

NOTICE AND AGENDA - Updated

Notice is hereby given that the Millville City Council will hold its regularly scheduled Council Meeting on Thursday, May 9, 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 Zollinger
3. Approval of agenda
4. Approval of minutes of the City Council Meeting – April 11, 2024
5. Agenda Items—
 - A. Public comment period (2 min/person)
 - B. Business license application for CK Mowing & Landscaping – Chris Coombs
 - C. Potential road access for Alder Development – Joe Fuhriman
 - D. Consideration of Ordinance updating Code Section 16.12 regarding illegal subdivisions – Recorder Twedt
 - E. Budget review for FY24 and FY25 – Recorder Twedt
 - F. Adoption of tentative FY25 Budget – Mayor Hair
 - G. Set budget public hearing for June 13, 2024, at 8 p.m. – Mayor Hair
 - H. County trail maintenance discussion – Recorder Twedt
 - I. Report on P&Z meeting held May 2, 2024 – Development Coordinator Everton
 - J. City Celebration planning progress update – Councilmember Ward
 - K. Review of City emergency notification platform – Recorder Twedt
 - L. City Reports: Roads, Parks, Water – Public Works Director Kendrick
 - M. 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 May 6, 2024, 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
April 11, 2024

PRESENT: David Hair, Daniel Grange, Pamela June, Ryan Zollinger, Tara Hobbs, Chad Kendrick, Corey Twedt, Kara Everton, Mandy Kapp, Konner Simmons, Gary Stauffer, Jacob Ames, Harry Meadows

Call to Order/Roll Call

Mayor David Hair called the City Council Meeting to order for April 11, 2024, at 7:00 p.m. The roll call indicated Mayor David Hair and Councilmembers Pamela June, Ryan Zollinger, and Daniel Grange were in attendance with Councilmembers Clay Wilker and Jeremy Ward excused.

Opening remarks/Pledge of Allegiance

Councilmember Grange 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 April 11, 2024, was reviewed.

Councilmember Zollinger moved to approve the agenda for April 11, 2024.

Councilmember Grange seconded. Councilmembers June, Grange, and Zollinger voted yes with Councilmembers Wilker and Ward 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 on March 27, 2024.

Councilmember June motioned to approve the minutes for March 27, 2024.

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

Public comment period

Mayor Hair opened the floor for any public comments.

Mandy Kapp said that she is considering putting an offer on a house in Millville in the R1- Residential Zone. The intent would be to purchase this house for a micro-school business and not to live in. Mandy explained that this micro-school would be a “home school” location for approximately 30-40 children between the ages of 4-14 years. The Millville home that she is looking at has a large yard where the kids could spend a significant

amount of their school time outside. The house is located at approximately 400 North and 100 West.

Councilmember June said that she would like to know what Planning and Zoning thinks about this. The rest of the Council agreed that this request should go to the Planning Commission for review.

Recorder Twedt said that he also agreed that the Planning Commission should weigh in on this, but that if the request were approved from a zoning standpoint, Mandy would still need to come to the City Council to seek a business license. He said that he had major concerns about this type of business in a residential area where there will be many vehicles at least a couple of times per day that will impact the neighborhood.

Mayor Hair said that he had concerns about safety issues with that number of children. He said that the fire inspector should be involved to sign off on what they are trying to do.

The consensus from the Council was for Mandy to get on the agenda for a future Planning and Zoning meeting.

CAPSA presentation on Sexual Abuse Awareness

Konner Simmons from CAPSA explained that April is Sexual Abuse Awareness Month. He went through some of the statistics for Cache Valley that are tracked by CAPSA. Konner discussed the benefits of CAPSA's proposal of "Starting by Believing" for victims of sexual abuse. Councilmember Zollinger and Mayor Hair thanked Konner for coming.

Consideration for approval of a three-year contract for animal control services

Mayor Hair reviewed the contract from the Cache County Sheriff's Department for three years of animal control services beginning in July 2024 for FY25. He said that he thought this was a good deal for the City.

Councilmember Zollinger said that he thinks a 25% increase over four years is a lot. Recorder Twedt said that they haven't increased rates for many years, so this is a plan to increase over four years to get to a more realistic level of hourly pay. He said that he likes that it is a fixed increase for the next four years and that it is a good deal for the City with how many issues we have each month with animal-related issues.

Councilmember Grange motioned to approve the contract for animal control services with the Cache County Sheriff's Department. Councilmember June seconded.

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

Consideration of an ordinance updating City Code related to business licenses

Recorder Twedt reviewed the proposed code revisions related to business licenses. He said that this was in relation to what was discussed at a previous City Council meeting where it was decided that all business licenses did not need to be held to be reviewed for approval in a City Council meeting. Recorder Twedt explained that the proposed code would allow staff to review and approve business license requests except for requests for businesses located in a residential zone that are not fee-exempt. These businesses generally come with additional impact and should be reviewed at a Council meeting.

He said that along with those code changes, there were a few updates to this chapter of code that Recorder Twedt said he thinks needed a little cleaning up and better organization.

Recorder Twedt said that he thought it would make sense to discuss the fees for business licenses and the resolution now as well since they were related.

Recorder Twedt explained that several years ago, State legislation was passed stating that cities couldn't charge a business license fee for home-based businesses that did not have a significant residential impact. Some cities just quit licensing this type of business. In Millville, the Council decided to continue to issue licenses for home-based businesses. Millville has a lot of this type of business, and it is time-consuming to send out letters and create licenses and everything that we do for these businesses. Recorder Twedt said that the proposal included in the ordinance and resolution would require an administrative fee for home-based businesses that want a copy of their business license certificate. The resolution would also increase the fee for a non-fee-exempt business from \$25 (that was set 21 years ago) to \$35.

Councilmember June moved to approve Ordinance 2024-2. Councilmember Zollinger seconded. Councilmembers June, Grange, and Zollinger voted yes with Councilmembers Wilker and Ward excused. (The adopted ordinance is included with the minutes as Attachment "B".)

Consideration of a resolution updating the fee schedule for business licenses

Recorder Twedt reviewed with the Council the resolution updating the fee schedule for business licenses.

Councilmember Zollinger motioned to approve Resolution 2024-7. Councilmember June seconded. Councilmembers June, Grange, and Zollinger voted yes with Councilmembers Wilker and Ward excused. (The approved resolution is included with the minutes as Attachment "C".)

Review of utility adjustments for FY24 Q3

Treasurer Hobbs reviewed the utility adjustments made during the last three months.

