

MILLVILLE CITY COUNCIL MEETING
City Hall – 510 East 300 South – Millville, Utah
March 27, 2024

PRESENT: David Hair, Clay Wilker, Pamela June, Ryan Zollinger, Jeremy Ward, Chad Kendrick, Corey Twedt, Kara Everton

Call to Order/Roll Call

Mayor David Hair called the City Council Meeting to order for March 27, 2024, at 7:00 p.m. The roll call indicated Mayor David Hair and Councilmembers Pamela June, Clay Wilker, Jeremy Ward, and Ryan Zollinger were in attendance with Councilmember Daniel Grange excused.

Opening remarks/Pledge of Allegiance

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

Approval of agenda

The agenda for the City Council Meeting of March 27, 2024, was reviewed.

Councilmember June moved to approve the agenda for March 27, 2024.

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

Approval of minutes of the previous meeting

The Council reviewed the minutes of the City Council Meeting from March 14, 2024.

Councilmember June motioned to approve the minutes from March 14, 2024.

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

Public comment period

Mayor Hair opened the floor for any public comments. No one signed up for the public comment portion of the meeting.

Consideration of a resolution authorizing sewer revenue bonds, series 2024A, in the aggregate maximum repayable principal amount not to exceed \$5,011,000; to finance, in part, sewer system improvements, and related improvements; and related matters

Recorder Twedt reviewed with the Council the resolution and the explanation for the resolution as provided in the staff report. He said the City is planning to close on the

second and last Rural Development Loan and Construction BAN tomorrow. Because the refinance of the \$5,011,000 loan won't happen until April 10, 2024, the Council should approve this resolution temporarily increasing the bond amount. It is for a short time and will result in the same amount of overall bonding as originally planned. This will allow the City to refinance a 1.5% \$5,011,000 loan into a 0% \$1,261,000 loan along with a \$3,750,000 grant. The temporary bond increase is needed because we are not allowed to close and refinance on the same day. The Division of Environmental Quality needs some time between the two events.

Councilmember Ward motioned to approve Resolution 2024-6. Councilmember Wilker seconded. Councilmembers June, Wilker, Ward, and Zollinger voted yes with Councilmember Grange excused. (The approved resolution is included with the minutes as Attachment "B".)

Committee selection of two councilmembers for Boundary Line Adjustment discussions with Providence City

Mayor Hair reviewed the information in the staff report. He said that he would like to assign two councilmembers to be on a committee with Recorder Twedt and Development Coordinator Everton to meet with the representatives selected by Providence City to talk through a potential boundary line adjustment that would move parcels from Millville to Providence and parcels from Providence to Millville.

Mayor Hair said that he would like Councilmembers Wilker and Grange to be the Millville City Council representatives if they are able and willing to serve in this capacity. Mayor Hair said that Councilmember June already spends a lot of time with Planning and Zoning, Councilmember Zollinger is the councilmember over the sewer project and Councilmember Ward is working on the City Celebration.

Councilmember Zollinger pointed out that this committee would just be gathering information and working through details. Any decision would still come back to the full Council for a vote at some point.

Councilmember Wilker said that he was willing to serve on the committee. Mayor Hair said he would reach out to Councilmember Grange who wasn't able to be here tonight. Councilmember June said that she would be willing to be on the committee if Councilmember Grange wasn't able to do so.

Councilmember Reports and Items for Future Agendas

(A copy of the Councilmember Assignments List is included with the minutes as Attachment "D".)

Councilmember Ward briefly discussed options for displaying quilts for the City Celebration.

Recorder Twedt said that the Celco lawsuit was closed yesterday for failure to prosecute.

Adjournment

Councilmember Zollinger moved to adjourn the meeting. Councilmember Ward seconded. Councilmembers June, Wilker, Ward, and Zollinger voted yes with Councilmember Grange excused. The meeting adjourned at 7:17 p.m.

