry Lewis, Darcy Ripplinger (Alt) and Matt Anderson (alt) voted in favor. Commissioner Thompson was absent, and Commissioner Farmer & Commissioner Dickey are excused.

The commission inquired about any plans to open a business using the pool. If they do so, they will need to apply for a business license.

5.C. Final Plat Review Knowles Minor Subdivision- located 295 E 200 South, Millville

David Knowles asked why there is a "fee in lieu of" for a house that has been there for years, and if there is an option to waive the fee. Commissioner Ripplinger stated she doesn't disagree, but the code states that when a lot is created there are water shares that need to be transferred or fees to be given to the city, even though this lot would not create an additional impact. Commissioner Greenhalgh suggested they speak to City Council regarding fees. Camille David has the mylar, but is missing signatures, and asked if Century Link or Comcast was required, and the commission said they do not need those ones but will require all others. Camille will gather signatures and let Development Coordinator know to contact Commissioner Greenhalgh to sign before City Council.

Commissioner Lewis motioned to recommend the Final Plat for Knowles Minor Subdivision located at 295 E 200 South, Millville. Commissioner Ripplinger seconded. Commissioners Garrett Greenhalgh, Larry Lewis, Darcy Ripplinger (Alt) and Matt Anderson (alt) agreed. Commissioner Thompson was absent, and Commissioner Farmer & Commissioner Dickey are excused.

5D. Final Plat Review R.K.S Minor Subdivision- located at 447 E 300 S, Millville

This development has Garr Springs water shares and will inquire about the transfer of one-half share with City Council. Camille & David were asking about the property that is being given to the city.

When Mondelle developed Mond-Aire subdivision there was already a piece of the property given to the city. Commissioner Greenhalgh clarified that this is a different portion, and when a development is subdivided, the development is required to give 33' from the centerline of the road, and this is that portion. Camille David has the mylar, but is missing signatures, and asked if Century Link or Comcast was not required, and the commission agreed. Camille will gather signatures and let Development Coordinator know to contact Commissioner Greenhalgh to sign before City Council.

Commissioner Anderson motioned to recommend the Final Plat for RKS Minor Subdivision located at 447 E 300 S, Millville. Commissioner Ripplinger seconded. Commissioners Garrett Greenhalgh, Larry Lewis, Darcy Ripplinger (Alt) and Matt Anderson (alt) agreed. Commissioner Thompson was absent, and Commissioner Farmer & Commissioner Dickey are excused.

5.E. Final Plat Review- Private Lane- Wilker Subdivision

Lot 2 is an existing lot with frontage along 400 North, but the driveway is creating the private lane which will give Lot 1 the frontage. Originally the Rasmussen's (who used to live where the McGee's live) built over the property line. To rectify there was an easement given so that the Wilker's could retain their frontage. Director of Public Works, Chad Kendrick asked about the available width of the lane to accommodate the future development of 100 West to connect to 450 North. Clay said that they do meet the requirement to install a road in the future. Commissioner Greenhalgh asked what the width of the private road in front of Lot 1. Clay Wilker said it was 20 feet wide. The commission asked that the measurement be stated on the drawings specifying the width. Clay Wilker said that he owns more than 33' from center of the road for the future road development. The commission reviewed plans in more detail to see that measurement.

The commission reviewed the list of questions from the engineer and made sure that plans will be updated to meet standards. The utilities are all coming from Clay's house and the west side of the shop. Commissioner Ripplinger requested to see an updated copy of the final plat to review before the recommendation is given. Commissioner Greenhalgh stated that he's okay with the recommendation with a contingency to allow the city council to be the final check to ensure all requirements will be met. Commissioner Ripplinger stated that this is the first private lane in Millville and needs to be done correctly and as Clay is a sitting councilmember the transparency is important. Commissioner Greenhalgh asked Councilmember Pam June what her suggestion would be. She said that she can see both sides, but that she is confident in the city council to review the checklist if asked. Commissioner Anderson agreed that he can see both sides, but a lot of the items are just questions and don't need a lot of review or correction. Commissioner Lewis stated that he can see both sides as well, but as a city we cannot be concerned with timing, money, interest rates, etc. and asked why it wasn't done previously. Clay Wilker stated that this process has been months in the making and feels they have been very cooperative with the extensive process with asking permission, creating code, maintaining roads, etc. Commissioner Greenhalgh stated that he agrees that he sees the notes back primarily as questions deferring back to Millville City for clarification. Most of them are opinion questions asking for clarification. The commission agreed that if Clay can make the changes required, print the mylar and gather all the signatures, including Commissioner Greenhalghs, before the City Council meeting then they will recommend with contingencies.

Commissioner Anderson motioned to recommend the Final Plat for the Private Lane and Wilker Subdivision contingent on the engineer's approval of the changes, and the signatures obtained before City Council can review. Commissioner Lewis seconded. Commissioners Garrett Greenhalgh, Larry Lewis, Darcy Ripplinger (Alt) and Matt Anderson (alt) agreed. Commissioner Thompson was absent, and Commissioner Farmer & Commissioner Dickey are excused.

5.F. Other

Rebecca Hedelius asked the Development Coordinator to inquire about installing an 8' fence in their backyard. Our code states highest of 6'. The commission defers to the code for rules and suggested she can go to City Council to ask about a variance.

6. City Council Minutes - None

7. Agenda Items/Notes for Next Meeting

8. Calendaring of future Planning Commission Meeting

- October 19, 2023, at 8:00 pm.

9. Adjournment

Chairman Greenhalgh moved to adjourn the meeting at approximately 9:23 p.m.

**MILLVILLE CITY
RESOLUTION 2023-23**

**RESOLUTION TO ESTABLISH THE R.K.S. MINOR SUBDIVISION LOCATED
AT APPROXIMATELY 450 EAST 300 SOUTH**

WHEREAS, a request to subdivide parcel 03-037-0002 into two parcels has been received; and

WHEREAS, the Planning Commission reviewed the request on October 5, 2023 and recommended the City Council approve this subdivision; and

WHEREAS, the City Council discussed and reviewed the request at the City Council Meeting held on October 14, 2023;

THEREFORE, BE IT RESOLVED that the City Council hereby accepts the R.K.S. Minor Subdivision of two lots as proposed in drawings and documents submitted. These documents have been found to be in compliance with applicable Millville City Ordinances.

Passed and approved by the Millville City Council this 12th day of October 2023.

SIGNED:

David Hair, Mayor

ATTEST:

Corey Twedt, City Recorder

COUNCILMEMBER	YES	NO	ABSENT	ABSTAIN
Jeremy Ward				
Pamela June				
Ryan Zollinger				
Clay G. Wilker				
Daniel Grange				

FINAL PLAT
R.K.S. MINOR SUBDIVISION
PART OF THE SW 1/4 OF SEC 23, T11N, R1E, SLM
MILLVILLE CITY, CACHE COUNTY, UTAH
CONTAINING 7.30 AC± & 1 LOT

SURVEY CERTIFICATE

I, STEVEN C. EARL, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED UNDER THE LAWS OF THE STATE OF UTAH, THAT THIS PLAT IS A TRUE, CORRECT, AND COMPLETE PLAT OF R.K.S. MINOR SUBDIVISION AS LAID OUT, PLATTED, DEDICATED, AND SHOWN HEREON, THAT SUCH PLAT WAS MADE FROM AN ACCURATE SURVEY OF SAID PROPERTY BY ME AND UNDER MY SUPERVISION AND CORRECTLY SHOWS THE LOCATION AND DIMENSIONS OF THE LOTS, EASEMENTS, AND STREETS OF SAID SUBDIVISION AS THE SAME ARE STAKED UPON THE GROUND IN COMPLIANCE WITH THE CITY OF MILLVILLE REGULATIONS GOVERNING THE SUBDIVISION OF LAND TO AN ACCURACY OF ONE PART IN TEN THOUSAND (10,000).

