

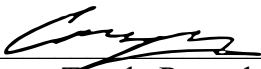
NOTICE AND AGENDA - Revised

Notice is hereby given that the Millville City Council will hold its regularly scheduled Council Meeting on Thursday, August 8, 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 June
3. Approval of agenda
4. Approval of minutes of the City Council Meeting – July 11, 2024
5. Agenda Items—
 - A. Public comment period (2 min/person)
 - B. Consideration of appointing and swearing in Megan Dyer as the Millville City Treasurer – Mayor Hair
 - C. Ridgeline High School student representatives
 - D. Request for installation of “little libraries” – Melia Richards
 - E. Consideration of ordinance updating Code Section 13.20 for sewer policy – Recorder Twedt
 - F. Consideration of ordinance with new Code Section 5.18 setting regulations for home-based microschools and micro-education entities – Recorder Twedt
 - G. Consideration of resolution accepting Canyon Breeze Subdivision (approx. 587 S. 550 E.) – Mayor Hair
 - H. Consideration of resolution for Millville Background Check Policy – Recorder Twedt
 - I. Consideration of resolution approving the FY24 Fraud Risk Assessment – Recorder Twedt
 - J. Consideration of boundary line adjustment request to move three parcels owned by Seth Alder Farm LLC from Millville City into Providence City – Mayor Hair
 - K. Consideration of letter of approval for Elkhorn Ranch Phase 2 Conservation Easement Project – Mayor Hair
 - L. Traffic issues on 550 North Road (west of Main Street) – Recorder Twedt
 - M. Consideration for appointment of Lynette Dickey to another term on the Planning Commission – Councilmember June
 - N. Parking enforcement on street southwest of Ridgeline High School – Recorder Twedt
 - O. Cemetery water – Councilmember Grange
 - P. Report on P&Z meetings held July 18, 2024 and August 1, 2024 – Development Coordinator Everton
 - Q. 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 August 7, 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
July 11, 2024

PRESENT: David Hair, Daniel Grange, Clay Wilker, Pamela June, Ryan Zollinger, Jeremy Ward, Chad Kendrick, Corey Twedt, Kara Everton, Luann Pehrson, Connie Bodily, Sheryl Hair, Karla Eames Kelsey, McKinley Eames, Julie Clark, Kaylee Hair, Wendy Wilker, Cassie Wilker, Alex Bearnson, Robert Strong Bear Bates

Call to Order/Roll Call

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

Opening remarks/Pledge of Allegiance

Mayor Hair welcomed everyone to the Council Meeting. He offered a prayer and led all present in the pledge of allegiance.

Approval of agenda

The agenda for the City Council Meeting of July 11, 2024, was reviewed.

Councilmember June motioned to approve the agenda for July 11, 2024.

Councilmember Ward seconded. Councilmembers Ward, June, Wilker, and Zollinger voted yes with Councilmember Grange to arrive later. (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 June 13, 2024.

Councilmember June moved to approve the minutes for June 13, 2024.

Councilmember Ward seconded. Mayor Hair made a correction for which councilmember had made a comment in the last meeting. Councilmembers Ward, June, Wilker, and Zollinger voted yes with Councilmember Grange to arrive later.

Public comment period

Mayor Hair opened the floor for public comments.

LuAnn Pehrson showed the Council some pictures that were taken today around the City-owned parcel on 550 East that is located just outside the City limits. She said that there had

been a fire today at the Rocky Mountain Power electrical substation and she was scared. She said that the City had a lot of dry grass on their parcel.

Councilmember Grange arrived at this time.

LuAnn asked that the City install a fence and put animals on that property to reduce the amount of brush and weeds next year.

Connie Bodily asked that something be done about the people parking on the City street west of the high school. She said that they are parking on top of a bike lane and with all the traffic in the area before and after school, it is too crowded for street parking. Connie said that she felt no parking signs didn't work. Mayor Hair pointed out that this topic would be discussed further, later in the meeting, as it is on the agenda.

Karla Eames, who lives on 550 East, said that she also has concerns about the fire risk on that east bench with how dry it is this year. She asked that the City work on some kind of fire break in that area to reduce the risk to the homes of a potential wildfire. The Council discussed that the City only owned a small parcel up there and couldn't do much on the property of other people. The Council said that they would look into what they could do, but their focus would need to be on the property owned by the City. Karla said that she hoped the City might reach out to Pacificorp to see what they could/would do as well.

Millville park use for soccer programs

Recorder Twedt said that Development Coordinator Everton had been handling all of the reservations and asked her how things had been going. Coordinator Everton said that things had gone pretty well with the coaches this year and they were just happy to have a field that they could use. Coordinator Everton said that NeCole Walton had said that they only planned on having up to two competitive teams in Millville this year.

Coordinator Everton recommended that the City do essentially the same thing in the coming year that we had done last year.

Public Works Director Kendrick said that he is working to pick up a used commercial aerator that would improve the fields.

Recorder Twedt said that he thought Kara was doing a good job and that this year had gone more smoothly than previous years.

Councilmember Grange motioned to approve soccer use of Millville fields similar to what was done last year. Councilmember Zollinger seconded. Councilmembers Ward, June, Wilker, Grange, and Zollinger voted yes.

High School baseball field lights

Councilmember Zollinger said that he hadn't been at the meeting last month, but he had read the minutes and was up to date on what was going on. Mayor Hair said that the school district has not provided a proposal as requested. He reported that the lights had been on past 10 p.m. more than once since the last City Council meeting. He said that even when the late games end, the school keeps one bright light on that faces the adjacent homes.

Councilmember Wilker said that he has done some research on the negative health effects resulting from lack of sleep. He said that the school has made some improvements in decreasing the volume of the music and being quieter, but the lights are a major issue. He said that he thinks the lights could be impacting the health of the residents who live near the school.

Mayor Hair said that the City could begin by issuing a notice of violation followed by citations. If the City doesn't do something more forceful than what we have been doing, it seems that the school district will continue to take advantage. He said that he is getting complaints all the time from residents who live near the school.

Councilmember Zollinger said that the City has an ordinance and it should be enforced. The purpose of the discussion today is to address a request from the school, but we haven't received any official request, so we should enforce the code.

Councilmember Wilker motioned to enforce light and sound ordinances city-wide including the school district property. Councilmember Ward seconded. Councilmembers Ward, June, Wilker, Grange, and Zollinger voted yes.