Budget review for FY24 Q3

Recorder Twedt reviewed the FY24 budget through the end of the third quarter. He explained that the Council would be doing a full budget review for updates to the FY24 budget and for the new FY25 budget at the next meeting followed by a public hearing regarding the budget at the June meeting. Today, he said he just wanted to point out a few things and then he would answer any questions that the Council had regarding the budget.

Recorder Twedt reviewed the revenue for sewer service and sewer debt as well as sewer bond payoffs and interest on the expense side. He also reviewed the ARPA funding and water department supplies. (A copy of the staff report is included with the minutes as Attachment "D".)

Cemetery Discussion

Mayor Hair said that Mary Jo Davis came by and spoke with him about meeting with the City to clear the air and work through some things. One of the main things they would like to discuss is water. There was a brief discussion on City culinary water and Garr Springs water shares owned by the Cemetery District.

Mayor Hair said that the request from Mary Jo is for two councilmembers to meet up with two members of the Cemetery Board to discuss things. Mayor Hair asked that Councilmembers Zollinger and Grange meet with them. He said that he would be willing to attend as well if they would like.

Report on P&Z Meetings

Development Coordinator Everton reviewed with the Council the Planning Commission's draft minutes for the meetings held on March 21, 2024, and April 4, 2024.

City Reports

Director of Public Works Chad Kendrick reported that the sewer project is still moving along. Over the next couple of days, they will again have a truck in town that will be hauling away dirt from off the side of the roads.

Director Kendrick said that they have been opening up some of the park restrooms and getting the parks ready for summer.

Director Kendrick said that they are working on finding a good and affordable option for lights at the tennis courts. Recorder Twedt said that they would like some advice from Councilmember Zollinger on this.

Director Kendrick reported that the walking path and the South Park extension are getting a lot of use.

Councilmember Reports and Items for Future Agendas

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

Recorder Twedt said that he had received a text from Rachel Thompson indicating that she and Roxie Hancey were not planning to be youth council advisors next year. He said that he had put a notice in the newsletter and would put one on the website.

Recorder Twedt said that he and Development Coordinator Everton had met with representatives of a developer that owns the two parcels on the north side of the 550 North by the highway zoned as Town Center. They acted like they were open to suggestions of what to do there and asked that we get some thoughts from the City Council on what they would want there if they could have anything. The Council said they would love to see a car dealership there because of the tax revenue. They also discussed the benefits of a restaurant or grocery store.

Mayor Hair thanked the staff for all the extra work they had been putting in while dealing with the sewer project.

Adjournment

Councilmember Zollinger motioned to adjourn the meeting. Councilmember Grange seconded. Councilmembers June, Grange, and Zollinger voted yes with Councilmembers Wilker and Ward excused. The meeting adjourned at 8:19 p.m.



Millville City

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510 East 300 South
Millville, Utah 84326
(435) 750-0924 corey@millvillecity.org
www.millvillecity.org

CHECK APPLICABLE BOX	
<input type="checkbox"/> Commercial	<input checked="" type="checkbox"/> New Application
<input type="checkbox"/> Home Business	<input type="checkbox"/> Application Amendment
CHANGE OF:	
<input type="checkbox"/> Ownership	<input type="checkbox"/> Business Name
<input type="checkbox"/> Address	<input type="checkbox"/> Business Description

Business License Application

For businesses with a permanent physical location within the Millville City limits.
This is not the application for special events, temporary businesses or solicitors.

License No. _____

Date Received _____

SECTION I: Business Information

Application Contact: Chris Coombs Contact Ph: 435-754-4173
A. Business Name "DBA": CK Mowing + Landscaping
B. Business Location: 11 N Main St. Millville, UT 84326
 Street Address (include unit #)
C. Mailing Address: P.O. Box 299 Street (include unit#/PO Box address) Millville UT 84326 Same as "B. Business Location"
 ATTN: City, State, Zip
D. Local Business Ph: 435-754-4173 **Fax:** _____ **www:** _____

SECTION II: Business Description — General (complete the commercial or the Home Business AND the far right column)

COMMERCIAL

Building/plaza: _____
Is this a secondary use within an existing business location?
 Yes, in _____ No

Hours of Operation: _____

Type of Operation: (mark all that apply)

- Sales/Service: Customers typically come on site
- Sales/Service: Customers rarely come on-site
- Service no sales
- Fresh food service and/or preparation
- Manufacturing
- Medical/dental
- Daycare
- Instruction
- Preschool
- Other: _____

Previous use of location:

HOME BUSINESS

Please Note:
A home business does not change the aesthetic character of the area and zone.

On-site employees? Yes No

If yes,

Up to how many? _____ Working hours? _____

Where will they park? _____

On-site customers? Yes No

If yes,

Up to how many per day? _____

Up to how many per week? _____

Where will they park? _____

On-site business will be performed from a:

(mark all that apply)

- Home office Garage/storage room
- Desk and chair Carport/driveway
- Shed/out building Vehicle
- Other: _____

Do you intend to set-up off-site?

(i.e. in parking lot, at festivals, within stores)

Yes No

Proposed start date: 4-15-2024

This Business Includes:

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/> Signage
<input type="checkbox"/>	<input checked="" type="checkbox"/> Alcohol sales and/or services
<input type="checkbox"/>	<input checked="" type="checkbox"/> Live entertainment on-site
<input type="checkbox"/>	<input checked="" type="checkbox"/> Door-to-door solicitation
<input type="checkbox"/>	<input checked="" type="checkbox"/> Fireworks sales on-site
<input type="checkbox"/>	<input checked="" type="checkbox"/> Vending machines on-site
<input type="checkbox"/>	<input checked="" type="checkbox"/> On-site secondary business
<input type="checkbox"/>	<input checked="" type="checkbox"/> On-site events (i.e. community party parking lot/sidewalk sales)
<input type="checkbox"/>	<input checked="" type="checkbox"/> Investment advice and/or service
<input type="checkbox"/>	<input checked="" type="checkbox"/> Pesticides use and storage
<input type="checkbox"/>	<input checked="" type="checkbox"/> Hazardous materials use and storage
<input type="checkbox"/>	<input checked="" type="checkbox"/> Vehicle sales
<input type="checkbox"/>	<input checked="" type="checkbox"/> Firearms or explosives sales
<input type="checkbox"/>	<input checked="" type="checkbox"/> Care of children or preschool
<input type="checkbox"/>	<input checked="" type="checkbox"/> Any construction jobs over \$1,000
<input type="checkbox"/>	<input checked="" type="checkbox"/> Piercing, tattooing, perm, make-up
<input type="checkbox"/>	<input checked="" type="checkbox"/> Used merchandise transactions
<input type="checkbox"/>	<input checked="" type="checkbox"/> Changes to existing garbage service
<input checked="" type="checkbox"/>	<input type="checkbox"/> Vehicles, trailers, mowers, etc. (stores on site)
<input type="checkbox"/>	<input checked="" type="checkbox"/> Electrical, plumbing, structural, or mechanical changes to site