CERTIFICATE OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED CAMILLE DAVID, EXECUTOR OF THE MONDELL KNOWLES LIVING TRUST DATED THE 11TH DAY OF SEPTEMBER 2002, BEING THE OWNER, PROPRIETOR, OR PARTY OF INTEREST IN THE LAND SHOWN IN THIS PLAT, DOES HEREBY CERTIFY: THAT THE FOREGOING PLAT DESIGNATED AS R.K.S. MINOR SUBDIVISION, IS LOCATED IN SECTION 23, TOWNSHIP 11 NORTH, RANGE 1 EAST, SALT LAKE MERIDIAN, IN MILLVILLE CITY, CACHE COUNTY, UTAH, AND IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION; THENCE N89°54'05"E 518.06 FEET ALONG THE SOUTH LINE OF SAID SECTION; THENCE N0°06'54"W 1963.90 FEET TO THE POINT OF BEGINNING; THENCE N1°52'35"E 161.99 FEET ALONG A FENCE; THENCE N1°27'08"E 253.95 FEET ALONG SAID FENCE; THENCE S89°57'45"E 801.36 FEET ALONG A FENCE AND ITS EXTENSION TO THE WEST RIGHT-OF-WAY LINE OF 550 EAST STREET; THENCE S01°52'E 472.57 FEET ALONG SAID WEST LINE TO THE NORTH RIGHT-OF-WAY LINE OF 300 SOUTH STREET; THENCE S87°43'56"W 33.58 FEET ALONG SAID NORTH LINE; THENCE N86°01'43"W 364.92 FEET ALONG SAID NORTH LINE; THENCE ALONG THE BOUNDARY OF THE PARCEL DESCRIBED IN ENTRY NUMBER 881163 THE FOLLOWING THREE COURSES;
1. N4°34'24"E 169.00 FEET;
2. N85°25'36"W 257.75 FEET;
3. S4°34'24"W 169.00 FEET TO SAID NORTH RIGHT-OF-WAY LINE; THENCE N85°25'36"W 160.87 FEET (162.50 FEET BY RECORD) TO THE POINT OF BEGINNING.

AND CONTAINS AN AREA OF 7.30 ACRES, MORE OR LESS, AND THAT THIS SUBDIVISION, AS IT IS DESCRIBED AND AS IT APPEARS ON THIS PLAT, IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER AND PROPRIETOR, AND THAT THIS IS A CORRECT PLAT OF THE AREA AS IT IS DIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS, AND THAT THE UNDERSIGNED OWNER OF THE LAND SHOWN AND DESCRIBED ON THIS PLAT DOES HEREBY DEDICATE TO THE CITY OF MILLVILLE AND ITS LICENSEES FOR PERPETUAL PUBLIC USE ALL STREETS, ALLEYS, AND EASEMENTS FOR THE PURPOSES DESIGNATED AND OTHER LANDS WITHIN THE BOUNDARY LINES OF THE PLAT AS INDICATED AND NOT OTHERWISE DEDICATED FOR PUBLIC USE.

EXECUTED THIS ____ DAY OF _____, A.D. 2023

BY: CAMILLE DAVID, EXECUTOR OF THE MONDELL KNOWLES LIVING TRUST DATED THE 11TH DAY OF SEPTEMBER 2002

ACKNOWLEDGMENT

STATE OF UTAH }
COUNTY OF CACHE } §
ON THIS ____ DAY OF _____, IN THE YEAR 2023, BEFORE ME, CAMILLE DAVID, EXECUTOR OF THE MONDELL KNOWLES LIVING TRUST DATED THE 11TH DAY OF SEPTEMBER, 2002, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED THAT SHE HAD THE CAPACITY TO SIGN IN BEHALF OF SAID TRUST, AND THAT SHE SIGNED THIS DOCUMENT IN BEHALF OF SAID TRUST AND THAT SAID TRUST EXECUTED THE SAME.

NOTARY PUBLIC SIGNATURE: _____
NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(NOTARY SEAL NOT REQUIRED PER UTAH CODE 46-1-16(8))

SURVEY NARRATIVE

THIS SURVEY WAS ORDERED BY CAMILLE DAVID FOR THE PURPOSE OF SUBDIVIDING THE SUBJECT PROPERTY AS SHOWN. A FENCE WAS HELD TO RE-ESTABLISH THE NORTH RIGHT-OF-WAY LINE OF 300 SOUTH STREET IN CONJUNCTION WITH SURVEY 2003-0086. 550 EAST STREET WAS RETRACTED USING SURVEY 2003-0084. A REBAR WITH AN ILLEGIBLE CAP WAS FOUND AND ACCEPTED AS THE SOUTHWEST CORNER OF PARCEL 03-037-0003. FENCES WERE ACCEPTED AS THE BEST AVAILABLE EVIDENCE OF THE WEST AND NORTH LINES OF THE SUBJECT PARCEL.

5/8" X 24" REBARS W/ORANGE PLASTIC CAPS STAMPED "STEVEN C. EARL UT PLS 318575" WERE SET AT THE LOCATIONS INDICATED.

UTILITY COMPANY APPROVALS

THE UTILITY EASEMENTS SHOWN ON THIS PLAT ARE APPROVED
CENTURY LINK COMMUNICATIONS _____ DATE _____
COMCAST COMMUNICATIONS _____ DATE _____

BEAR RIVER DISTRICT HEALTH DEPARTMENT APPROVAL

THE SUBDIVISION DESCRIBED HEREON HAS BEEN APPROVED BY THE BEAR RIVER DISTRICT HEALTH DEPARTMENT.
THIS ____ DAY OF _____, 2023.

HEALTH DIRECTOR _____

ROCKY MOUNTAIN POWER

1. PURSUANT TO UTAH CODE ANN. § 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OF OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.
2. PURSUANT TO UTAH CODE ANN. § 17-27a-603(4)(c)(ii) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE P.U.E. AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:
(i) A RECORDED EASEMENT OR RIGHT-OF-WAY
(ii) THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
(iii) TITLE 54, CHAPTER 80, DAMAGE TO UNDERGROUND FACILITIES OR
(iv) ANY OTHER PROVISION OF LAW.

APPROVED THIS ____ DAY OF _____, 2023

BY _____

TITLE _____

COUNCIL APPROVAL AND ACCEPTANCE

APPROVED BY THE CITY COUNCIL OF THE CITY OF MILLVILLE THIS ____ DAY OF _____, A.D. 2023.

ATTEST:

CITY RECORDER _____

DOMINION ENERGY UTAH

QUESTAR GAS COMPANY, DBA DOMINION ENERGY UTAH, HEREBY APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY UTAH MAY REQUIRE ADDITIONAL EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS OR LIABILITIES INCLUDING PRESCRIPTIVE RIGHTS AND OTHER RIGHTS, OBLIGATIONS OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNER'S DEDICATION OR IN THE NOTES, AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OR CONDITIONS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION ENERGY UTAH'S RIGHT-OF-WAY DEPARTMENT AT 800-366-8532.

QUESTAR GAS COMPANY
dba DOMINION ENERGY UTAH

APPROVED THIS ____ DAY OF _____, 2023

BY _____

TITLE _____

CITY ENGINEER

DATA ON THIS PLAT REVIEWED THIS ____ DAY OF _____, A.D. 2023 BY THE CITY ENGINEER OF MILLVILLE, UTAH.