Councilmember Wilker asked that when the City contacts Ridgeline High School, we also copy the superintendent so that he is aware of what is going on.

Wendy Wilker said that she doesn't think that any lights should be allowed after 10 p.m. Even if it is just one light for field clean-up. She said that currently, after 10 p.m., the school will have a mower going and someone is down there hitting balls and making noise. Everything should be off after 10 p.m. without exceptions. Not even a work light. She said that the other night, there were people there until after 11 p.m. hitting baseballs.

PUBLIC HEARING

Councilmember Zollinger motioned to go into the public hearing and then return to item D on the agenda. Councilmember Grange seconded. Councilmembers Ward, June, Wilker, Grange, and Zollinger voted yes.

PUBLIC HEARING: 7:30 p.m.

PRESENT: David Hair, Daniel Grange, Clay Wilker, Pamela June, Ryan Zollinger, Jeremy Ward, Chad Kendrick, Corey Twedt, Kara Everton, Luann Pehrson, Connie Bodily, Sheryl Hair, Julie Clark, Kaylee Hair, Wendy Wilker, Cassie Wilker, Alex Bearnson, Robert Strong Bear Bates

Mayor Hair reviewed the plans for the City to submit a COG application for spot-improvement funding to realign and fix the intersection at 300 South 550 East. This was the same project that Millville City applied for last year that was nearly funded.

Recorder Twedt reviewed the concept and drawing from the engineers as well as the estimated cost and cost-share that would be the responsibility of the City. The total estimated cost of the project is \$139,000 with the City portion of that being about \$12,000. The City match portion of the money would come from impact fee funds.

Recorder Twedt said that he walked outside the office today when he heard the fire trucks going to Canyon Road and watched two of the emergency vehicles drive through that weird intersection and then have to back up to access 550 East.

Public Comment:

LuAnn Pehrson said that she lives on 550 East. She agrees that it is a bad intersection but said that she likes it that way because it slows traffic. She is concerned that improving the intersection will result in faster traffic on that road. Mayor Hair said that improvements are needed for traffic to flow smoothly and for emergency vehicles. It was discussed that traffic signs could still be placed at that intersection to stop traffic. LuAnn said that she would like a speed limit sign added as well.

Connie Bodily asked if speed bumps could be added to 550 East. Councilmember Zollinger said that speed bumps are not a good way to manage traffic.

Councilmember Ward moved to close the public hearing. Councilmember Wilker seconded. Councilmembers Ward, June, Wilker, Grange, and Zollinger voted yes. (The related staff report is included with the minutes as Attachment "B".)

High School request for additional parking on City streets

Councilmember Zollinger said that this request for additional parking on the street had been discussed at the last meeting. He discussed the last time the school had asked for additional parking on the City street back in 2022. At that time, the Council had been very clear that parking on the street was a temporary remedy and that the school needed to figure out a long-term plan to deal with its parking problem.

Councilmember June said that the requested street parking is on a curve and is busy and narrow. At the meeting in 2022, it had been discussed that street parking was a temporary fix. She said that she is concerned that the street parking will become the school's permanent parking plan unless the City puts a stop to it now.

Connie Bodily said that there are some "no parking" signs on that street, but that they are not enforced. She said that she doesn't think "no parking" signs work. Mayor Hair said that when we have signs installed, we can push the Sheriff's Department for enforcement.

Councilmember Wilker said that he thought we should meet representatives from the Sheriff's Department to discuss what we want done and to push for enforcement.

Councilmember June said that she thinks the City Council should deny the request for additional street parking. Councilmember Ward said that he agreed and that if the City allowed for more street parking, the school would keep pushing for more.

Public Works Director Chad Kendrick said that there is a large part of the school parking lot space that is used to store trailers near the driver's education area that could be cleared and used for additional student parking.

Councilmember Wilker said that it seems that the problem is going to continue to get worse and that it doesn't appear they are willing to do anything on their end to fix it.

It was discussed that the school district was in the process of redoing the entire parking lot at Mountain Crest High School and that to them this was a higher priority than building new parking for Ridgeline High School.

Councilmember June motioned to deny the request from the school district for additional street parking. Councilmember Wilker seconded. Councilmembers Ward, June, Wilker, Grange, and Zollinger voted yes. (The related staff report is included with the minutes as Attachment "C".)

The Council said that they would like to review the "no parking" signs around the school and have a further discussion about enforcement next month.

Request for closure of 550 North Road (west of Main Street)

Councilmember Ward said that he had spoken with the Sheriff's Department and was told that they could place a traffic monitoring device on that street to gather data. Recorder Twedt said that he had followed up, but the Sheriff's Department had not delivered the traffic monitoring sensor yet.

Councilmember Zollinger motioned to table this agenda item until next month when we have some data from the Sheriff's Department. Councilmember Grange seconded.

Councilmember Wilker asked what the criteria would be to determine if there was an excessive traffic issue on 550 North and what the City was planning to do if it was determined that there was an excessive traffic issue. Councilmember Ward said that his thoughts after the last meeting was that it would be good to know the times that are most problematic and what was actually happening so that the Sheriff's Department could focus their efforts on enforcement at the most productive times.

Mayor Hair said he thought that would be good. Those residents who had come in had said that reckless driving doesn't necessarily correlate to high school traffic before and after school. This data would help us know how big of an issue it is when the school is closed for the summer.

Councilmember Grange said that he thinks it is good to have the data to understand the issue. He also said that he doesn't think that it is a good idea to close the road.

Some of the other traffic and speed-related issues throughout the City were then discussed. The consensus from the Council was that if tickets are being issued by law enforcement, the problems will decrease. Mayor Hair suggested representatives from the City meet with the Sheriff's Department to see about the number of tickets being issued and how they are handling these areas of concern. Councilmember Wilker said that he would attend that meeting along with Recorder Twedt.

Councilmember Ward said he would like for the City to get some of the signs that display the speed of passing cars. Increased awareness of speeding may help change behavior. Recorder Twedt said that he agreed and said that he thinks this type of sign works. It just comes down to cost. He said that he is looking into some grant funding to help pay for some traffic control measures.

Councilmembers Ward, June, Wilker, Grange, and Zollinger voted yes. (A copy of the related staff report is included with the minutes as Attachment "D".)