SECTION III: Business Description — Specific

(attach additional pages if necessary)

Offsite Lawncare, Landscaping, snow removal

SECTION IV: Additional Information

E. Utah State Tax Commission — Sales Tax Number: _____ Not applicable

F. State & federal regulatory agency licensing info: *EIN # 99-2331458* _____ Not applicable
(Not referring to an EIN or entity number)

G. Did you use "One-Stop Online Business Registration" to Register your business with state and federal agencies?

Completely Partially Not at all I do not know — someone else did it

H. Previous Business Name: _____ Not applicable

I. Previous Business Location: _____ Not applicable

SECTION V: Ownership (Parent business entity and business officer information)

Parent Entity

Parent Business Name: _____ same as "A. Business Name DBA"

State Entity Type: Sole Proprietorship Partnership LLC Corporation Non-Profit Corporation (w/501 c3 letter)

Officers (1)

Officer Name: *Chris Coombs* Contact Ph. *435-754-4173* Sole Prop./Partnership Owner Local Manager

Home Address: *11 N Main St. PO Box 299 Millville UT 84326* LLC Member

Street (include unit #) / PO Box Address City, State, ZIP Manager

Local Manager Corporation President

Director Officer Local Manager

This person can be contacted in the event of an after-hours police or fire emergency.

Officers (2)

Officer Name: _____ Contact Ph. _____ Sole Prop./Partnership Owner Local Manager

Home Address: _____ Street (include unit #) / PO Box Address City, State, ZIP Member

Manager Corporation President

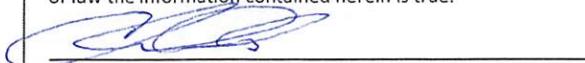
Local Manager Director Officer Local Manager

This person can be contacted in the event of an after-hours police or fire emergency.

SECTION VI: Notification and Verification of Authority

- 1) Mandatory review process – this application does not constitute a business license. All applications are subject to the review process mandated by Title 5 of the Municipal Code. Incomplete applications will not be processed. Decisions on applications will take 15 days (minimum), and are made based on:
 - (i) the information provided on the application, and
 - (ii) review of the Mayor and City Council
- 2) Additional Requirements – Under the Municipal Code, additional Business License application requirements are necessitated for some business types.
- 3) Denial of License – Application denial or subsequent license suspension or revocation are most often the result of:
 - (i) an inaccurate or incomplete application, or failure to update information with the City and/or
 - (ii) non-compliance with the Municipal Code, Land Use Code, and/or applicable building, fire, and environmental codes.
- 4) Other regulatory bodies – It is the applicant's responsibility to determine and comply with any requirements from other regulatory agencies.
- 5) Signage – Permanent signage requires a separate Sign Permit Application, which is located on the city web site, Millvillecity.org.
- 6) Building alterations – All alterations to buildings or spaces, including electrical, plumbing, and mechanical alterations, require a separate building application.

I/We hereby agree to conduct said business strictly in accordance with the business license regulations as set forth in the Millville City Code, and swear under penalty of law the information contained herein is true.


Signature of Owner/Authorized Agent

Chris Coombs
Printed Name

4/9/2024
Date

SECTION VII: For administration use only

Classification: Conforming Non-Conforming Child Care Home Business Low Impact Medium Impact

Conditional Use: (If box is checked see conditions)

Agree Do not agree Signature: _____ Date: _____

Yes No City Council grants permission Signature: _____ Date: _____

FEES \$25.00 EXEMPT

PAYMENT TYPE

RECEIPT

HOME-BASED BUSINESS FEE EXEMPTION CERTIFICATION

Business Name CK Mowing & Landscaping

Owner Name Chris Coombs

Business Address 11 N Main St.

I hereby attest that the business operations I run from my home do not create any additional offsite impacts in my neighborhood. I see no clients or customers and require no off or on street parking, no large equipment is stored at my home and my business operations will not impact the neighbors through loud noise, odors, traffic or other unusual activity. Other reasons as to why I believe that my business qualifies for a fee exemption from the Millville City business license requirements (Millville Code 5.04.140) are as follows:

For all of the foregoing reasons, I hereby request that my home-based business be granted exempt status from the business license fee.



Signature

4/9/2024

Date



AGENDA REPORT: ILLEGAL SUBDIVISIONS

May 9, 2024

Background

Anyone can record deeds at the County, even if it creates an illegal subdivision. This results in illegal subdivisions happening all the time throughout Cache County. In the past, this would just happen and nobody would know. The County Recorder's Office now has an alert system so that we are aware of parcel changes within our City boundaries. We are now on the list to get an email sent to our City Recorder and Development Coordinator when a parcel change takes place. This should allow us to address the issues when they happen instead of finding out about them years later or not finding out about them at all.

Staff was recently notified of a parcel change and has sent a letter notifying the resident of the illegal subdivision and asking that they work with the City to fix the issue. Our current code allows us to either charge the perpetrator with a misdemeanor or sue for injunction. This requires that we track these issues until they are resolved.

In speaking with our City attorney, we have been advised that it may be better to adopt some new code that would allow us to provide notice and then put a restriction on title noting that the property is illegal. This would show up on a title report and put potential future buyers on notice. City staff could then get used to checking title to see if it was illegally subdivided. This makes it more transparent for everyone that there is an issue, even if the lot is not built upon for many years.

These proposed code updates were reviewed in a previous City Council meeting. The code then went to Planning and Zoning for review and a public hearing. The P&Z Commission has recommended the City Council adopt these changes to the City Code.