CITY ENGINEER _____

NOTES

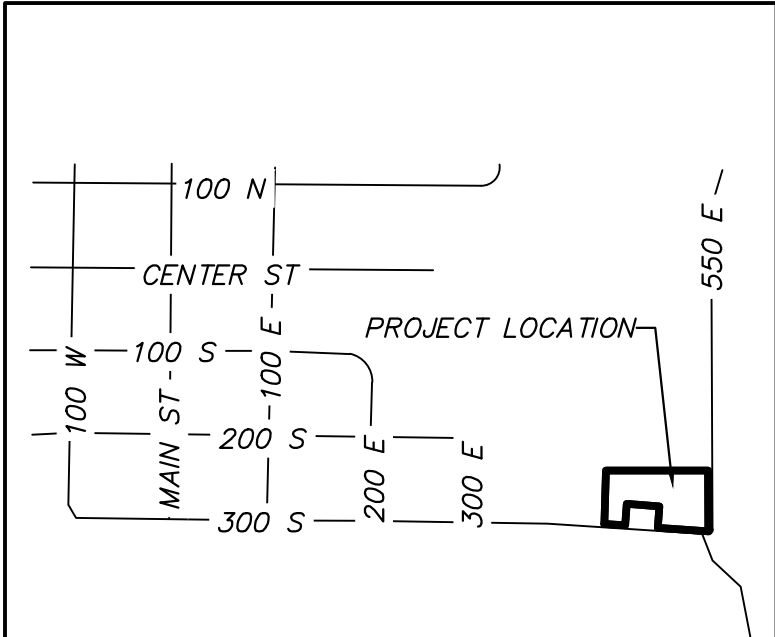
1. THE DEVELOPER SHALL TRANSFER A 1/2 SHARE OF GARR SPRINGS WATER TO THE CITY.

LINE TABLE

LINE	LENGTH	BEARING
L1	16.50'	S89°57'38"E
L2	13.74'	N4°34'24"E
L3	11.74'	S4°34'24"W
L4	10.50'	N1°52'35"E

LEGEND

- BOUNDARY
SECTION LINE
LOT LINE
FENCE
MINIMUM BUILDING SETBACK
30' FRONT, 20' REAR, 15' SIDE
PUBLIC UTILITY EASEMENT
10 FEET WIDE
RIGHT-OF-WAY LINE
EDGE OF ASPHALT
PUBLIC STREET HEREBY DEDICATED
SET NEW REBAR W/CAP
REBAR W/STEVEN EARL CAP
REBAR W/JEFF HANSEN CAP
STREET ADDRESS
EXISTING BUILDING



VICINITY MAP
SCALE: 1" = 1000'

COUNTY RECORDER'S NO.

STATE OF UTAH, COUNTY OF CACHE, RECORDED AND FILED AT THE REQUEST OF _____
DATE _____ TIME _____ FEE _____
ABSTRACTED _____

INDEX
FILED IN: FILE OF PLATS
COUNTY RECORDER _____

PLANNING AND ZONING COMMISSION

THIS PLAT APPROVED BY THE CITY OF MILLVILLE PLANNING AND ZONING COMMISSION THIS ____ DAY OF _____, A.D. 2023.

ATTEST:

CHAIRPERSON _____

SECRETARY _____

Z:\2022 Projects\22049kW Subdivision - Millville, UT\ACAD\Survey\Final Plats\22049kW R.K.S. Minor Final Plat (Current).dwg, 10/13/2023 7:37:34 AM, start

**MILLVILLE CITY
RESOLUTION 2023-24**

**RESOLUTION TO ESTABLISH THE KNOWLES FARM MINOR SUBDIVISION
LOCATED AT APPROXIMATELY 295 EAST 200 SOUTH**

WHEREAS, a request to subdivide parcel 03-030-0054 into two parcels has been received; and

WHEREAS, the Planning Commission reviewed the request on October 5, 2023 and recommended the City Council approve this subdivision; and

WHEREAS, the City Council discussed and reviewed the request at the City Council Meeting held on October 14, 2023;

THEREFORE, BE IT RESOLVED that the City Council hereby accepts the Knowles Farm Minor Subdivision of two lots as proposed in drawings and documents submitted. These documents have been found to be in compliance with applicable Millville City Ordinances.

Passed and approved by the Millville City Council this 12th day of October 2023.

SIGNED:

David Hair, Mayor

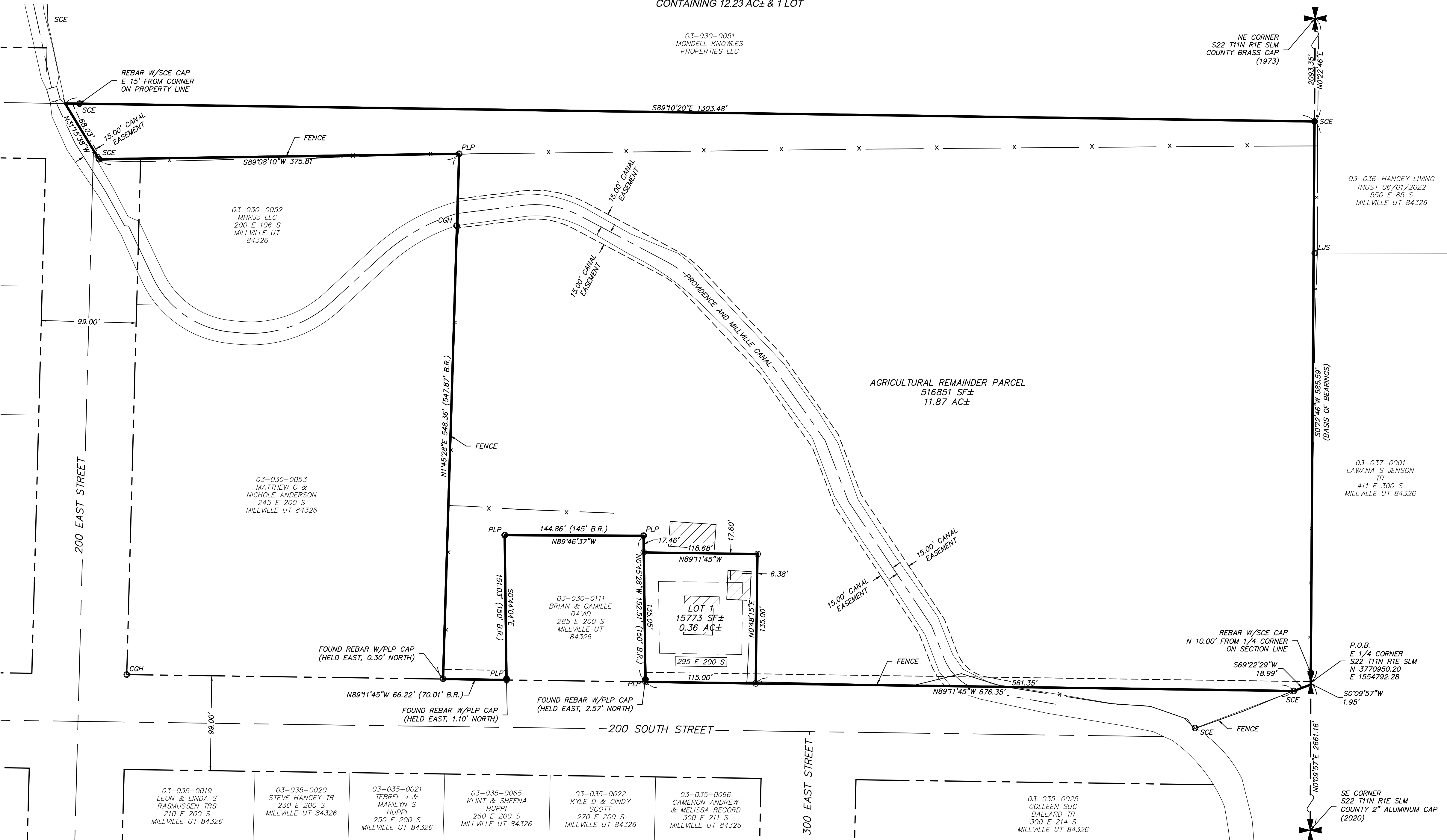
ATTEST:

Corey Twedt, City Recorder

COUNCILMEMBER	YES	NO	ABSENT	ABSTAIN
Jeremy Ward				
Pamela June				
Ryan Zollinger				
Clay G. Wilker				
Daniel Grange				

FINAL PLAT
KNOWLES FARM MINOR SUBDIVISION
PART OF SEC 22, T11N, R1E, SLM
MILLVILLE CITY, CACHE COUNTY, UTAH
CONTAINING 12.23 AC± & 1 LOT

03-030-0051
MONDELL KNOWLES
PROPERTIES LLC



SURVEY CERTIFICATE

I, STEVEN C. EARL, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED UNDER THE LAWS OF THE STATE OF UTAH, THAT THIS PLAT IS A TRUE, CORRECT, AND COMPLETE PLAT OF KNOWLES FARM MINOR SUBDIVISION AS LAID OUT, PLATTED, DEDICATED, AND SHOWN HEREON THAT SUCH PLAT WAS MADE FROM AN ACCURATE SURVEY OF SAID PROPERTY BY ME AND UNDER MY SUPERVISION AND CORRECTLY SHOWS THE LOCATION AND DIMENSIONS OF THE LOTS, EASEMENTS, AND STREETS OF SAID SUBDIVISION AS THE SAME ARE STAKED UPON THE GROUND IN COMPLIANCE WITH THE CITY OF MILLVILLE REGULATIONS GOVERNING THE SUBDIVISION OF LAND TO AN ACCURACY OF ONE PART IN TEN THOUSAND (10,000).

CERTIFICATE OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED CAMILLE DAVID, MANAGER OF MONDELL KNOWLES PROPERTIES, LLC, BEING THE OWNER, PROPRIETOR, OR PARTY OF INTEREST IN THE LAND SHOWN IN THIS PLAT, DOES HEREBY CERTIFY:

THAT THE FOREGOING PLAT DESIGNATED AS KNOWLES FARM MINOR SUBDIVISION, IS LOCATED IN SECTION 22, TOWNSHIP 11 NORTH, RANGE 1 EAST, SALT LAKE MERIDIAN, IN MILLVILLE CITY, CACHE COUNTY, UTAH, AND IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION; THENCE N07°09'57"E 2661.16 FEET ALONG THE EAST LINE OF SAID SECTION TO THE EAST QUARTER CORNER OF SAID SECTION AND THE POINT OF BEGINNING; THENCE S07°09'57"W 1.95 FEET ALONG THE EAST LINE OF SAID SECTION; THENCE S69°22'29"W 18.99 FEET ALONG AN EXISTING FENCE TO THE NORTH RIGHT-OF-WAY LINE OF 200 SOUTH STREET; THENCE N89°11'45"W 676.35 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE TO THE EXTENDED EAST LINE OF LOT 1 OF THE DAVID MINOR SUBDIVISION; THENCE ALONG THE BOUNDARY OF SAID LOT 1 THE FOLLOWING THREE COURSES:

- N0°45'28"W 152.51 FEET (150.00 FEET BY RECORD);
 - N89°46'37"W 144.86 FEET (145.00 FEET BY RECORD);
 - S0°44'04"E 151.03 FEET (150.00 FEET BY RECORD) TO SAID NORTH RIGHT-OF-WAY LINE;
- THENCE N89°11'45"W 66.22 FEET (70.01 FEET BY RECORD) ALONG SAID RIGHT-OF-WAY LINE TO THE EXTENSION OF AN OLD FENCE LINE; THENCE N1°45'28"E 548.36 FEET (547.87 FEET BY RECORD) ALONG SAID FENCE AND ITS EXTENSION TO A REBAR WITH PETERSON CAP; THENCE S89°08'10"W 375.81 FEET ALONG A FENCE; THENCE N31°15'38"W 68.03 FEET, MORE OR LESS, ALONG THE EASTERLY BANK OF THE PROVIDENCE AND MILLVILLE CANAL TO THE CENTERLINE OF 100 SOUTH STREET; THENCE S89°10'20"E 1303.48 FEET ALONG THE EXTENDED CENTERLINE OF 100 SOUTH STREET TO A REBAR WITH EARL CAP ON THE EAST LINE OF SAID SECTION; THENCE S0°22'46"W 585.59 FEET ALONG SAID SECTION LINE TO THE EAST QUARTER CORNER OF SAID SECTION AND THE POINT OF BEGINNING.

AND CONTAINS AN AREA OF 12.23 ACRES, MORE OR LESS, AND THAT THIS SUBDIVISION, AS IT IS DESCRIBED AND AS IT APPEARS ON THIS PLAT, IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER AND PROPRIETOR, AND THAT THIS IS A CORRECT PLAT OF THE AREA AS IT IS DIVIDED INTO LOTS, BLOCKS AND EASEMENTS, AND THAT THE UNDERSIGNED OWNER OF THE LAND SHOWN AND DESCRIBED ON THIS PLAT DOES HEREBY DEDICATE TO THE CITY OF MILLVILLE AND ITS LICENSEES FOR PERPETUAL PUBLIC USE ALL STREETS, ALLEYS, AND EASEMENTS FOR THE PURPOSES DESIGNATED AND OTHER LANDS WITHIN THE BOUNDARY LINES OF THE PLAT AS INDICATED AND NOT OTHERWISE DEDICATED FOR PUBLIC USE.

EXECUTED THIS ____ DAY OF _____, A.D., 2023.

BY: CAMILLE DAVID, MANAGER OF MONDELL KNOWLES PROPERTIES, LLC

ACKNOWLEDGMENT

STATE OF UTAH } §
COUNTY OF CACHE

ON THIS ____ DAY OF _____, IN THE YEAR 2023, BEFORE ME, _____, A NOTARY PUBLIC, PERSONALLY APPEARED CAMILLE DAVID, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED HERSELF TO BE THE MANAGER OF MONDELL KNOWLES PROPERTIES, LLC, A LIMITED LIABILITY COMPANY, AND IN THAT CAPACITY BEING AUTHORIZED TO DO SO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED BY SIGNING THE NAME OF THE LIMITED LIABILITY COMPANY BY HERSELF AS THE MANAGER.

NOTARY PUBLIC SIGNATURE: _____
NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
(NOTARY SEAL NOT REQUIRED PER UTAH CODE 46-1-16(B))

SURVEY NARRATIVE

THIS SURVEY WAS ORDERED BY CAMILLE DAVID FOR THE PURPOSE OF SUBDIVIDING THE SUBJECT PROPERTY AS SHOWN. THIS SURVEY WAS BASED ON RECORD OF SURVEY 2023-0059. NO DISCREPANCIES WERE FOUND.

5/8" X 24" REBARS W/ORANGE PLASTIC CAPS STAMPED "STEVEN C. EARL UT PLS 318575" WERE SET AT THE LOCATIONS INDICATED.