NOTICE AND AGENDA

Notice is hereby given that the Millville City Council will hold a City Council Meeting on Thursday, March 27, 2024, 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 Wilker
3. Approval of agenda
4. Approval of minutes of the City Council Meeting – March 14, 2024
5. Agenda Items:
 - A. Public comment period (2 min/person)
 - B. Consideration of resolutions authorizing sewer revenue bonds, series 2024A, in the aggregate maximum repayable principal amount not to exceed \$5,011,000; to finance, in part, sewer system improvements, and related improvements; and related matters – Recorder Twedt
 - C. Committee selection of two councilmembers for Boundary Line Adjustment discussions with Providence City – Mayor Hair
 - D. Councilmember reports and other items for future agendas
6. Adjournment.

In compliance with the Americans 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 March 25, 2024, to the City posting locations, the City Website, and the Utah Public Meeting Notices Website.



Corey Twedt, Recorder

**MILLVILLE CITY, UTAH
SEWER REVENUE BONDS
AUTHORIZING RESOLUTION
MARCH 27, 2024**

RESOLUTION NO. 2024-6

A RESOLUTION AUTHORIZING THE \$5,011,000 SEWER REVENUE BONDS, SERIES 2024A, PURSUANT TO A MASTER RESOLUTION TO BE APPROVED BY THE MAYOR AND CITY RECORDER AS THE PRICING COMMITTEE, FOR SEWER SYSTEM IMPROVEMENTS, AND RELATED IMPROVEMENTS; AND RELATED MATTERS.

WHEREAS, the City Council (the "City Council") of Millville City, Cache County, Utah (the "Issuer") desires to finance, in part, (i) Sewer system improvements, and related improvements (the "Project"), and (ii) to pay the costs of issuing the bonds, pursuant to the Utah Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended, and the Utah Refunding Bond Act, Title 11, Chapter 27, Utah Code Annotated 1953, as amended (collectively, the "Acts"); and

WHEREAS, on August 22, 2019, the Issuer adopted a parameters resolution setting forth the maximum aggregate principal amount, interest rate, maturity, and discount for bonds related to the Project; and

WHEREAS, in order to accomplish those purposes the Issuer desires to issue its Sewer Revenue Bonds, Series 2024A in the aggregate principal amount of \$5,011,000 (the "Bonds") pursuant to this Resolution, and a Master Resolution(s) (the "Master Resolution") attached as Exhibit B; and

WHEREAS, the Acts provide that the Issuer may, by resolution, delegate to one or more officers of the Issuer the authority to: (i) in accordance with and within the parameters set forth in the August 22, 2019 parameters resolution, approve the final interest rate or rates, price, principal amount, maturity or maturities, redemption features, and other terms of the Bond(s); and (ii) approve and execute all documents relating to the issuance of the Bond(s).

WHEREAS, the Bonds shall be payable solely from the Net Revenues and other moneys pledged therefor in the Master Resolution, and shall not constitute or give rise to a general obligation or liability of the Issuer or constitute a charge against its general credit or taxing powers; and

WHEREAS, the Issuer desires to delegate to its Mayor and City Recorder (together, the "Pricing Committee"), in accordance with the August 22, 2019 parameters resolution and this Resolution, the authority to approve the final interest rate or rates, price, principal amount, maturity or maturities, redemption features, and other terms of

the Bonds; and (ii) approve and execute all documents relating to the issuance of the Bonds, all in one or more series, in accordance with the Master Resolution:

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of Millville City, Cache County, Utah, as follows:

Section 1. The terms defined or described in the recitals hereto shall have the same meanings when used in the body of this Resolution.

Section 2. All actions heretofore taken (not inconsistent with the provisions of this Resolution), by the Council and by the officers of the Issuer directed toward the issuance and sale of the Bonds, in one or more series, are hereby ratified, approved and confirmed.

Section 3. The Master Resolution attached hereto as Exhibit B is authorized and approved, with such changes thereto as shall be approved by the Pricing Committee, as authorized by Section 11-14-302 of the Act, provided that the principal amount, interest rate or rates, maturity and discount shall not exceed the maximums set forth in August 22, 2019 parameters resolution.