Included Documents

- Ordinance 2024-3 including proposed code changes

**MILLVILLE CITY
ORDINANCE 2024-3**

**UPDATES TO CITY CODE SECTION 16.12.040 PROVIDING FOR THE
RECORDING OF NOTICE ON TITLE OF ANY PARCEL OF PROPERTY
THAT HAS BEEN ILLEGALLY SUBDIVIDED**

WHEREAS, the Millville City Council (the “Council”) has determined that it is in the best interest of its residents and the public in general to protect potential buyers against the unknowing purchase of an illegally subdivided parcel; and

WHEREAS, the Council has determined that recording a public notice on title to any illegally subdivided parcel will provide such notice to innocent buyers, advances one or more of the purposes of the City’s Subdivision Ordinance and is consistent with the City’s General Plan; and

WHEREAS, the Millville City Planning Commission has reviewed the proposed updates in public meetings and a public hearing was held on May 2, 2024 and recommended its adoption by the City Council; and

NOW, THEREFORE, BE IT ORDAINED, by the Millville City Council, Cache County, State of Utah, as follows:

1. The modified City Code Chapter 16.12 – Administration and Enforcement as shown on the included attachment is hereby adopted with an effective date of May 9, 2024.
2. To the extent of any conflict between this ordinance and any other ordinance(s) or regulation(s) of Millville City, the provisions of this ordinance shall be controlling.
3. The sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable. If any section, paragraph, sentence, clause, or phrase shall be declared invalid or unconstitutional by the valid judgement or decree of a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any of the remaining sections, paragraphs, sentences, clauses, or phrases of this ordinance.

ADOPTED AND PASSED, by the MILLVILLE CITY COUNCIL this 9th of May 2024.

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 16 - SUBDIVISIONS
CHAPTER 16.12 - ADMINISTRATION AND ENFORCEMENT

[16.12.010: SUBDIVISION ORDINANCE FEES](#)

[16.12.020: FEES FOR APPEAL](#)

[16.12.030: ADMINISTRATION](#)

[16.12.040: NOTICE OF NONCOMPLIANCE ~~RESERVED~~](#)

[16.12.050: VACATIONS](#)

[16.12.060: PENALTIES](#)

[16.12.070: ADMINISTRATIVE LIABILITY](#)

16.12.010: SUBDIVISION ORDINANCE FEES

All fees required by the subdivision ordinance of the city shall be set by resolution of the city council and shall be published by the city in the fee schedule. (Ord. 2008-4, 2008: Ord. 94-3 § 1)

16.12.020: FEES FOR APPEAL

There shall be no fee for an appeal to the city council from a decision of the commission with respect to this title.

The fee for an appeal to the appeal authority from a decision made by the city council with respect to this title shall be set by resolution of the council. (Ord. 2008-4, 2008: Ord. 2007-8, 2007: Ord. 94-3 § 1)

16.12.030: ADMINISTRATION

- A. These regulations shall be administered and enforced by the city planner or other entity as designated by the city council.
- B. All subdivision plats, plans, and other required associated information (subdivision plans) submitted to the city shall first have been examined by the city engineer, the city planner, land use authority, culinary water authority and sanitary use authority in accordance with the procedures established by these regulations. As part of their examination, the city planner and the planning commission may consult with other public or private agencies to determine whether or not the subdivision plans, as proposed, will contribute to the orderly growth and development of the city. The actions of the city planner, the planning commission and the council shall be governed by the procedures and schedules hereinafter set forth.
- C. Pursuant to the provisions for urban development (as defined in the Utah code as amended), when any part of a subdivision lies outside of, but within one-half (½) mile of the city, that subdivision shall be approved by the city council of the city before it is finally approved by the Cache County board of commissioners.
- D. The city shall not extend utilities and services and shall not approve any proposed subdivision of land which, by itself or as a part of a larger tract, is contiguous to the boundaries of the city unless the preliminary subdivision plans submitted to the city planner is accompanied by a properly acknowledged petition for annexation to the city and a separate application for proper zoning.
- E. The city planner shall review both the annexation petition and the preliminary subdivision plans for accuracy and completeness and shall process the subdivision plans as if the land were already part of the city. The required subdivision plans and the annexation petition may be considered simultaneously by the city, however, final action by the city council on the annexation petition and zoning shall be preceded or be taken concurrently with final action on the final subdivision plans. (Ord. 2022-2, 2022: Ord. 2008-4, 2008: Ord. 2000-13 § 2: Ord. 94-3 § 1)

16.12.040: NOTICE OF NONCOMPLIANCE ~~RESERVED~~

- A. Upon inspection and discovery that any provision of the City's Subdivision Code has been or is being violated, the City may provide written Notice of Violation to the owner of

the property that is the subject of the violation and to any other party who may be responsible for the violation.

B. The written Notice of Violation shall:

1. Indicate the nature of the violation;
2. Identify the action necessary to correct the violation;
3. Give the property owner fourteen (14) days from the date of the receipt of the Notice to correct the violation;
4. State the action the City intends to make if the violation is not corrected within the fourteen (14) day period; and
5. State that the property owner may request a hearing with the Planning Commission if the property owner disagrees with the determinations set forth in the Notice of Violation.

C. The Notice of Violation shall be served upon the property owner and/or the violator by personal delivery, by certified mail, return receipt required, to the address listed on the County Assessor's records for the property.

D. Within fourteen (14) days of the day on which the Notice of Violation is served on the property owner, the property owner may request a hearing with the Planning Commission to present facts and arguments as to why the property owner is entitled to relief from the Notice of Violation. The property owner shall file the request for a hearing in writing with the City clerk. The written request for a hearing shall set forth the property owner's position as to why the property owner is entitled to relief. The City clerk shall notify the Planning Commission of the request for a hearing and the request shall be placed on the agenda for the next regularly scheduled meeting of the Planning Commission, but in no event later than thirty (30) days from the date the City clerk receives the request for a hearing. The Planning Commission shall review the Notice of Violation, the written request for a hearing, and any other information that the property owner or any other interested party may present, and make a determination as to whether the violation set forth in the Notice of Violation has taken place or exists. The City shall have the burden of proving by a preponderance of the evidence the violation took place or exists.

E. If the property owner has not requested a hearing with the Planning Commission within the fourteen (14) day period, or if after a hearing on the matter the Planning Commission determines that the violation set forth in the Notice of Violation has taken place, the Planning Commission or any other person designated by the City may record a Notice of

Noncompliance on title to the property that is the subject of the Notice of Violation. The Notice of Noncompliance shall generally explain the nature of the violation, indicate that no permits or licenses, including but not limited to, a building permit, may be issued for any structure located on the subject property, and meet all other requirements for the recording of documents in the Cache County Recorder's Office.