UTILITY COMPANY APPROVALS

THE UTILITY EASEMENTS SHOWN ON THIS PLAT ARE APPROVED

CENTURY LINK COMMUNICATIONS _____ DATE _____

COMCAST COMMUNICATIONS _____ DATE _____

BEAR RIVER DISTRICT HEALTH DEPARTMENT APPROVAL

THE SUBDIVISION DESCRIBED HEREON HAS BEEN APPROVED BY THE BEAR RIVER DISTRICT HEALTH DEPARTMENT.

THIS ____ DAY OF _____, 2023.

HEALTH DIRECTOR _____

ROCKY MOUNTAIN POWER

- PURSUANT TO UTAH CODE ANN. § 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OF OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.
- PURSUANT TO UTAH CODE ANN. § 17-27a-603(4)(c)(ii) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE P.U.E. AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:
(I) A RECORDED EASEMENT OR RIGHT-OF-WAY
(II) THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
(III) TITLE 54, CHAPTER 8a, DAMAGE TO UNDERGROUND FACILITIES OR
(IV) ANY OTHER PROVISION OF LAW.

APPROVED THIS ____ DAY OF _____, 2023

BY _____

TITLE _____

COUNCIL APPROVAL AND ACCEPTANCE

APPROVED BY THE CITY COUNCIL OF THE CITY OF MILLVILLE THIS ____ DAY OF _____, A.D. 2023.

ATTEST: _____
MAYOR _____ CITY RECORDER _____

NOTES

- THE DEVELOPER SHALL PAY AN IN LIEU OF FEE OF \$1500 TO THE CITY BECAUSE GARR SPRING WATER SHARES ARE NOT AVAILABLE FOR TRANSFER.
- CANAL EASEMENT LIES 15'-FEET ON EACH SIDE OF THE CENTERLINE OF THE EXISTING CANAL.

IRRIGATION COMPANY

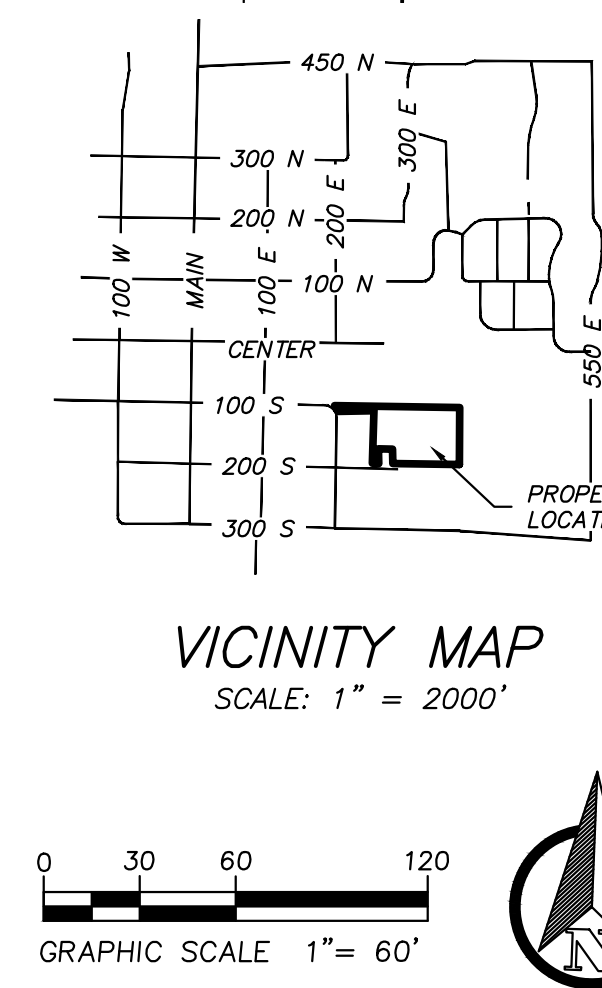
THE MILLVILLE PROVIDENCE BSF UPPER CANAL COMPANY HAS REVIEWED THIS PLAT AND APPROVES THE INFORMATION SHOWN HEREON INCLUDING EASEMENTS AND IRRIGATION INFRASTRUCTURE.

REPRESENTATIVE: _____
TITLE: _____
DATE: _____

PLANNING AND ZONING COMMISSION

THIS PLAT APPROVED BY THE CITY OF MILLVILLE PLANNING AND ZONING COMMISSION THIS ____ DAY OF _____, A.D. 2023.

ATTEST: _____
CHAIRPERSON _____ SECRETARY _____



COUNTY RECORDER'S NO. _____

STATE OF UTAH, COUNTY OF CACHE, RECORDED AND FILED AT THE REQUEST OF _____
DATE _____ TIME _____ FEE _____
ABSTRACTED _____

INDEX
FILED IN: FILE OF PLATS

COUNTY RECORDER _____

Z:\2022 Projects\22048\KWL Subdivision - Grandma's House - Millville, UT\ACAD\Survey\Final Plats\22048\KWL Final Plat (Current).dwg, 10/3/2023 8:58:31 AM, ssc

**MILLVILLE CITY
RESOLUTION 2023-25**

**RESOLUTION TO ESTABLISH THE WILKER SUBDIVISION LOCATED AT
APPROXIMATELY 420 NORTH 100 WEST**

WHEREAS, a request to subdivide parcel 02-127-0007 into two parcels has been received; and

WHEREAS, the Planning Commission reviewed the request on October 5, 2023 and recommended the City Council approve this subdivision; and

WHEREAS, the City Council discussed and reviewed the request at the City Council Meeting held on October 14, 2023;

THEREFORE, BE IT RESOLVED that the City Council hereby accepts the Wilker Subdivision of two lots as proposed in drawings and documents submitted. These documents have been found to be in compliance with applicable Millville City Ordinances.

Passed and approved by the Millville City Council this 12th day of October 2023.

SIGNED:

David Hair, Mayor

ATTEST:

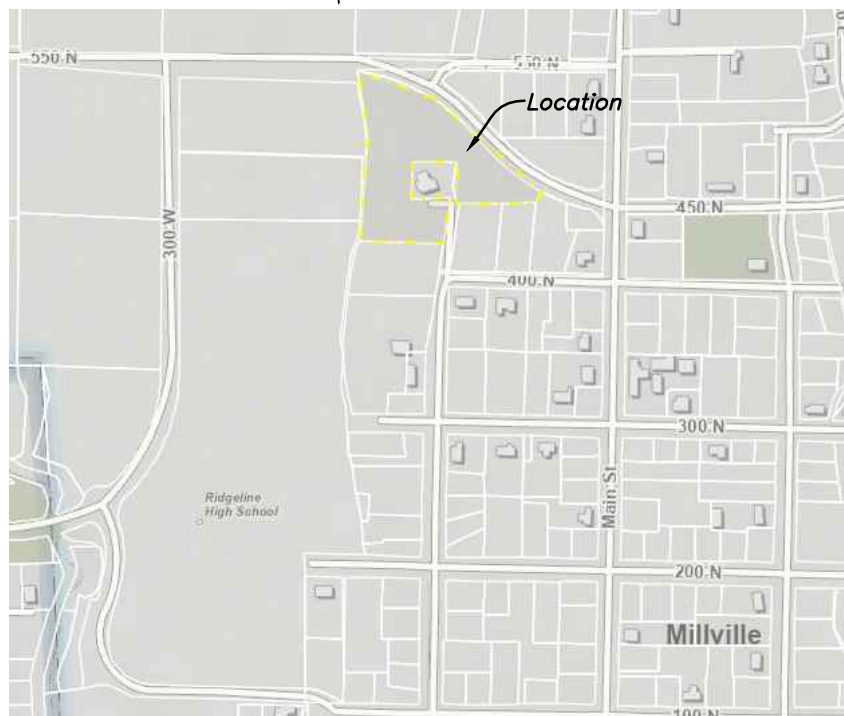
Corey Twedt, City Recorder

COUNCILMEMBER	YES	NO	ABSENT	ABSTAIN
Jeremy Ward				
Pamela June				
Ryan Zollinger				
Clay G. Wilker				
Daniel Grange				