Section 4. The Mayor and City Recorder are hereby appointed to be the Pricing Committee with respect to the Bonds and are further authorized and directed, and the power is hereby delegated to them, to execute and deliver the Bonds and the Master Resolution and all documents relating to the issuance of the Bonds on behalf of the Issuer, with such additions, modifications, deletions and changes thereto as may be deemed necessary or appropriate and approved by the Mayor, whose execution thereof on behalf of the Issuer shall conclusively establish such necessity, appropriateness and approval with respect to all such additions, modifications, deletions and changes incorporated therein.

Section 5. For the purposes set forth in the Master Resolution the Issuer authorizes the issuance of the Bonds which shall be designated "Millville City, Cache County, Utah Sewer Revenue Bonds, Series 2024A", in the total aggregate principal amount of \$5,011,000. The Bonds shall bear interest, shall be dated, shall be issued as fully registered Bonds, and shall mature as provided in the Master Resolution, as shall be approved by the Pricing Committee.

Section 6. The form, terms and provisions of the Bonds and the provisions for the signatures, authentication, payment, registration, transfer, exchange, redemption and number shall be as set forth in the Master Resolution, as shall be approved by the Pricing Committee. The Mayor and City Recorder are hereby authorized and directed to execute and seal the Bonds and to deliver the Bonds upon payment therefore. The signatures of the Mayor and the City Recorder may be by facsimile or manual execution.

Section 7. The Pricing Committee of the Issuer is authorized and directed to execute and deliver the written order of the Issuer for authentication and delivery of the Bonds in accordance with the provisions of the Master Resolution.

Section 8. The Bonds shall be sold to the Purchaser(s) on the terms to be agreed upon by the Pricing Committee, provided that the principal amount, interest rate or rates, maturity and discount shall not exceed the maximums set forth in August 22, 2024 parameters resolution.

Section 9. Upon their issuance, the Bonds will constitute special limited obligations of the Issuer payable solely from and to the extent of the sources set forth in the Bonds and the Master Resolution. No provision of this Resolution, the Master Resolution, the Bonds, or any other instrument, shall be construed as creating a general obligation of the Issuer, or of creating a general obligation of the State of Utah or any political subdivision thereof, or as incurring or creating a charge upon the general credit of the Issuer or its taxing powers.

Section 10. The Pricing Committee and other appropriate officials of the Issuer are authorized and directed to execute, seal and deliver for and on behalf of the Issuer any or all additional certificates, documents and other papers and to perform all other acts they may deem necessary or appropriate in order to carry out the matters and documents authorized by this Resolution.

Section 11. After the Bonds are delivered to the Purchaser(s), and upon receipt of payment therefor, the Master Resolution, as shall be approved by the Pricing Committee, shall be and remain irrevocable until the principal of, premium, if any, and interest on the Bonds are deemed to have been duly discharged in accordance with the terms and provisions of the Master Resolution.

Section 12. In accordance with the provisions of the Act, the Issuer has designated the The Herald Journal as the official newspaper of the Issuer authorized to publish legal notices for the Issuer, and in accordance with the Act, the City Recorder has caused a "Notice of Public Hearing and Bonds to be Issued" to be (1) published once each week for two consecutive weeks in the The Herald Journal, with the first publication being not less than 14 days before the public hearing held on September 26, 2019, and (2) posted on the Utah Public Notice Website not less than 14 days before the public hearing, and (3) has caused a copy of a Parameters Resolution (with all exhibits attached) to be kept on file in the office of the City Recorder of the Issuer for public examination during regular business hours for at least thirty (30) days from and after the last publication thereof.

Section 13. All parts of this Resolution are severable, and if any section, clause or provision of this Resolution is, for any reason, held to be invalid or unenforceable, the invalidity or unenforceability of that section, clause or provision does not affect the remaining sections, clauses or provisions of this Resolution.

Section 14. All resolutions, orders and regulations or parts previously adopted or passed which are in conflict with this Resolution are, to the extent of such conflict, repealed. This repealer shall not be construed so as to revive any resolution, order, regulation or part thereof heretofore repealed.