- F. If the City subsequently determines that the violation of the City's Subdivision Code for which a Notice of Noncompliance has been recorded has been cured or that the property which is the subject of the Notice of Noncompliance is otherwise no longer in violation, the Planning Commission, City Council, or other person designated by the City shall record a release of the Notice of Noncompliance on title to the subject property.
- G. Notwithstanding anything to the contrary in any ordinance or code of the City, until such time as the violation for which a Notice of Noncompliance issued under this Section has been cured or otherwise resolved, the City may withhold or deny the issuance of any permits, licenses, or connections of any kind including but not limited to, a building permit, water connection, or other similar permit or connection, for the property in violation or any structure thereon. (Ord. 2024-3, 2024: Ord. 2008-4, 2008: Ord. 2003-4 § 3, 2003: Ord. 94-3 § 1)

16.12.050: VACATIONS

- A. Pursuant to the provisions of sections 10-9-808 through 10-9-810 of the Utah code any plat may be vacated by the owners before any substantial improvements have been made in the subdivision, by submitting a copy of the plat to the commission along with a written request for a vacation. The written request shall be by all of the owners. The commission shall make a recommendation on the vacation to the city council, and the council shall approve or disapprove the vacation. The recording of an instrument vacating the plat shall operate to destroy the force and effect of the recording of the original plat and to divest all public rights in the streets, alleys, commons and public grounds laid out or described in such a plat.
- B. Streets and alleys platted and laid out under the provisions of these regulations or laid out under any prior law of the state of Utah may be altered or vacated in the manner provided by law for the alteration or discontinuance of highways.
- C. Any part of a plat may be vacated under the provisions and subject to the conditions of subsection A of this section, provided such vacating does not abridge or destroy any of the rights and privileges of other proprietors in such plat and provided, further, that nothing contained in this section shall authorize the closing or obstruction of any public

highways laid out according to law. The request for vacation shall be made by all of the owners.

- D. When any part of a plat shall be vacated as aforesaid, streets, alleys, and other public grounds shall be assigned to all lots or parcels adjacent to the public area being vacated in equal proportions.
- E. The county recorder shall write in plain, legible letters across that part of the plat so vacated the word "vacated" and also make a reference on the same to the volume and page in which the instrument of vacation is recorded.
- F. Land covered by a vacated plat may be replatted as described by these regulations. Any later replatting of an area already platted and not vacated shall be construed to be a request for the vacation of the original plat or portion thereof. Any such plat, once approved and recorded, shall act to vacate the original plat which it replaces. (Ord. 2008-4, 2008: Ord. 2000-17 § 2: Ord. 94-3 § 1)

16.12.060: PENALTIES

- A. Violation Of Provisions: Any person who violates any provision of these regulations and any person who, as an agent for a subdivider, developer or owner of subdivided lands, offers for sale any subdivided lands or subdivisions without first complying with the provisions of these regulations shall be guilty of a class C misdemeanor and shall be subject to fine, imprisonment or both. The city may bring a suit to enjoin any violation of the provisions of this title by action for injunction and may recover the penalty by civil action. If such penalty has not been paid when the subdivision plan is admitted for final approval, the city council shall not approve the plan until the penalty is paid. Each day of violation constitutes a new offense.
- B. Removal, Destruction Or Defacement Of Monuments Or Corners:
 - 1. No person shall wrongfully, wilfully or negligently remove, destroy or deface any survey monument, corner, or witness corner.
 - 2. Any person who violates this subsection is guilty of a class C misdemeanor and is additionally responsible for:
 - a. The costs of any necessary legal action; and

- b. The costs of reestablishing the survey monument, corner, or witness corner. (Ord. 2008-4, 2008: Ord. 2000-13 § 2)

16.12.070: ADMINISTRATIVE LIABILITY

The city shall hold harmless the public works department, other city agencies and officials, and their official agents and representatives, when acting in good faith and without malice, from all personal liability for any damage that may accrue to any person or property as a result of any act required by these regulations, or for the omission of any act on the part of the department, agency or official or their authorized agents in the discharge of their duties hereunder. Any suit brought against the city or the city administration because of any such act or omission in the carrying out of the provisions of these regulations shall be defended by the city's legal department through final determination of such proceedings. (Ord. 2008-4, 2008: Ord. 94-3 § 1)



AGENDA REPORT: BUDGET REVIEW

May 9, 2024

Background

At the end of each fiscal year, the Council reviews the yearly budget and adopts a new final budget – with adjustments – for the current year. Additionally, the Council must adopt the new fiscal year budget in June of each year. If a tax rate increase is planned, a preliminary budget is adopted in June and the final budget is adopted in August.

At this meeting, the Council will review the budgets and discuss if they want to adjust the Millville property tax rate for 2024 or stick with the certified rate which is intended to result in the same revenue as the previous year. The FY25 budget shown in this packet does not include a property tax rate increase although it is something you should consider and discuss.

Budget adoption recommended schedule

- 5/9/24: Budgets reviewed in City Council Meeting. Property tax rates discussed. Set public hearing for 6/13/24 at 8 p.m. Adopt preliminary FY25 Budget.
- 6/13/24: Hold budget public hearing. Make budget adjustments as desired. Adopt final revised FY24 Budget. Adopt FY25 Budget OR decide to increase tax rate and adopt updated preliminary FY24 Budget.
- 8/8/24: (If Tax Rate increase is planned) Public Hearing (7:30 p.m.). Adopt final FY25 Budget.

PROPERTY TAX

EXAMPLE ONLY - THESE SLIDES DO NOT REPRESENT TAX RATE DECISIONS

SCHOOLS

MILLVILLE CITY



This is an illustration of how your 2023 property tax dollar was distributed. Approximately 7% went to Millville City.

COUNTY

DISTRICTS

2023 ENTITY PROPERTY TAX RATE COMPARISON

ENTITY NAME	TAX RATE	MULTIPLE OF MILLVILLE RATE	ENTITY RECEIVED \$600K HOME	ENTITY RECEIVED \$800K HOME
TRENTON TOWN	0.000463	0.83	\$278	\$370
RIVER HEIGHTS CITY	0.000503	0.90	\$302	\$402
AMALGA TOWN	0.000522	0.94	\$313	\$418
MILLVILLE CITY	0.000558	1.00	\$335	\$446
PARADISE TOWN	0.000648	1.16	\$389	\$518
HYRUM CITY	0.000732	1.31	\$439	\$586
NEWTON TOWN	0.000739	1.32	\$443	\$591
CLARKSTON TOWN	0.000803	1.44	\$482	\$642
WELLSVILLE CITY	0.000810	1.45	\$486	\$648
LOGAN CITY	0.000990	1.77	\$594	\$792
PROVIDENCE CITY	0.001069	1.92	\$641	\$855
HYDE PARK CITY	0.001100	1.97	\$660	\$880
RICHMOND CITY	0.001110	1.99	\$666	\$888
NORTH LOGAN CITY	0.001136	2.04	\$682	\$909
SMITHFIELD CITY	0.001352	2.42	\$811	\$1,082
MENDON CITY	0.001419	2.54	\$851	\$1,135
NIBLEY CITY	0.001464	2.62	\$878	\$1,171
CORNISH TOWN	0.001564	2.80	\$938	\$1,251
LEWISTON CITY	0.001847	3.31	\$1,108	\$1,478