Wilker Subdivision

Millville City, Cache County, Utah
A Part of the Southwest Quarter of Section 15,
Township 11 North, Range 1 East, Salt Lake Base & Meridian
August 2023

VICINITY MAP - NO SCALE



DOMINION ENERGY

Questar Gas Company, DBA Dominion Energy Utah, hereby approves this plat solely for the purpose of confirming that the plat contains public utility easements. Dominion Energy Utah may require additional easements in order to serve this development. This approval does not constitute abrogation or waiver of any other existing rights, obligations, or liabilities including prescriptive rights and other rights, obligations or liabilities provided by law or equity. This approval does not constitute acceptance, approval or acknowledgement of any terms contained in the plat, including those set forth in the owner's dedication or in the notes, and does not constitute a guarantee of particular terms or conditions of natural gas service. For further information please contact Dominion Energy Utah's right-of-way department at 800-366-8532

Approved by Dominion Energy, this _____ day
of _____ A.D., 20__.

By: _____ Title: _____

ROCKY MOUNTAIN POWER

1. Pursuant to Utah Code Ann. § 54-3-27 this plat conveys to the owner(s) or operators of utility facilities a public utility easement along with the rights and duties described therein.

2. Pursuant to Utah Code Ann. § 17-27a-603(4)(c)(ii) Rocky Mountain Power accepts delivery of the PUE as described in this plat and approves this plat solely for the purpose of confirming that the plat contains public utility easements and approximates the location of the Public Utility Easement, but does not warrant their precise location. Rocky Mountain Power may require other easements in order to serve this development. This approval does not affect any right the Rocky Mountain Power has Under:

- (1) A recorded Easement or Right-of-Way
- (2) The law applicable to prescriptive rights
- (3) Title 54, Chapter 8a, damage to underground utility facilities or
- (4) any other provision of the law.

Rocky Mountain Power

NOTES & RESTRICTIONS:

- 1- All public & municipal utility easements (P.U.E.) are 10.0 feet wide around the frontage of All Lots.
- 2- No Structures may be built within any public utility easement, except as approved by the City Engineer
- 3- All expenses involving the necessary improvements for sanitary sewer systems, gas service, electrical service, curbs and gutters, fire hydrants, pavement, sidewalks, street lighting and signing, and other improvements shall be financed by subdivider.
- 4- The Subdivision does not contain identified wetlands, flood plain, or other notable sensitive areas from the County GIS Map.
- 5- The subdivision's parcel number is 02-127-0016 & 02-127-0007
- 6- Wilker Lane is a Private Road and maintenance, repairs, and upgrades will be at the shared cost of Lot 1 and Lot 2. Wilker Lane is also a Public Utility Easement.

NARRATIVE

The purpose of this survey was to create a building lot as shown and described hereon. The survey was ordered by PClay Wilker. The control used to establish the property corners was the existing Cache County and Millville City survey Monumentation around the Southwest Quarter of Section 15, Township 11 North, Range 1 East, Salt Lake Base & Meridian. The basis of bearing is the South line of the Southwest Quarter of Section 14, said Township and Range, which bears South 88°50'45" West, Utah Coordinate System 1983 North Zone.



BEAR RIVER HEALTH DEPARTMENT APPROVAL

Bear River Health has reviewed this plat and has determined that septic permits can be applied for on the subdivided Parcels.

Bear River Health Department _____ Date _____

CERTIFICATE OF REVIEW

On this plat reviewed this _____ day of _____, 20__, by the City Engineer of Millville, Utah

City Engineer

PLANNING AND ZONING APPROVAL

This plat approved by the City of Millville Planning and Zoning Commission this _____ day of _____, 20__

Attest:

Chairman

Secretary

CITY COUNCIL ACCEPTANCE AND APPROVAL

Approved by the City Council of the City of Millville, Utah, this _____ day of _____, 20__

Attest:

Mayor

City Recorder

UTILITY CLEARANCE

The Following Utility Company's Have Agreed to Provide Their Services Within the Right-of-Ways Shown Hereon.

Century Link _____ Date _____

Xfinity _____ Date _____

CERTIFICATE OF DEDICATION

Know all men by these presents that the undersigned, Clay G. Wilker and Wendy Jo Wilker, trustees of the Clay and Wendy Wilker Family Trust, dated the 20th day of March 2006, being the registered agent, owner, proprietor, or parties of interest in the land shown in this plat, do hereby certify:

That the foregoing plat designated as Wilker Subdivision, is located in the Southwest Quarter of Section 15, Township 11 North, Range 1 East, Salt Lake Base and Meridian, Millville City, Cache County, Utah and is more particularly described as follows:

A Part of the Southwest Quarter of Section 15, Township 11 North, Range 1 East of the Salt Lake Base and Meridian, The Basis of Bearings is the Utah Coordinate System 1983 North Zone.

Beginning on the North Right-of-Way Line of 400 North Street at a Point Located 2919.65 Feet North 67°19'06" West (North 67°32'45" West by Record) to a Point of Record that is 330.00 Feet Northerly from the Northeast Corner of Lot 4, Block 24, Plat 'A' of the Millville Townsite Survey AND 99.54 Feet North 82°37'23" West (North 82°51'09" West by Record) to said North Right-of-Way Line and a Point of Record 76.00 Feet Northerly from the Northeast Corner of Block 25 said Millville Townsite Survey AND 613.25 Feet North 88°16'21" West (North 88°30'07" West by Record) Along said Right-of-Way Line FROM the Southeast Corner of said Section 15 and RUNNING THENCE North 88°16'21" West 108.00 Feet (North 88°30'07" West by Record) Along said Right-of-Way Line; Thence North 08°59'15" East (North 08°46'43" East by Record) 121.84 Feet; Thence North 88°12'18" West 359.83 Feet (North 88°37'29" West by Record) to the East Line of Canal; Thence Along said East Line the Following Six (6) Courses: (1) North 22°45'44" East 37.10 Feet (North 19°56'34" East by Record); (2) North 02°48'57" East 206.94 Feet (North 02°35'11" East by Record); (3) North 05°29'18" East 132.36 Feet (North 05°15'32" East by Record); (4) Northerly Along the Arc of a 608.25 Foot Radius Curve to the Left an Arc Length of 158.07 Feet, Long Chord Bears North 01°57'25" West 157.63 Feet; (5) North 09°24'07" West 129.59 Feet (North 09°37'53" West by Record); (6) North 06°46'16" West 81.51 Feet (North 07°00'02" West by Record) to the South Right-of-Way Line of 450 North Street; Thence Along said South Right-of-Way Line the Following Three (3) Courses: (1) Southeasterly Along the Arc of a 735.00 Foot Radius Curve to the Right an Arc Length of 510.48 Feet, Long Chord Bears South 63°26'10" East 500.28 Feet; (2) South 43°32'21" East 206.00 Feet (South 43°46'07" East by Record); (3) Southeasterly Along the Arc of a 815.00 Foot Radius Curve to the Left an Arc Length of 259.74 Feet, Long Chord Bears South 52°40'08" East 258.64 Feet; Thence South 27°46'25" West 50.42 Feet (South 27°32'39" West by Record); Thence South 89°15'23" West 154.36 Feet (South 89°01'37" West by Record); Thence South 89°19'50" West 186.20 Feet (South 89°06'04" West by Record); Thence South 08°43'17" West 295.73 Feet (South 08°29'31" West by Record); Thence South 88°16'21" East 61.45 Feet (South 88°30'07" East by Record); Thence South 01°17'51" West 1.00 Feet (South 01°04'05" West by Record) to the Point of Beginning. Containing 7.92 Acres.