Section 15. The City Recorder is directed to complete the attached Record of Proceedings.

Section 16. This Resolution shall take effect immediately upon its approval and adoption. This Resolution is deemed and shall constitute the legislative action of the City Council with respect to the approval of the Bonds, and no further legislative action is anticipated at this time. The approval and execution of the Master Resolution by the Pricing Committee, as authorized and delegated herein, is deemed and shall constitute an administrative action.

PASSED, APPROVED AND ADOPTED this March 27, 2024.



Mayor

ATTEST:



City Recorder

(SEAL)



RECORD OF PROCEEDINGS

The City Council (the "Council") of Millville City, Cache County, Utah (the "Issuer"), met in public session at the regular meeting place of the Council in Millville, Utah, on March 27, 2024, at the hour of 7:00 p.m., or as soon thereafter as feasible, with the following Councilmembers of the Council being present:

David Hair	Mayor
Jeremy Ward	Councilmember
Clay Wilker	Councilmember
Pamela June	Councilmember
Ray Zollinger	Councilmember
Daniel Grange	Councilmember

Also present:

Corey Twedt	City Recorder
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Absent: Daniel Grange Councilmember

After the meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, the City Recorder presented to the Council a Certificate of Compliance with Open Meeting Law with respect to this March 27, 2024 meeting, a copy of which is attached hereto as Exhibit A.

The following resolution was then introduced in writing, was fully discussed, and pursuant to motion duly made by Councilmember Ward and seconded by Councilmember Wilker, adopted by the following vote:

YEA: Councilmembers Ward, Wilker,
June, Zollinger

NAY:

ABSTAIN:

The resolution was then signed by the Mayor in open meeting and recorded by the City Recorder in the official records of Millville City, Cache County, Utah.

Other business not pertinent to the foregoing ordinance appears in the minutes of the Meeting. Upon the conclusion of all the business on the agenda and upon motion duly made and seconded, the Meeting was adjourned

CERTIFICATE OF CITY RECORDER

I, Corey Twedt, the undersigned and duly qualified and acting City Recorder of the Issuer do hereby certify:

The attached Resolution is a true, accurate and complete copy thereof adopted by the City Council of the Issuer at a lawful public meeting duly held and conducted by the City Council in Millville, Utah, on March 27, 2024, commencing at the hour of 7:00 p.m., or as soon thereafter as feasible (the "Meeting"), as recorded in the regular official book of the proceedings of the Issuer kept in my office. The Meeting was called and noticed as required by law as is evidenced by the following Certificate of Compliance with Open Meeting Law. The persons present and the result of the vote taken at the Meeting are all as shown above. Attached hereto is an affidavit of publication of the foregoing ordinances or a summary thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer, this March 27, 2024.



City Recorder

(SEAL)



EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Corey Twedt, the undersigned City Recorder of the Issuer do hereby certify, according to the records of the Issuer in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time, and place of the March 27, 2024, public meeting held by the Issuer as follows:

(i) By causing a notice, in the form attached hereto (the "Meeting Notice"), to be posted at the Issuer's principal offices at least twenty-four (24) hours prior to the convening of the meeting, the Meeting Notice having continuously remained so posted and available for public inspection until the completion of the meeting; and

(ii) By causing a copy of the Meeting Notice to be posted on the Utah Public Notice Website at least twenty-four (24) hours prior to the meeting.

(iii) By causing a copy of the Meeting Notice to be delivered to each member of the City Council of the Issuer at least twenty-four (24) hours prior to the convening of the Meeting.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this March 27, 2024.

(SEAL)





City Recorder

(Attach Meeting Notice, including proof of posting thereof on the Utah Public Notice Website)

EXHIBIT B

FORM OF MASTER RESOLUTION

(See Transcript Document No. __)



AGENDA REPORT: Committee for BLA Discussion

March 27, 2024

Background

At the Millville City Council meeting held February 8, 2024, the Millville Council discussed a possible boundary line adjustment (BLA) with Providence City that would result in a swap of parcels between the two cities to allow for more affordable and improved services for the land in question.