MILLVILLE CITY BUDGET - REVENUE		ACTUAL	ACTUAL	ORIGINAL	FINAL	ORIGINAL
Account Description		FY22 Actual	FY23 Actual	FY24 Budget	FY24 Budget	FY25 Budget
GENERAL	Property Tax	\$154,133	\$159,204	\$157,000	\$160,000	\$160,000
	Sales Tax	\$399,638	\$429,631	\$380,000	\$420,000	\$390,000
	Motor Tax	\$898	\$881	\$900	\$1,000	\$900
	In Lieu Fees - UTV Recreation Fees	\$8,622	\$9,750	\$8,000	\$10,000	\$9,400
	Comcast Franchise	\$10,156	\$10,256	\$10,000	\$9,400	\$9,200
	Energy Sales and Use Tax	\$168,676	\$195,996	\$170,000	\$192,000	\$185,000
	Animal Licenses	\$4,470	\$4,851	\$4,400	\$4,200	\$4,200
	Ambulance / EMS	\$45,231	\$45,952	\$45,000	\$45,000	\$45,000
	Fines / Court	\$3,384	\$1,986	\$2,000	\$400	\$400
	Business Licenses	\$2,668	\$2,638	\$2,600	\$3,000	\$2,700
	Sanitation	\$222,202	\$228,435	\$227,000	\$215,000	\$215,000
	9-1-1 Service	\$26,434	\$26,121	\$27,000	\$27,000	\$27,000
	Class "C" Roads	\$124,332	\$138,420	\$135,000	\$138,000	\$138,000
	Appro. Fund Bal. Class "C" Rd	\$0	\$0	\$0	\$0	\$0
	Appropriated Fund Balance	\$0	\$0	\$0	\$0	\$0
	Park Impact Fee	\$42,640	\$45,900	\$32,000	\$21,300	\$21,300
	Park Impact Appropriated FB	\$59,199	\$0	\$0	\$0	\$0
	Road Impact Fee	\$15,840	\$17,600	\$10,500	\$7,000	\$7,000
	Road Impact Appropriated FB	\$3,998	\$0	\$0	\$0	\$0
	Restaurant/RAPZ Tax Awarded	\$116,642	\$96,887	\$30,200	\$30,200	\$0
	Youth Council	\$1,671	\$560	\$800	\$1,600	\$800
	Park Rentals	\$6,190	\$13,406	\$8,000	\$11,000	\$9,000
	Building Permits	\$7,668	\$11,789	\$6,500	\$6,500	\$6,500
	Development Review Fees	\$3,160	\$5,560	\$3,000	\$2,300	\$2,300
	Reimbursed Fees; Eng. & Dev.	\$1,725	\$9,702	\$5,000	\$7,000	\$6,000
	Interest	\$5,777	\$47,411	\$25,000	\$92,200	\$35,000
	COG Grant (reimbursement)	\$53,847	\$92,000	\$234,900	\$120,000	\$167,900
	Donations	\$5,100	\$7,305	\$200	\$300	\$300
	Misc. Revenue	\$16,461	\$6,346	\$100	\$5,600	\$200
	Mass Transit Sales Tax/CVTD	\$30,377	\$34,961	\$36,000	\$38,000	\$41,000
TOTAL GENERAL				\$1,561,100	\$1,568,000	\$1,484,100

STORM WATER						
Charges for Stormwater	\$33,241	\$33,877	\$33,500	\$33,500	\$33,500	\$33,500
Stormwater Construction Fees	\$2,475	\$2,475	\$1,600	\$2,900	\$2,900	\$2,900
Interest	\$301	\$2,551	\$2,000	\$4,200	\$2,000	\$2,000
Transfer from General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Appropriated Fund Balance	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL STORMWATER				\$37,100	\$40,600	\$38,400

CPT PROJ.						
Interest	\$4,369	\$39,673	\$20,000	\$69,000	\$30,000	\$30,000
Appropriated Fund Balance	\$0	\$0	\$0	\$0	\$0	\$0
Transfer from General Fund	\$129,500	\$305,000	\$147,200	\$317,900	\$132,400	\$132,400
TOTAL CAPITAL PROJECT				\$167,200	\$386,900	\$162,400

MILLVILLE CITY BUDGET - REVENUE		ACTUAL	ACTUAL	ORIGINAL	FINAL	ORIGINAL
	Account Description	FY22 Actual	FY23 Actual	FY24 Budget	FY24 Budget	FY25 Budget
WATER & SEWER	Charges for Water Service ...	\$489,893	\$497,456	\$490,000	\$475,000	\$475,000
	Miscellaneous Income	\$11,846	\$7,153	\$14,000	\$8,700	\$14,500
	Interest	\$6,276	\$43,360	\$38,000	\$75,600	\$30,000
	Interest Income (Sewer Loans)	\$0	\$408,379	\$270,000	\$191,200	\$0
	<u>Water Impact Fee</u>	\$24,400	\$30,500	\$18,300	\$12,200	\$12,200
	Water Connection Fees	\$2,000	\$1,900	\$1,000	\$1,300	\$1,000
	Residential Sewer Fees	\$41,820	\$43,490	\$43,300	\$0	\$0
	Charges for Sewer Service	\$12,301	\$22,734	\$19,000	\$310,000	\$420,000
	<u>Sewer Impact Fee</u>	\$0	\$26,280	\$52,500	\$35,000	\$35,000
	Grant Proceeds (Water)	\$724,059	\$0	\$0	\$0	\$0
	Grant Proceeds (Sewer)	\$46,000	\$0	\$0	\$3,750,000	\$11,495,000
	Debt Proceeds (Water)	\$0	\$0	\$0	\$0	\$0
	Debt Proceeds (Sewer)	\$14,785,000	\$0	\$0	\$19,877,000	\$0
	Transfer from General Fund	\$273,000	\$127,200	\$0	\$0	\$0
	Transfer from Capital Project Fund	\$0	\$0	\$0	\$0	\$0
	Appropriated Fund Balance	\$0	\$0	\$5,764,800	\$10,730,900	\$0
TOTAL WATER AND SEWER				\$6,710,900	\$35,466,900	\$12,482,700