Concerns about possible debris flow on the eastern bench of the City

Bob Bates said that Martha Balph had paid for a series of studies on debris flow risk on the east bench and that it had been quite expensive. He said that the concern was the perceived failure of what Martha had wanted the City to do at the time the new well and well house had been constructed.

Councilmember Zollinger asked for a summary of the increased impact the well house would have on debris flow in that area. Bob said that they feel that the well construction has made the issue worse for the homes of Sally Sears and Martha Balph. Bob said that in the case of a major debris flow, the well house will be destroyed as well. He said that the last big debris flow in this area had been in 1959 and that it could happen again at any time.

Councilmember Zollinger asked for clarification on what Bob was asking the City to do. Bob said that this information was in the report. They would like for a crest to be added that would direct the debris flow elsewhere. He said that a new ditch could be dug that would be 350 feet long to control debris flow and direct it into empty fields where no houses have yet been built.

Director Kendrick discussed the amount of work that had been done in that area, based on recommendations from the engineers, as part of the well and well house construction.

Mayor Hair clarified with Bob that these additional requested improvements were things that Martha wanted the City to handle and pay for. Mayor Hair said that the City is really strapped right now and we are just trying to get through the sewer project.

Councilmember Zollinger said that Martha is asking the City to take action to protect her property from possible flow that might come off the hillside that is east of her property. He said that her property has been in the path of possible debris flow since she has lived there and was also in the path back in 1959 when the last major debris flow had occurred.

Councilmember Zollinger said that he thought the studies were good and useful. He said that the City is aware of the concerns about debris coming out of those canyons. He said that if Martha is going to do some mitigating efforts, it would be good to coordinate with the City to see if we can help. He said the City was not planning to do anything on their own in that area right now.

Bob said that he could help plan a meeting between the City and Dr. Oaks on the property to get information from the Geologist if the City wanted to do that at some point.

Mayor Hair said that if Martha was planning to do something, please let us know and we will see if there is a way for the City to participate.

Alder Annexation request

Recorder Twedt briefly discussed the status of the proposed exchange of parcels with Providence City. Currently, the Spendlove family is waiting until they have a developer on board before they make a decision. It is unclear on when they may move forward and Millville shouldn't hold up the Alder boundary line adjustment request while all of that is being resolved.

Alex Bearnson said that he is just trying to get things moving and to do that, he needs to know in which city he is developing. He said that option one would be to develop in Millville. If that were the case, he would want the zoning and density he could get in Providence City. In Millville a PID would be needed to provide the utility services. Option two would be a boundary line adjustment that would move those three parcels into Providence for development there.

Alex said that from his perspective, it would be good for Millville for the development to happen here. It would allow for utilities on that side of the highway so that future development would be possible. If these three parcels move to Providence, when there is development on the remaining parcels on the west side of the highway, Millville would have to justify the cost of extending water and sewer services.

Mayor Hair said that under the existing plans, Millville would be taking on the high-density housing and Providence would get the commercial property that would generate more revenue. Councilmember June agreed and said that it seemed stacked for Providence and that the portion of the development in Millville was not good. Alex said that this is not based on the city where the development is occurring. It is based on proximity to major roads. The three parcels that are in Millville are kind of hidden on the other side of the river and not close to the major roads, so they are better suited for multi-family housing.

Mayor Hair said that he agreed that Millville needed to decide so that they could move on. He said that some of the incentives for development in Millville would be a future investment in hopes of tax-generating development on the parcels in Millville that border the highway.

Recorder Twedt said that the consensus from the joint work session with Planning and Zoning was that Millville City would be better off letting the parcels go and the development happening in Providence.

Councilmember June said that she agreed and briefly addressed the floodplain concerns with these parcels. Alex said that they were very aware of the floodplain issues and would have to work through all of that. This is one of the reasons he needs the density he is requesting. Development in this area will be costly.

Councilmember Ward said that his preference was for the development to stay in Millville so that the City could cover the high-density requirements from the State with this development and not need to do multi-family housing in other parts of the City. Recorder Twedt said that this was fine, but there are some other major negatives that need to be considered like the water and sewer capacity.

Councilmember Zollinger said that he is not in favor of a PID, because it creates a separate entity that is permitted to tax residents. Alex said that this development can't be built without a PID and the density is required to make the PID work.

Councilmember Zollinger said that he wants the development to occur in Millville so that Millville has a seat at the table. If Millville allows it to move into Providence and walks away, we will just reap the consequences.

Councilmember Wilker asked if something could be put in place with Providence for the future development of the Spendlove property moving into Millville. Recorder Twedt said he thought there was a possibility of some type of agreement tied to the boundary line

agreement that would allow for the Spendlove property to move to Millville if they or the developer desire to move it in the future.

Councilmember Ward motioned to keep the Alder parcels in Millville City and deny the request for a boundary line adjustment with Providence. Councilmember Zollinger seconded.

Councilmember June said she thinks the cons far outweigh the pros for development in Millville. Councilmember Grange said that his vote was aligned with what had been discussed and determined during the work meeting with Planning and Zoning. He said he would prefer the property move to Providence for development.

Councilmember Wilker said that this is a very big decision. He said that he is not anti-development nor pro-growth. With the size of this development, Millville would be changed. Councilmember Wilker said that if he was forced to make a decision tonight, he would vote against the motion and prefer the property get moved into Providence for development. He said that he wanted to abstain with his vote and have another work meeting with P&Z to review everything again and make sure everyone is clear on the decision that is being made.

Councilmembers Ward and Zollinger voted yes. Councilmembers Grange and June voted no. Councilmember Wilker abstained. The motion did not pass for lack of a majority vote.

The decision was made to hold another work session meeting with Planning and Zoning on August 1st at 6:30 p.m. and then for the City Council to make a final vote and decision at the City Council meeting on August 8th. (A copy of the related staff report is included with the minutes as Attachment "E".)

Report on P&Z Meeting held June 20, 2024

Development Coordinator Everton reviewed with the Council the Planning Commission's draft minutes for the meeting held on June 20, 2024.

City Reports

Public Works Director Kendrick said that they have started up and are using the Glenridge Well. The nitrate level was at 8.43 at this last water test.

Director Kendrick said that they have been doing some small asphalt repairs. He discussed the progress with the sewer directional boring on the highway and the plan to get as many sewer laterals installed as possible so that asphalt can be done in the fall.