Following that meeting, Millville staff drafted a letter that was sent to Providence City requesting the establishment of a committee with representatives from both cities to talk through the proposed BLA to later come back to their councils with recommendations.

At the Providence City Council meeting held on March 20, 2024, the Providence City Council accepted the proposal from Millville City and appointed Providence committee members. Now, the Millville City Council and Mayor should appoint committee members from Millville.

It is recommended that the City Council appoint two councilmembers to be on this committee along with Recorder Twedt and Development Coordinator Everton.

Included Documents

- Letter sent to Providence requesting committee for BLA discussions



March 11, 2024

RE: Parcel Exchange between Providence City and Millville City

To: Providence City Council

I am writing to inform you of a proposed parcel exchange between Millville City and Providence City. There are three parcels within Millville City and three parcels within Providence City that we believe can be better serviced by the other city.

Millville City has received a Boundary Line Adjustment request to move three parcels owned by the Alder Family from Millville into Providence to be part of a large development planned south of 1700 South and southwest of the existing Providence City boundary. Splitting up this development between two cities does not seem optimal and the proposed development has housing density requests that are currently not permitted by Millville City Code.

There are three undeveloped parcels in Providence on the border of Millville City that we believe can be better serviced in Millville City. These parcels are owned by the Spendlove Family. Future development on these parcels could feed directly into the Millville City sewer whereas a lift station would be needed for sewer on the Providence system. These parcels have direct connections to Millville roads and the only convenient outlet from this area would be through Millville City.

Along with this parcel exchange discussion, both cities should discuss the LDS Stake Center, which is currently split between the two cities. There is also one existing home in the proximity. The Stake Center and home are currently using septic tanks and we should come up with a plan to transition to sewer to continue to improve the quality of the surrounding groundwater.

Proposed Parcel Exchange:

From Millville City to Providence City (see included map A):

- Parcel 03-002-0001 (20.39 acres)
- Parcel 03-002-0002 (10 acres)
- Parcel 03-002-0009 (20 acres)

From Providence City to Millville City (see included map B):

- Parcel 02-115-0038 (9.52 acres)
- Parcel 02-115-0054 (5 acres)
- Parcel 02-115-0020 (12.81 acres)

Additional parcels that should be discussed (see included map B):

- Parcel 02-129-0029 (2.95 acres); currently in Millville; contains part of LDS Stake Center property
- Parcel 02-115-0029 (3.76 acres); currently in Providence; contains the rest of the LDS Stake Center property
- Parcel 02-115-0012 (0.62 acres); currently in Providence; contains Cornwell residence at 365 E. 350 N.

Proposed Next Steps:

1. Providence high-level discussion at a City Council meeting to establish a committee for additional discussions. The recommendation is to appoint two council members, the City Manager and Community Development Director.
2. Providence and Millville representatives meet to talk through details and then come back to the City Councils with a proposal.

I believe that this parcel exchange will be mutually beneficial for both Millville City and Providence City, allowing us to better serve our communities and improve overall service delivery. Your support and collaboration in this matter are greatly appreciated.

Please feel free to contact me if you have any questions or require further clarification regarding this proposal.

Thank you for your attention to this matter.