TOTAL	\$8,476,300	\$37,462,400	\$14,167,600
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MILLVILLE CITY BUDGET - EXPENSES		ACTUAL	ACTUAL	ORIGINAL	FINAL	ORIGINAL
Account Description		FY22 Actual	FY23 Actual	FY24 Budget	FY24 Budget	FY25 Budget
GENERAL	General Government	\$32,202	\$39,576	\$44,500	\$44,500	\$44,500
	Auditor (General) ...	\$12,062	\$14,736	\$16,000	\$14,000	\$16,000
	Financial Consulting & IT (General) ...	\$9,570	\$8,835	\$14,000	\$12,000	\$14,000
	Insurance (General)	\$3,661	\$19,257	\$20,000	\$20,000	\$21,000
	Elected Officials (General)	\$19,950	\$20,790	\$21,500	\$21,500	\$21,500
	General Non-Category Payroll	\$63,666	\$78,105	\$91,700	\$91,700	\$113,200
	P&Z ...	\$6,110	\$7,497	\$9,500	\$9,500	\$9,500
	Legal (General) ...	\$5,865	\$8,643	\$14,000	\$3,200	\$14,000
	Engineering (General) ...	\$7,955	\$23,906	\$30,000	\$11,000	\$30,000
	Building (General) ...	\$9,918	\$11,894	\$12,500	\$13,200	\$14,300
	Law Enforcement	\$22,929	\$26,175	\$29,000	\$28,800	\$33,100
	Animal Control ...	\$3,776	\$3,776	\$3,800	\$3,800	\$4,100
	Fire	\$25,586	\$26,749	\$29,000	\$29,000	\$32,000
	First Responders and EMS	\$39,159	\$43,137	\$43,200	\$44,200	\$46,000
	Elections ...	\$2,660	\$0	\$7,300	\$0	\$500
	Roads - General ...	\$94,658	\$123,715	\$131,200	\$131,200	\$137,000
	Roads Class "C" Regular ...	\$19,495	\$8,781	\$46,000	\$11,000	\$46,000
	Roads Class "C" Capital Outlay	\$0	\$0	\$0	\$0	\$0
	Class "C" Designated Future Use	\$104,837	\$0	\$89,000	\$127,000	\$92,000
	COG Road Project (Reimbursable)	\$53,800	\$91,507	\$234,900	\$120,000	\$167,900
	Road Impact Fee Capital Outlay	\$19,838	\$66,350	\$0	\$7,000	\$7,000
	Road Impact Fee Designated Future	\$0	\$0	\$10,500	\$0	\$0
	Parks (General) ...	\$111,939	\$124,202	\$136,000	\$149,200	\$155,000
	Parks/Recreation - Other ...	\$10,622	\$3,584	\$17,500	\$14,200	\$11,500
	Park Capital Improv. RAPZ (Reimbursable)	\$115,129	\$107,970	\$31,900	\$31,900	\$7,000
	Park Impact Fees ...	\$101,839	\$68,260	\$10,300	\$10,300	\$0
	Park Impact Fees - Designated Future	\$0	\$0	\$21,700	\$11,000	\$21,300
	Sanitation	\$203,983	\$210,499	\$220,000	\$210,000	\$210,000
	9-1-1 Service	\$25,218	\$25,701	\$27,000	\$27,000	\$27,000
	Disaster Relief	\$0	\$3,881	\$4,000	\$4,000	\$4,000
	Public Safety/Emergency Preparedness ...	\$4,158	\$4,470	\$6,000	\$6,000	\$6,000
	Youth Council ...	\$5,189	\$3,721	\$5,900	\$5,900	\$5,300
	Designated for Future Use	\$99,715	\$0	\$0	\$0	\$0
	Mass Transit Tax Distribution/CVTD	\$30,377	\$34,961	\$36,000	\$38,000	\$41,000
	Transfer to Capital Project Fund	\$129,500	\$305,000	\$147,200	\$317,900	\$132,400
	Transfer to Water-Sewer Fund	\$273,000	\$127,200	\$0	\$0	\$0
TOTAL GENERAL				\$1,648,100	\$1,568,000	\$1,484,100

MILLVILLE CITY BUDGET - EXPENSES		ACTUAL	ACTUAL	ORIGINAL	FINAL	ORIGINAL
STORM WATER	Account Description	FY22 Actual	FY23 Actual	FY24 Budget	FY24 Budget	FY25 Budget
	Salaries/Benefits	\$16,503	\$19,587	\$20,800	\$20,800	\$22,000
	Special Dept. Supplies (SW) ...	\$2,683	\$5,906	\$9,000	\$9,000	\$9,000
	Capital Outlay	\$6,093	\$14,495	\$7,300	\$0	\$0
	Appropriated for Future Use	\$10,738	\$0	\$0	\$10,800	\$7,400
	TOTAL STORMWATER			\$37,100	\$40,600	\$38,400
CPT PROJECT	Capital Outlay - Gen Government	\$0	\$4,969	\$105,000	\$6,000	\$105,000
	Capital Projects	\$0	\$0	\$0	\$0	\$0
	Transfer to Water-Sewer Fund	\$0	\$0	\$0	\$0	\$0
	Designated Future Use	\$133,869	\$0	\$62,200	\$380,900	\$57,400
	TOTAL CAPITAL PROJECT			\$167,200	\$386,900	\$162,400
WATER & SEWER	General (Water) ...	\$53,887	\$59,739	\$64,900	\$64,900	\$64,900
	Salary/Benefit (Water) ...	\$131,453	\$146,205	\$154,500	\$155,500	\$163,000
	Legal (Water) ...	\$4,959	\$4,933	\$10,000	\$6,000	\$10,000
	Engineering (Water)	\$1,574	\$1,930	\$11,000	\$7,000	\$11,000
	Auditor (Water) ...	\$11,838	\$12,014	\$12,000	\$12,000	\$12,000
	Financial Consulting & IT (Water) ...	\$0	\$6,389	\$8,500	\$4,000	\$8,500
	Insurance (Water)	\$8,583	\$5,983	\$9,000	\$9,000	\$9,000
	Special Department Supplies - Water ...	\$43,685	\$43,934	\$44,000	\$50,000	\$50,000
	Special Department Supplies - Sewer	\$0	\$1,168	\$200	\$500	\$1,800
	City Sewer/Nibley	\$8,895	\$10,058	\$12,000	\$12,000	\$12,000
	ARPA	\$117,584	\$18,583	\$118,800	\$118,300	\$0
	Sewer Capital Projects	\$209,269	\$8,036,115	\$6,094,000	\$11,066,000	\$11,495,000
	Water Bond (2006) - Water Storage Tank	\$90,738	\$91,130	\$92,000	\$91,500	\$92,000
	Bond (2000) - Parker Well	\$37,466	\$44,760	\$45,000	\$44,800	\$44,800
	USDA Sewer Rev Bond Principal	\$0	\$0	NA	\$23,633,100	\$170,400
	USDA Sewer Rev Bond Interest	\$0	\$496,130	NA	\$147,300	\$169,200
	Cap. Facility Rplcmnt Fund Reserve	\$0	\$0	\$35,000	\$45,000	\$45,000
	Designated for Future Use - Sewer	\$14,669,744	\$0	\$0	\$0	\$124,100
	TOTAL WATER AND SEWER			\$6,710,900	\$35,466,900	\$12,482,700
TOTAL				\$8,563,300	\$37,462,400	\$14,167,600