Director Kendrick talked about the fire that had started at the Rocky Mountain Power substation earlier today. The firefighting crews arrived quickly and were able to put the fire out before it had a chance to spread.

Councilmember Reports and Items for Future Agendas

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

Councilmember Wilker said that he had received a complaint from Colt Pini saying that his neighbor mows his lawn too early in the morning and that the neighbor's dog is barking excessively. Councilmember Wilker said that he was going to go speak with them and try to get things resolved.

Councilmember Wilker also discussed the sewer road closure near his home. He said that one of the neighbors has a medical condition and with both access roads being closed at the same time, she was not able to get to a doctor's appointment. He asked that this concern be discussed with Whitaker Construction so that they do a better job of keeping at least one access road accessible for homeowners.

Councilmember Grange said that the Council had briefly discussed the cemetery water at the last meeting. He would like it to be on the agenda for a future City Council meeting. Before that meeting, he and Councilmember Zollinger were planning to meet again with the Cemetery Board to figure out a plan.

Councilmember Ward said that there would be another City party coming up in a week on Friday, July 19th. At that party, there will be food trucks. The Millburger will be available. There will be a magician and karaoke. Another party will be held in August with some stargazing and astronomy education.

Councilmember June expressed concerns about people lighting off fireworks in the parking lot of the LDS Stake Center. She said that after they are lit, some of the fireworks land in the dry field below the Spendlove property and she is concerned about a possible fire. Councilmember Zollinger said that he would contact the Stake President and make him aware of the concern.

Recorder Twedt said that he would be meeting with Clint Preston to discuss the museum. Clint and his wife helped clean up and prepare the museum for the City Celebration and he has been open to the idea of being kind of a museum curator that could keep track of things in the museum and be the contact for anyone who wants to visit. The Council said that they thought this would work well.

Recorder Twedt said that the developer who has been working with the City on the two parcels in the Town Center has now closed on the property. Recorder Twedt said he thinks

this will be good for the City. They have met with City staff and members of the Planning Commission to discuss what the City might desire in that location.

Mayor Hair reported that Chad Davis is resigning from the Cemetery Board and there are two other vacancies. If you know anyone interested in serving on the Cemetery Board, the County will be reviewing and making selections in August.

Adjournment

Councilmember Zollinger motioned to adjourn the meeting. Councilmember Ward seconded. Councilmembers Ward, June, Wilker, Grange, and Zollinger voted yes. The meeting adjourned at 9:46 p.m.



AGENDA REPORT: SEWER CODE UPDATES

August 8, 2024

Background

Millville City is in the process of installing a sewer collection system. Millville City Code Section 13.20 contains the policy for the Millville City sewer system.

There are a few updates that should be considered to the sewer code. The updates include clarification that all residents in Millville are required to connect to the sewer system if their property line is within 300 feet of a City sewer line. The update also changes the ERU calculation for commercial and institutional entities. There are other minor edits and corrections included as well.

Included Documents

- Ordinance 2024-4 including a marked-up version of City Code Section 12.20 showing proposed revisions

**MILLVILLE CITY
ORDINANCE 2024-4**

CITY SEWER SYSTEM CODE UPDATES

WHEREAS, Millville City is in the process of installing a City sewer collection system;
and

WHEREAS, Millville City Code Chapter 13.20 outlines the policy for the wastewater
(sewage) system; and

WHEREAS, City Code Chapter 13.20 has been reviewed and it has been determined that
some updates are needed; and

WHEREAS, the Millville City Council discussed modifications to the existing wastewater
policy in a public meeting held on August 8, 2024;

NOW, THEREFORE, The Millville City Council hereby adopts, passes, and publishes the
modifications shown in the included attachment for City Code Chapter 13.20 – Wastewater
(Sewage) System Policy

This ordinance shall become effective immediately upon publication or posting as set forth
by State Law.

ADOPTED AND PASSED, by the MILLVILLE CITY COUNCIL this 8th day of August
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 13 - PUBLIC SERVICES
CHAPTER 13.20 - WASTEWATER (SEWAGE) SYSTEM POLICY

[13.20.010: DEFINITIONS](#)

[13.20.020: USE OF PUBLIC SEWERS](#)

[13.20.030: PRIVATE WASTEWATER DISPOSAL](#)

[13.20.040: SANITARY AND BUILDING SEWERS AND CONNECTIONS; RATES](#)

[13.20.050: ANNUAL REVIEW](#)

[13.20.060: USE REGULATIONS](#)

[13.20.070: POWERS AND AUTHORITY OF INSPECTORS](#)

[13.20.080: PENALTY](#)

13.20.010: DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

ACTIVE SANITARY SEWER: Any sanitary sewer pipe that is connected to the existing collection system to a wastewater treatment works through any combination of pipes, manholes, pump stations, force mains or other system components is considered active. When any inactive sewer components are connected to the active sewer system, that portion of the sewer is then considered active.

BIOCHEMICAL OXYGEN DEMAND (BOD): The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees centigrade (20°C) expressed in milligrams per liter.

BUILDING DRAIN: That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet (5') (1.5 m) outside the inner face of the building wall.

BUILDING SEWER: The extension from the building drain to the public sewer or other place of disposal, also called "house connection" or "lateral".

CESSPOOL: An underground reservoir for liquid waste (such as household sewage).

CITY: Millville City, Cache County, Utah.

EASEMENT: An acquired legal right for the specific use of land owned by others.

EQUIVALENT RESIDENTIAL UNIT (ERU): A structure, building or unit discharging effluent into the system placing no more burden or discharging no more effluent than "residential flows" or biological loading, as defined herein.

EQUIVALENT RESIDENTIAL FLOWS: The assumed average and/or standard flow expected from a single-family dwelling based on wintertime culinary water usage. A residential flow volume strength is two hundred fifty milligrams per liter (250 mg/l) TSS (total suspended solids, see definition of Suspended Solids) and two hundred milligrams per liter (200 mg/l) BOD (biochemical oxygen demand, see definition of Biochemical Oxygen Demand (BOD)).

FLOATABLE OIL: Fats, oils, and grease (FOG) in a physical state such that it will separate from wastewater, potentially separating while flowing to the wastewater treatment facility. Wastewater shall be considered free of floatable fat if it is properly pretreated and the floatable oil does not interfere with the collection system.