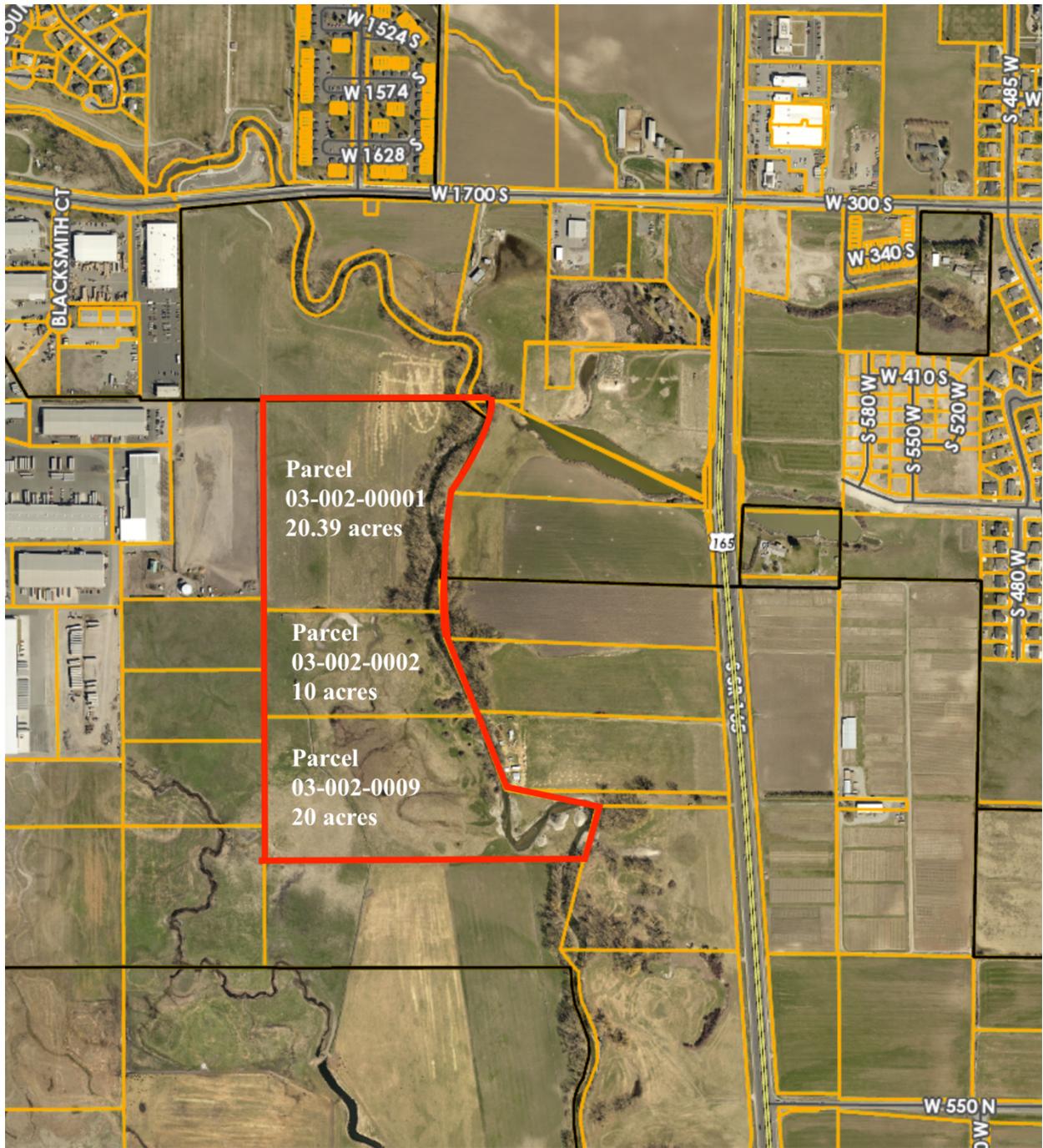
Sincerely,

MILLVILLE CITY COUNCIL

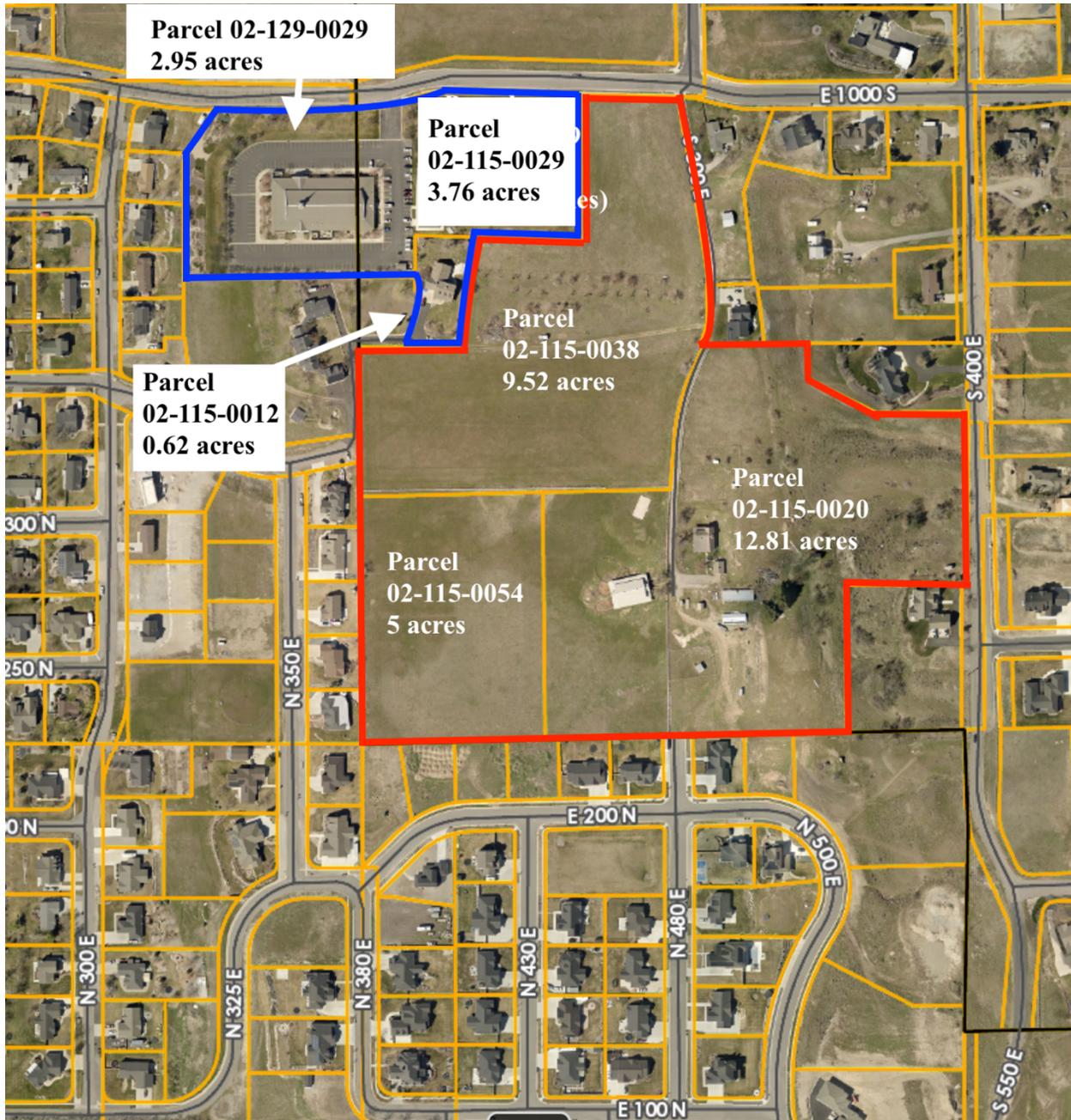
A handwritten signature in cursive script that reads "David Hair".

David Hair, Mayor

Map A: 3 Parcels in Millville – Proposed move to Providence (red)



**Map B: 3 Parcels in Providence – Proposed move to Millville (Red)
Other stray parcels that should be discussed (Blue)**



Councilmember Assignments 2024

Councilmember Daniel Grange

- Car Show for City Celebration
- Parks

Councilmember Ryan Zollinger

- Sewer
- School District

Councilmember Clay Wilker

- Ordinance Enforcement
- Fire/EMS/Emergency Preparedness
- Law Enforcement/Animal Control

Councilmember Pamela June

- P&Z
- Youth Council
- Wildfire

Councilmember Jeremy Ward

- City Celebration/Parade
- Trails