Executed this _____ day of _____, 20__.

Clay G. Wilker _____ Wendy Jo Wilker _____

TRUST ACKNOWLEDGMENT

State of _____
County of _____

On this _____ day of _____, 20__, Clay G. Wilker and Wendy Jo Wilker, trustees of the Clay and Wendy Wilker Family Trust, dated the 20th day of March 2006, personally appeared before me, the undersigned Notary Public in and for said State and County, the signers of the attached Owners Dedication, whom duly acknowledged to me they signed it freely and voluntarily and for the purpose therein mentioned.

Notary Public Signature _____

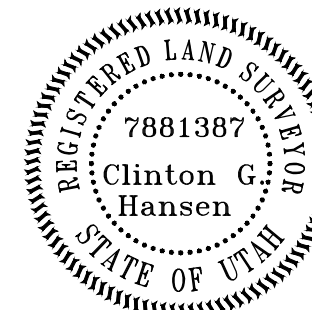
Commission Number - Expires _____

Notary Public Commissioned in Utah
(Print Name) _____

SURVEYOR'S CERTIFICATE

I, do hereby certify that I am a registered land surveyor licensed under the laws of the State of Utah, that this plat is a true, correct, and complete plat of the Wilker Subdivision as laid out, platted, dedicated, and shown hereon, that such plat was made from an accurate survey of said property by me and under my supervision and correctly shows the location and dimensions of the lots, easements, and streets of said subdivision as the same are staked upon the ground in compliance with the City of Millville regulations governing the subdivision of land to an accuracy of one part in ten thousand (10,000).

Date: 8/8/23
Clinton G. Hansen
No. 7881387



COUNTY RECORDER'S NO.

State of Utah, County Cache, Recorded and Filed at the Request of _____

Date _____ Time _____ Fee _____

Abstracted _____

Index _____
Filed in: File of Plats _____

County Recorder

Utility Billing Adjustments - FY24 Q1

MILLVILLE CITY CORPORATION

Transaction Register - by Customer Name

Page: 1

Dates: 07/11/2023 - 09/10/2023

Oct 05, 2023 1:40PM

Report Criteria:

Selected types: Billing Adjustment, Payment Adjustment, Write Off

Name	Customer Number	Type	Reference Number	Description	Source ID	Check Number	Amount	Msg	Service
Write Off									
08/23/2023									
BAKER GRANT KRISTI	3.2490.1	Write	1	OFF PAID IN FULL			.48	M	Multiple
Total 08/23/2023:							.48		
09/10/2023									
HAUGEN DANIEL	1.1560.5	Write	1	off renters bill			79.29-	M	Multiple
LOGAN LUCHERINI #2	4.0130.2	Write	2	off new owners in july			36.65-	M	Multiple
Total 09/10/2023:							115.94-		
Total Write Off:							115.46-		
Grand Totals:							115.46-		



AGENDA REPORT: BUDGET REVIEW

October 12, 2023

Background

Every quarter, the City Council reviews the fiscal year-to-date budget for an update on revenue and expenses so far in the year.

The budget review at this meeting will include the FY24 budget through the first quarter (July 2023 – September 2023).

Included Documents

- FY24 Budget with progress and percentage of total through Q1

MILLVILLE CITY BUDGET - REVENUE		ORIGINAL	REVIEW	
Acct #	Account Description	FY24 Budget	FY24 Q1	% of Total
GENERAL	4030 Property Tax	\$157,000	\$550	0.4%
	4310 Sales Tax	\$380,000	\$33,902	8.9%
	4050 Motor Tax	\$900	\$0	0.0%
	4010 In Lieu Fees - UTV Recreation Fees	\$8,000	\$3,210	40.1%
	4070 Comcast Franchise	\$10,000	\$2,621	26.2%
	4060 Energy Sales and Use Tax	\$170,000	\$33,170	19.5%
	4510 Animal Licenses	\$4,400	\$130	3.0%
	4682 Ambulance / EMS	\$45,000	\$10,705	23.8%
	4202 Fines / Court	\$2,000	\$48	2.4%
	4520 Business Licenses	\$2,600	\$25	1.0%
	4685 Sanitation	\$227,000	\$58,028	25.6%
	4204 9-1-1 Service	\$27,000	\$6,712	24.9%
	4330 Class "C" Roads	\$135,000	\$0	0.0%
	3992 Appro. Fund Bal. Class "C" Rd	\$0	\$0	100.0%
	3991 Appropriated Fund Balance	\$0	\$0	100.0%
	4610 Park Impact Fee	\$32,000	\$5,330	16.7%
	3994 Park Impact Appropriated FB	\$0	\$0	100.0%
	4591 Road Impact Fee	\$10,500	\$1,760	16.8%
	3999 Road Impact Appropriated FB	\$0	\$0	100.0%
	4410 Restaurant/RAPZ Tax Awarded	\$30,200	\$0	0.0%
	4654 Youth Council	\$800	\$530	66.2%
	4620 Park Rentals	\$8,000	\$2,970	37.1%
	4530 Building Permits	\$6,500	\$3,731	57.4%
	4205 Development Review Fees	\$3,000	\$700	23.3%
	4210 Reimbursed Fees; Eng. & Dev.	\$5,000	\$2,637	52.7%
	4350 Interest	\$25,000	\$9,367	37.5%
	4453/4454 COVID Grants (CARES or ARPA)	\$0	\$0	100.0%
	4452 COG Grant (reimbursement)	\$234,900	\$119,078	50.7%
	4640/4592 Donations	\$200	\$0	0.0%
	Multiple Misc. Revenue	\$100	\$4,121	4120.7%
	4311 Mass Transit Sales Tax/CVTD	\$36,000	\$0	0.0%
	TOTAL GENERAL	\$1,561,100	\$299,325	19.2%

STORM WATER	4850 Charges for Stormwater	\$33,500	\$8,257	24.6%
	4855 Stormwater Construction Fees	\$1,600	\$275	17.2%
	4361 Interest	\$2,000	\$291	14.5%
	4891 Transfer from General Fund	\$0	\$0	100.0%
	3998 Appropriated Fund Balance	\$0	\$0	100.0%
	TOTAL STORMWATER	\$37,100	\$8,823	23.8%

MILLVILLE CITY BUDGET - REVENUE		ORIGINAL	REVIEW	
Acct #	Account Description	FY24 Budget	FY24 Q1	% of Total

CPT PROJ.	4357	Interest	\$20,000	\$4,443	22.2%
	3995	Appropriated Fund Balance	\$0	\$0	100.0%
	4790	Transfer from General Fund	\$147,200	\$0	0.0%
		TOTAL CAPITAL PROJECT	\$167,200	\$4,443	2.7%