GARBAGE: All waste resulting from residences, commercial trades or businesses and institutions. Commercial and industrial waste shall be distinct from domestic or household sanitary systems.

GOVERNING BODY: The mayor and council members of Millville City.

ILLEGAL DISCHARGE: Any discharge into the sanitary sewer system that is in direct violation of the rules and regulations of the Clean Water Act and associated discharge permits, the entity treating the wastewater, or the entity managing the Sewer System. Illegal discharges, include in part, sump pump discharges in basements removing either storm water or groundwater, footing drains, surface or groundwater discharges or diversions into sanitary sewer manholes, and discharges violating pretreatment regulations.

INACTIVE SEWER: Sewer pipes that have been installed as part of a development project for future use, which are not connected to the active sewer system are considered inactive sewers. When any inactive sewer components are connected to the active sewer system, that portion of the sewer is then considered active.

INDUSTRIAL WASTE: The wastewater from industrial processes, trade or business as distinct from domestic or sanitary wastes.

MAY: Permissive compliance. See definition of Shall.

NATURAL OUTLET: Any outlet, into a watercourse pond, ditch, lake or other body of surface or groundwater.

PERSON: Any individual, firm, company, association, society, corporation or group.

pH: The logarithm of the reciprocal of the hydrogen ions concentration. The concentration is the weight of hydrogen ions, in grams per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen ion concentration of one hundred seven (107).

PRETREATMENT: Treatment of wastewater flows for removal of harmful chemicals or substances or alteration of the wastewater flow characteristics prior to entering the public wastewater facilities to prevent damage to the wastewater facilities. Regulations governing Pretreatment are provided by the Utah Division of Water Quality and the entity providing wastewater treatment. Regulations are required to protect: 1) the integrity of the treatment process and infrastructure at the wastewater treatment plant, 2) public and employee health, and 3) the integrity of the sewer system.

PROPERLY SHREDDED GARBAGE: The wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch ($\frac{1}{2}$ " (1.27 cm) in any dimension.

PUBLIC SEWER: A common sewer controlled by a governmental agency or public utility.

SANITARY SEWER: A sewer designed to carry liquid and water carried wastes from residences, commercial buildings, industrial plants and institutions, together with minor quantities of ground, storm and surface waters that are not admitted intentionally.

SEPTIC TANK: A tank in which the solid matter of continuous flowing sewage is disintegrated by bacteria.

SEWAGE: The spent water of a community. The preferred term is "wastewater", as defined herein.

SEWER: A pipe or conduit designed to carry wastewater.

SHALL: Mandatory. See definition of May.

SLUG: Any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty four (24) hour concentration or flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works.

STATE: State of Utah.

STORM DRAIN (Sometimes Termed STORM SEWER): A drain for conveying water, groundwater, subsurface water or unpolluted water from any source.

SUPERINTENDENT: The superintendent of wastewater facilities, and/or of wastewater treatment works, and/or of water pollution control of Millville City, or his authorized deputy, agent or representative.

SUSPENDED SOLIDS: Total suspended matter that either floats on the surface of, or is in suspension in water, wastewater or other liquids, and that is removable by laboratory filtering as prescribed in "standard methods for the examination of water and wastewater" and referred to as nonfilterable residue.

SYSTEM: The sewer or wastewater facilities of the city.

UNPOLLUTED WATER: Water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

WASTEWATER: The spent water of a community. From the standpoint of source, it may be a combination of the liquid and water carried wastes from residences, commercial buildings, industrial plants and institutions, together with any groundwater, surface water and stormwater (that enter the system unintentionally), that may be present.

WASTEWATER FACILITIES: The structures, equipment and processes required to collect, carry away and treat domestic and industrial wastes and dispose of the effluent.

WASTEWATER TREATMENT WORKS: An arrangement of devices and structures for treating wastewater, industrial wastes and sludge. Sometimes used as synonymous with "waste treatment plant" or "wastewater treatment plant" or "water pollution control plant".

WATERCOURSE: A natural or artificial channel for the passage of water, either continuously or intermittently. (Ord. 2020-3, 2020; Ord. 2016-3, 2016)

13.20.020: USE OF PUBLIC SEWERS

- A. Deposits: It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the city, or in any area under the jurisdiction of said city, any human excrement, garbage or other objectionable waste.
- B. Discharges: It shall be unlawful to discharge to any natural outlet within the city, or in any area under the jurisdiction of said city, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.
- C. Sewer Main And Lateral Maintenance: Unless provision is expressly made for the ownership of sewer mains by means of a written agreement, all sewer mains shall be deemed to be the property of the City of Millville and subject to its absolute control and supervision even though actual installation may have been performed by a developer or other property owner. The property owner shall be responsible for:
 - 1. Maintenance of all connecting lines or laterals running from the main line to the point of connection at the facility served by such connecting line.
 - 2. Any physical or piping failures along the connecting lines or laterals.
 - 3. All blockages or similar impediments of the wastewater flows for the entire length of the lateral line from the main line to the facility being served. The city of Millville accepts no liability nor responsibility for any blockage in the lateral line whether it is under public property or private property. (~~Ord. 2016-3, 2016~~)
- D. Private Systems: Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of wastewater.
- E. Connection Required; Exception: The owner of all property with houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the city and abutting on any street, alley, easement or right of way in which there is now located or may in the future be located a public sanitary sewer of the city, or within three hundred feet (300') of the system, is hereby required, at the owner's expense, to install suitable sewer facilities therein, and to connect such facilities directly to the public sewer in accordance with the provisions of this chapter, within one hundred eighty (180) days after date of official notice to do so; provided that said sewer is within three hundred feet (300') of the owner's property line. An exception to this policy may be

granted by the city council in extraordinary cases only. (Ord. 2024-4, 2024; Ord. 2016-3, 2016)¶¶

13.20.030: PRIVATE WASTEWATER DISPOSAL

- A. Permitted: Where an existing active sanitary sewer is not available at the time a building is constructed, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this section.
- B. Permit; Fee: Before commencement of construction of a private wastewater disposal system, the owner shall first obtain a written permit from the governmental entity with jurisdiction. The application for such permit shall be made on a form furnished by the appropriate governmental entity, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary. A permit and inspection fee shall be paid as required at the time the application is filed.
- C. Design Approval: The design of the proposed system shall be provided to the city of Millville for review prior to construction as part of the building permit process. The design shall be in compliance with the standard specifications and detail of both the Utah Division of Water Quality and the City of Millville including the provisions to connect to an active sanitary sewer as soon as it is available.
- D. Compliance; Inspection: Permission to use the system for a private wastewater disposal system shall not become authorized until the installation is completed in compliance with the approved plans applicable with all state and local codes, and this chapter. Authorized city employees, or a city designated representative, shall be allowed to inspect the work at any stage of construction. The applicant for the permit shall notify the city public works superintendent when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within forty eight (48) hours of the receipt of notice by the city public works superintendent.
- E. State Compliance: The type, capacities, location and layout of a private wastewater disposal system shall comply with all recommendations of the Department of Environmental Quality of the State of Utah. No septic tank or cesspool shall be permitted to discharge to any natural outlet.
- F. Maintenance: When a public sewer is not available, ¶the owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, and at no expense to the city.