AGENDA REPORT: PUBLIC EMERGENCY NOTIFICATION

May 9, 2024

Background

Back in 2017, Millville City started paying for and using Regroup as an emergency notification solution for Millville residents.

Recorder Twedt recently met with a representative from TextMyGov for a demo on their public notification platform.

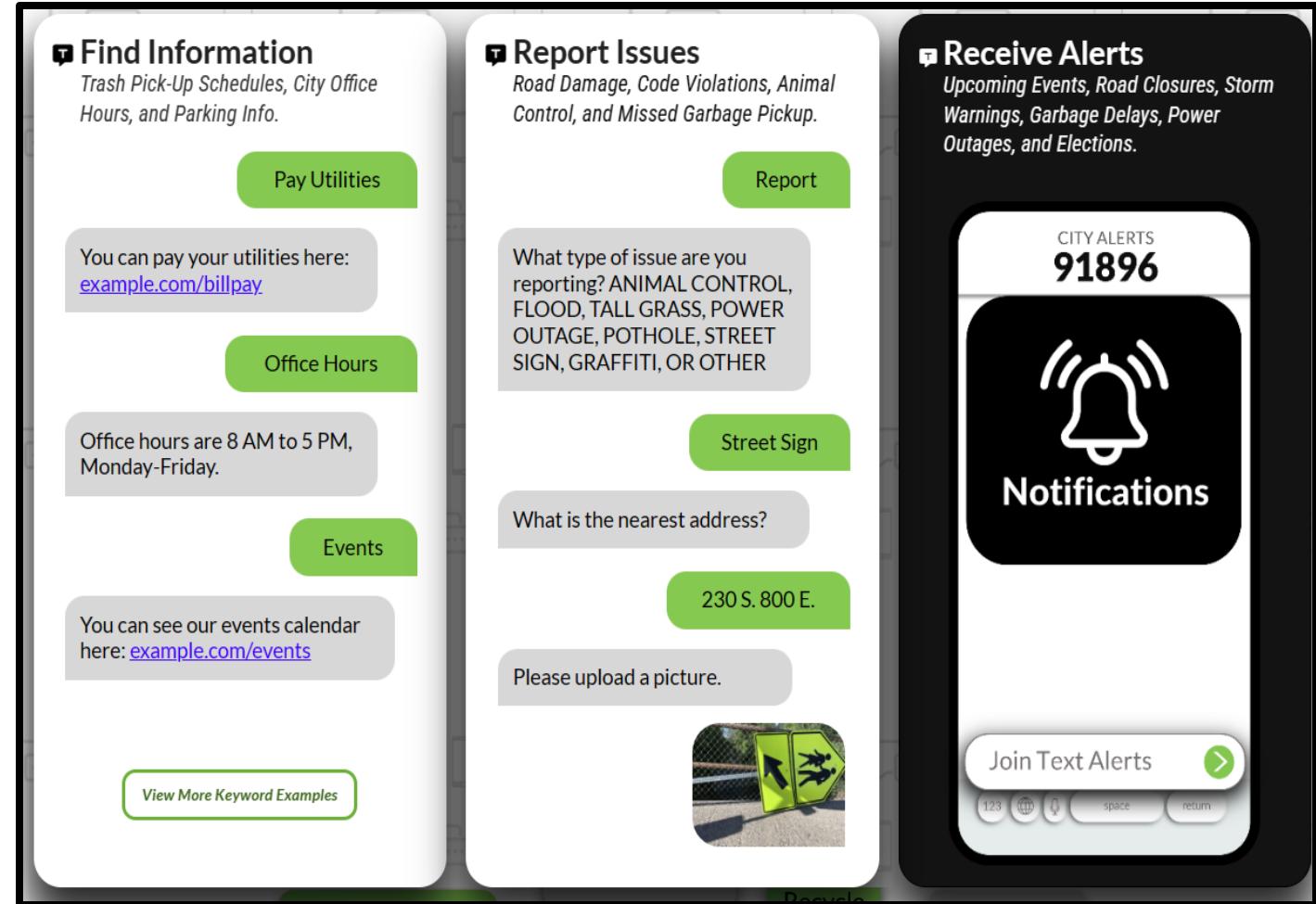
Please review the included slides from TextMyGov to see if you think their notification software would be a good option for Millville City.

Included Documents

- TextMyGov Information Pages

TextMyGov

- TextMyGov is iWorq's two-way communication platform
- Citizens can text in key words to receive automatic and instant information
- Citizens can text in to report issues. These texts will be input into iWorq or sent to your choice of staff's emails automatically
- Governments will be able to send text alerts for emergency or nonemergency updates



Benefits

Agency

- Reduce phone calls
- Streamline work process – Ties into **iWork**
- Send targeted messages fast
- Increase engagement
- Free training/ implementation

Citizens

- Receive automatic responses to questions and concerns
- Feel more involved and informed
- Simple (No need for app or account creation)

Answers to F.A.Q

- All departments can have access to this and does not require iWorq background or experience
- Citizens will be able to opt in and opt out of notification groups (Weather updates, City events, Road closures, etc.)
- No one on government side will ever receive texts. All notifications will be filtered through e-mail, iWorq, or directly on the TextMyGov website.
- Set up and implementation takes 30 days or less
- We have proven track record of getting large engagement with this and will have a team dedicated to your success of this program
- As a part of this we will help you set up your answers for key word responses as well place a widget on your website with the phone number your citizens will text

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