WATER & SEWER	4955, 6	Charges for Water Service ...	\$490,000	\$144,141	29.4%
	Multiple	Miscellaneous Income	\$14,000	\$60	0.4%
	Multiple	Interest	\$38,000	\$4,053	10.7%
	4374	Interest Income (Sewer Loans)	\$270,000	\$0	0.0%
	4973	Water Impact Fee	\$18,300	\$3,050	16.7%
	4972, 4	Water Connection Fees	\$1,000	\$500	50.0%
	4950	Residential Sewer Fees	\$43,300	\$20,208	46.7%
	4951	Charges for Sewer Service	\$19,000	\$6,009	31.6%
	4953	Sewer Connection Fees	\$0	\$8,760	100.0%
	4977	Sewer Impact Fee	\$52,500	\$0	0.0%
	4982	Grant Proceeds (Water)	\$0	\$0	100.0%
	4988	Grant Proceeds (Sewer)	\$0	\$0	100.0%
	4983	Debt Proceeds (Water)	\$0	\$0	100.0%
	4989	Debt Proceeds (Sewer)	\$0	\$0	100.0%
	4995	Transfer from General Fund	\$0	\$0	100.0%
	4996	Transfer from Capital Project Fund	\$0	\$0	100.0%
	3996	Appropriated Fund Balance	\$5,764,800	\$0	0.0%
		TOTAL WATER AND SEWER	\$6,710,900	\$186,781	2.78%

TOTAL	\$8,476,300	\$499,373	5.9%
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MILLVILLE CITY BUDGET - EXPENSES			ORIGINAL	REVIEW	
Acct #	Account Description	FY24 Budget	FY24 Q1	% of Total	
GENERAL	5000 General Government	\$44,500	\$1,761	4.0%	
	5061 Auditor (General) ...	\$16,000	\$0	0.0%	
	5064 Financial Consulting & IT (General) ...	\$14,000	\$206	1.5%	
	5006 Insurance (General)	\$20,000	\$13,368	66.8%	
	5051, 4 Elected Officials (General)	\$21,500	\$7,830	36.4%	
	Misc General Non-Category Payroll	\$91,700	\$30,733	33.5%	
	5400 P&Z ...	\$9,500	\$0	0.0%	
	5063 Legal (General) ...	\$14,000	\$3,112	22.2%	
	5062 Engineering (General) ...	\$30,000	\$14,236	47.5%	
	5500 Building (General) ...	\$12,500		0.0%	
	5411 Law Enforcement	\$29,000	\$14,396	49.6%	
	5450 Animal Control ...	\$3,800	\$1,888	49.7%	
	5421 Fire	\$29,000	\$0	0.0%	
	5430 First Responders and EMS	\$43,200	\$22,104	51.2%	
	5480 Elections ...	\$7,300	\$0	0.0%	
	5100 Roads - General ...	\$131,200	\$49,763	37.9%	
	5180 Roads Class "C" Regular ...	\$46,000	\$80	0.2%	
	5185 Roads Class "C" Capital Outlay	\$0	\$0	100.0%	
	7004 Class "C" Designated Future Use	\$89,000	\$0	0.0%	
	5172 COG Road Project (Reimbursable)	\$234,900	\$106,959	45.5%	
	5173 Road Impact Fee Capital Outlay	\$0	\$0	100.0%	
	7006 Road Impact Fee Designated Future	\$10,500	\$0	0.0%	
	5200 Parks (General) ...	\$136,000	\$9,799	7.2%	
	5250 Parks/Recreation - Other ...	\$17,500	\$5,737	32.8%	
	5230 Park Capital Improv. RAPZ (Reimbursable)	\$31,900	\$0	0.0%	
	5231 Park Impact Fees ...	\$10,300	\$0	0.0%	
	7003 Park Impact Fees - Designated Future	\$21,700	\$0	0.0%	
	5300 Sanitation	\$220,000	\$53,183	24.2%	
	5350 9-1-1 Service	\$27,000	\$6,480	24.0%	
	5024 Disaster Relief	\$4,000	\$0	0.0%	
	5429 Public Safety/Emergency Preparedness ...	\$6,000	\$0	0.0%	
	5270 Youth Council ...	\$5,900	\$468	7.9%	
	7002 Designated for Future Use	\$0	\$0	100.0%	
	5595 Mass Transit Tax Distribution/CVTD	\$36,000	\$0	0.0%	
	5590 Transfer to Capital Project Fund	\$147,200	\$0	0.0%	
	5591 Transfer to Water-Sewer Fund	\$0	\$0	100.0%	
	TOTAL GENERAL	\$1,648,100	\$342,102	20.8%	

MILLVILLE CITY BUDGET - EXPENSES		ORIGINAL	REVIEW	
Acct #	Account Description	FY24 Budget	FY24 Q1	% of Total

STORM WATER	5801, 2	Salaries/Benefits	\$20,800	\$16,337	78.5%
	5845	Special Dept. Supplies (SW) ...	\$9,000	\$1,373	15.3%
	5850	Capital Outlay	\$7,300	\$0	0.0%
	7035	Appropriated for Future Use	\$0	\$0	100.0%
		TOTAL STORMWATER	\$37,100	\$17,709	47.7%

CPT PROJECT	5751	Capital Outlay - Gen Government	\$105,000	\$5,850	5.6%
	5753	Capital Projects	\$0	\$0	100.0%
	5791	Transfer to Water-Sewer Fund	\$0	\$0	100.0%
	7040	Designated Future Use	\$62,200	\$0	0.0%
		TOTAL CAPITAL PROJECT	\$167,200	\$5,850	3.5%

WATER & SEWER	Multiple	General (Water) ...	\$64,900	\$16,860	26.0%
	5901,2	Salary/Benefit (Water) ...	\$154,500	\$26,349	17.1%
	5931	Legal (Water) ...	\$10,000	\$0	0.0%
	5933	Engineering (Water)	\$11,000	\$0	0.0%
	5935	Engineering (Sewer)	\$0	\$0	100.0%
	5932	Auditor (Water) ...	\$12,000	\$0	0.0%
	5934	Financial Consulting & IT (Water) ...	\$8,500	\$100	1.2%
	5925	Insurance (Water)	\$9,000	\$7,963	88.5%
	5945	Special Department Supplies - Water ...	\$44,000	\$9,369	21.3%
	5947	Special Department Supplies - Sewer	\$200	\$0	0.0%
	5928	City Sewer/Nibley	\$12,000	\$2,178	18.2%
	5955	ARPA	\$118,800	\$0	0.0%
	5950	Capital Outlay (Water)	\$0	\$0	100.0%
	5951	Water Capital Projects	\$0	\$0	100.0%
	5952	Sewer Capital Projects	\$6,094,000	\$1,285,388	21.1%
	5961	InterCity Sewer Upsizing Payment	\$0	\$0	100.0%
	5962, 5963	Water Bond (1997)	\$0	\$0	100.0%
	5959, 5960	Water Bond (2006)	\$92,000	\$0	0.0%
	5964, 5965	Bond (2000) - Parker Well	\$45,000	\$11,190	24.9%
	5975	Cap. Facility Rplcmnt Fund Reserve	\$35,000	\$0	0.0%
	7020	Designated for Future Use - Water	\$0	\$0	100.0%
	7030	Designated for Future Use - Sewer	\$0	\$0	100.0%
		TOTAL WATER AND SEWER	\$6,710,900	\$1,359,398	20.3%

TOTAL	\$8,563,300	\$1,725,060	20.1%
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Councilmember Assignments 2023

Councilmember Daniel Grange

- Water
- Trails
- Fire/EMS/Emergency Preparedness
- City Celebration Support

Councilmember Ryan Zollinger

- Sewer
- Parade

Councilmember Clay Wilker

- City Celebration/Night Out Against Crime
- Youth Council

Councilmember Pamela June

- Ordinance Enforcement
- P&Z
- Fair Booth

Councilmember Jeremy Ward

- Law Enforcement/Animal Control
- Ordinance Enforcement Support
- Wildfire