- G. Additional Requirements: No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the Utah ~~e~~State ~~d~~Department of ~~e~~Environmental ~~a~~Quality. (Ord. 2024-4, 2024; Ord. 2020-3, 2020; Ord. 2016-3, 2016)

13.20.040: SANITARY AND BUILDING SEWERS AND CONNECTIONS; RATES

- A. Permit Required: No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof, including building sewers, without first obtaining a written permit from the city.
- B. Classifications; Equivalent Residential Units; Application; Fee:
1. Sewer Connection Classes: There shall be two (2) classes of sewer connections to be known as "residential" and "commercial". Each connection type shall be measured by ERUs (equivalent residential units). Each residence served by the wastewater system will be considered to be a "residential" connection and will be considered to be equal to one ERU. In cases where there is more than one dwelling unit in a residence, each will be counted as a separate ERU. Each establishment served by the city's wastewater system that is not residential in nature will be considered a "commercial" connection charged equal to the average number of ERUs of flow contributed to the system in a one year period. In the city, an ERU is equal to ten thousand (~~7,000~~~~10,000~~) gallons per month.
 2. Preliminary Study: Prior to connecting to the wastewater system, a preliminary study shall be conducted to determine the ERU value for each "commercial" connection. Flows from zero to and including ~~seventeen~~ ~~thousand~~ (~~10,000~~~~7,000~~) gallons per month will be considered one ERU. Flows from ~~seventeen~~ ~~thousand~~ one (~~7,001~~) to ~~fourteen~~~~twenty~~ ~~thousand~~ (~~14,000~~~~20,000~~) gallons per month are considered two (2) ERUs, and so forth. There will be no partial ERUs. One year from the date the connection occurs, actual flows shall be used to confirm the ERU value for the connection. The flow data will be updated annually.
 3. Determination Without Wastewater Effluent Meter: Where a commercial connection does not have a wastewater effluent meter, the culinary water flows exclusive of irrigation use collected by the water meter will be used to determine the wastewater flow and ERUs.

4. Application: In every case, the owner or agent shall make application on a form obtained from the city. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the city public works director and entity responsible for pretreatment. The application shall include all information required on the pretreatment application forms available from the city of Millville.
 5. Fees Adopted: Fees associated with the wastewater system are adopted by resolution.
 6. Impact Fee: An impact fee may be adopted by the city to cover the expenses associated with the impact by a new or enlarged structure or use. The maximum impact fee amount will be determined in accordance with state statute and the final amount will be approved by the city council.
 7. Connection Fee: A connection fee will be required by the city to cover the cost of the connection from the location of use to the main line through the lateral. Costs may include administration, inspection, design, materials, construction, and other associated items with the connection of the structure or use to the wastewater system.
 8. Use Fee: A use fee will be assessed according to the use amount of the wastewater system. The basic unit of the use fee is an ERU. The use fee includes a base fee to cover fixed costs such as administration and equipment costs associated with the system. The use fee will also include a conveyance fee associated to the amount of wastewater collected from the structure or use.
 9. Wastewater Strength Fee: A wastewater strength fee may be assessed if it is determined by the city or pretreatment entity that treatment of the wastewater may enhance deterioration on the wastewater facilities or provide risk to the public or employee health or the wastewater system.
 10. Pretreatment Fee: Where pretreatment is required by the city or treatment facility, a fee may be charged by the city or treatment facility.
- C. Mandatory Connection: All residential septic tanks or cesspools shall connect to the sewer system as soon as an active sewer system is installed. Each individual connection to the sewer system shall execute an application on a form provided by the city.
- D. Installation Of Building Sewer: All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

- E. Separate And Independent Building Sewer Required; Exception: A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole system will be considered as one building sewer. The city does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection as described herein.
- F. Old Building Sewers: Old building sewers may be used in connection with new buildings only when they are examined and tested by the owner, including a camera inspection, and approved by the city public works superintendent and found to meet all requirements of this chapter.
- G. Construction Code Compliance: The size, slope, alignment, materials or construction of all sanitary sewers, including building sewers, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city and the state. In the absence of these code provisions or in amplification thereof, the materials and specifications of the APWA Standards and Specifications, as adopted by the city of Millville, in accordance with the rules and regulations of the Utah Division of Water Quality shall govern.
- H. Elevation: Whenever possible, the building sewer shall be brought from the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer. Where such means are necessary, the owner shall be responsible for all installations, maintenance and operating costs for their operation.
- I. Surface Runoff Or Groundwater: No person shall make connection of roof downspouts, foundation drains, field drains, or other sources of surface runoff or groundwater, to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer. Any such connections shall be considered an illegal connection.
- J. Connection Code Requirements: The connection of the building sewer into the active sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city, and the state. In the absence of these code provisions or in amplification thereof, the materials and specifications of the APWA Standards and Specifications, as adopted by the city of Millville, in accordance with the rules and regulations of the Utah Division of Water Quality shall govern. All such

connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the city before installation.

- K. Excavations; Protection: All excavation for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard in accordance with the most current edition of the Utah Manual of Uniform Traffic Control Devices (Utah MUTCD). Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city.

L. Responsibility For Payment:

1. Irrespective of the occupant, user, tenant, cotenant, permissive user, or any other person, firm, partnership, corporation or entity being in possession of the premises to which there is a sewer connection, the owner of the premises according to the records of the Cache County recorder shall be legally responsible for the payment of all charges, fees, assessments and any other payment or obligation or liability of a user. If any delinquent sewer connection, sewer user charge, repairs, maintenance or any other obligation is imposed against any premises, property, buildings or structures, the obligation shall be deemed by the city as an obligation of the owner of the real property on which any use is made from a sewer connection. Water services to delinquent property shall be turned off by the city for failure to pay any and all sewage and wastewater fees, assessments, charges or liability and will not be turned on again to those premises where a delinquency occurs unless and until all liabilities to the city for sewer service are paid in full.
2. All payments for utilities, whether “water” or “sewer” shall be credited first to sewer assessments, fees or charges.

- M. Interest Charge On Delinquent Or Past Due Connection Fees: The mayor and city council may, at their discretion and in circumstances that are equitable, impose interest at the rate of twelve percent (12%) per annum on all past due accounts either for connection fees, user charges, maintenance, repair or any other charge which is provided for, imposed or authorized by this chapter. (Ord. 2024-4, 2024; Ord. 2020-3, 2020; Ord. 2016-3, 2016)

13.20.050: ANNUAL REVIEW

- A. Required: The city shall review the total annual cost of operation and maintenance, long term debt service relating to wastewater collection and treatment, as well as each user's

wastewater contribution percentage not less often than every year, and will review the user charge system as necessary to assure equity of the system established herein and to assure that sufficient funds are obtained from the city's user charge system to: 1) adequately finance wastewater collection and treatment; and 2) cover said debt service. The city will apply excess revenues collected to pay off debt service. (Ord. 2020-3, 2020: Ord. 2016-3, 2016)

13.20.060: USE REGULATIONS

- A. No person shall discharge or cause the discharge of any unpolluted waters such as stormwater, surface water, groundwater, roof runoff, subsurface drainage, or cooling water to any sewer.
- B. Stormwater and all other unpolluted drainage, shall be discharged to such storm sewers or to natural outlets approved by the city and the Utah State Department of Environmental Quality. Unpolluted industrial cooling water or process waters shall also be discharged to a storm sewer or natural outlet.
- C. All flow contributors into the city wastewater system shall be required to meet all requirements, stipulations and policies, including pretreatment, required by the City Code of partner municipalities or the entity that treats Millville wastewater as well as all current state and federal law concerning discharge into sanitary sewers.
- D. If any water or wastes are discharged, or are proposed to be discharged to the public sewers, which contain the substances or possess the characteristics enumerated in any of Utah state laws, or pretreatment rules and regulations of the treating entity that treats Millville wastewater, and which are determined to have a deleterious effect upon the wastewater facilities, processes, equipment or receiving waters, sewer system, or which otherwise create a hazard to life or constitute a public nuisance, the treatment city or Millville City may:
 - 1. Reject the wastes;
 - 2. Require pretreatment to an acceptable condition for discharge to the public sewers;
 - 3. Require control over the quantities and rates of discharge, and/or wastes not covered by existing taxes or sewer charges under the provisions of this chapter. If the pretreatment or equalization of waste flow is permitted, the design and installation of the plants and equipment shall be subject to the review and

approval of Millville City as well as the city in which treatment occurs and the Utah state department of environmental quality;

4. Require a plan of sewers of the user's property showing sewer and pretreatment facility location;
 5. Require details of wastewater pretreatment facilities;
 6. Require details of systems to prevent and control the losses of materials through spills to the municipal sewer.
 7. Require regularly scheduled laboratory testing and results, based on the specific sewage constituents, to ensure compliance with pretreatment requirements.
 8. Require a regular fee for pretreatment inspection and monitoring.
- E. All measurements, tests and analysis of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of "Standard Methods For The Examination Of Water And Wastewater", published by the American Public Health Association. Sampling methods, location, times, duration and frequencies are to be determined on an individual basis subject to approval by the city.
- F. No statement contained in this chapter shall be construed as preventing any special agreement or arrangement between the city and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by another municipality or Millville City for treatment. (Ord. 2020-3, 2020: Ord. 2016-3, 2016)

13.20.070: POWERS AND AUTHORITY OF INSPECTORS

- A. Entrance Upon Premises: Duly authorized employees of the city or representatives of the city permitted by the city or wastewater treatment works representatives, bearing proper credentials and identification, shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling and testing pertinent to discharge to the community system in accordance with the provisions of this chapter.
- B. Obtain Information: Duly authorized inspectors are authorized to obtain information concerning industrial processes that have a direct bearing on the kind and source of discharge to the wastewater collection system. Industrial users may withhold information

when they have established that the revelation of said information to the public might result in an advantage to competitors.

- C. Information To Determine Compliance: The city may require any user of sewer services to provide information needed to determine compliance with this chapter. These requirements may include:
 - 1. Wastewater's discharge peak rate and volume over a specified time period.
 - 2. Chemical analysis of wastewaters.
 - 3. Information on raw materials, processes and products affecting wastewater volume and quality.
 - 4. Quantity and disposition of specific liquid, sludge, oil, solvent or other materials important to sewer control.
- D. Safety Rules Observed: While performing the necessary work on private properties referred to herein, duly authorized inspectors shall observe all safety rules applicable to the premises established by the company.
- E. Premises With Easement: Duly authorized inspectors bearing proper credentials and identification shall be permitted to enter all private properties through which the city holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the wastewater facilities lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved. (Ord. 2016-3, 2016)

13.20.080: PENALTY

- A. Notice Of Violation: Any person found to be violating any provision of this chapter shall be served by the city with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- B. Misdemeanor Penalty: Any person who shall continue any violation beyond the time limit provided for in subsection A of this section shall be guilty of a class B misdemeanor and upon conviction thereof, shall be subject to penalty as provided in title 1, chapter 1.16 of

this code for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

- C. Liability For Damages: Any person violating any of the provisions of this chapter shall become liable to the city for the expense, loss or damage ~~caused to~~ ~~occasioned~~ the city by reason of such violation.
- D. Cessation of Utility Services: Any person, residence, agency, or business found to be violating any provision of this chapter, who continues in violation after receiving a Notice of Violation, shall be subject to having water services turned off until such time as the person, residence, agency, or business remedies such violation to the satisfaction of the city of Millville or the agency providing treatment. (Ord. 2024-4, 2024; Ord. 2020-3, 2020; Ord. 2016-3, 2016)



AGENDA REPORT: Microschool Code

August 8, 2024

Background

During the 2024 State Legislative Session, SB 13 was adopted with an effective date of May 1, 2024. This bill gives some allowances for home-based microschools and micro-education entities.

Requests have already been made for a microschool in Millville City as well as in several other cities in Cache Valley. Staff feels it is important to get on top of this to adopt some code that will allow the City at least some control in managing microschools in Millville City.

It is likely that the State Code will continue to change regarding what is and what is not allowed with microschools and Millville will need to pay attention and adapt as well. This new code would create some groundwork and a starting point.

Included Documents

- Ordinance 2024-5 including the proposed new section of City Code 5.18
- Utah State Code sections 53G-6-201 and 10-9a-305 related to microschools

**MILLVILLE CITY
ORDINANCE 2024-5**

**NEW CODE SETTING REGULATIONS FOR HOME-BASED
MICROSCHOOLS AND MICRO-EDUCATION ENTITIES**

WHEREAS, the Millville City Council desires to provide for the health, safety, and welfare of the City and its present and future inhabitants and businesses; and

WHEREAS, during the 2024 State Legislative Session, SB 13 was adopted with an effective date of May 1, 2024. This bill provides a home-based microschool and micro-education entity with certain similar duties, requirements, waivers, and rights as private schools and charter schools; and

WHEREAS, the Millville City Council desires to create new code to establish regulations for microschools and micro education entities as is permitted by SB 13; and

WHEREAS, the Millville City Council reviewed the proposed code in a public meeting held on August 8, 2024;

NOW, THEREFORE, The Millville City Council hereby adopts the attached referenced code for City Code Chapter 5.18 – Home-Based Microschools and Micro-Education Entities.

This ordinance shall become effective immediately upon publication or posting as set forth by State Law.

ADOPTED AND PASSED, by the MILLVILLE CITY COUNCIL this 8th day of August 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 5 - BUSINESS LICENSES AND REGULATIONS
CHAPTER 5.18 - HOME-BASED MICROSCHOOLS AND
MICRO-EDUCATION ENTITIES

[5.18.010: DEFINITIONS](#)

[5.18.020: PURPOSE](#)

[5.18.030: BUSINESS LICENSE REQUIREMENT](#)

[5.18.040: APPLICATION ZONING AND LAND USE REGULATIONS](#)

[5.18.050: PARKING](#)

[5.18.060: TRAFFIC PLAN](#)

[5.18.070: HOURS OF OPERATION](#)

5.18.010: DEFINITIONS

See UCA 53G-6-201 for the definitions of the following terms: home-based micro school and micro-education entity. (Ord. 2024-5, 2024)

5.18.020: PURPOSE

The purpose of this chapter is to establish requirements, in addition to required by Utah State Code, for home-based microschools and micro-education entities regarding:

- A. Business licenses
- B. Applicable zoning and land use regulation
- C. Parking

D. Traffic

E. Hours of operation (Ord. 2024-5, 2024)

5.18.030: BUSINESS LICENSE REQUIREMENT

The applicant for a home-based microschool or a micro-education entity shall submit a business license application as required by Millville City code. The provisions set forth in the code shall be controlling as to all matters relating to the requirements for and issuance and renewal of a business license. A fire safety inspection will be required with the initial business license approval and annually prior to renewal. (Ord. 2024-5, 2024)

5.18.040: APPLICATION ZONING AND LAND USE REGULATIONS

- A. A home-based microschool shall comply with the area and setback regulations for each zoning district as listed in Millville City code. Compliance with all Millville City code and supplementary regulations is required.
- B. A micro-education entity, as per UCA 10-9a-305(7) may operate in a facility that meets Group E Occupancy or a Class B Occupancy as defined by the International Building Code and shall comply with all standards, within each zoning district, in compliance with Millville City Code. (Ord. 2024-5, 2024)

5.18.050: PARKING

- A. Off-street parking requirements for all zoning districts are listed in Millville City code.
- B. In addition to the dwelling unit parking requirements listed in Millville City code, the applicant for a home-based microschool or a micro-education entity shall provide sufficient parking and needed facilities for employees and customers completely and entirely on homeowner's land containing the primary dwelling or an adjacent parcel owned by the homeowner.
- C. The applicant for a home-based microschool or a micro-education entity shall provide a parking plan. (Ord. 2024-5, 2024)

5.18.060: TRAFFIC PLAN

The applicant for a home-based microschool or micro-education entity shall provide a traffic plan depicting the desired routes for all modes of transportation. (Ord. 2024-5, 2024)

5.18.070: HOURS OF OPERATION

The hours of operation for a home-based microschool or micro-education entity shall be between 6:00 AM and 10:00 PM. The applicant shall include the normal hours of operation on the application for a business license. (Ord. 2024-5, 2024)

Effective 5/1/2024

53G-6-201 Definitions.

As used in this part:

- (1)
 - (a) "Absence" or "absent" means the failure of a school-age child assigned to a class or class period to attend a class or class period.
 - (b) "Absence" or "absent" does not mean multiple tardies used to calculate an absence for the sake of a truancy.
- (2) "Educational neglect" means the same as that term is defined in Section 80-1-102.
- (3)
 - (a) "Home-based microschool" means an individual or association of individuals that:
 - (i) registers as a business entity in accordance with state and local laws; and
 - (ii) for compensation, provides kindergarten through grade 12 education services to 16 or fewer students from an individual's residential dwelling, accessory dwelling unit, or residential property.
 - (b) "Home-based microschool" does not include a daycare.
- (4) "Instructor" means an individual who teaches a student as part of a home-based microschool or micro-education entity.
- (5)
 - (a) "Micro-education entity" means a person or association of persons that:
 - (i) registers as a business entity in accordance with state and local laws; and
 - (ii) for compensation, provides kindergarten through grade 12 education services to 100 students or fewer.
 - (b) "Micro-education entity" does not include:
 - (i) a daycare;
 - (ii) a home-based microschool;
 - (iii) a private school; or
 - (iv) a school within the public education system.
- (6) "Minor" means an individual who is under 18 years old.
- (7) "Parent" includes:
 - (a) a custodial parent of the minor;
 - (b) a legally appointed guardian of a minor; or
 - (c) any other person purporting to exercise any authority over the minor which could be exercised by a person described in Subsection (7)(a) or (b).
- (8) "School day" means the portion of a day that school is in session in which a school-age child is required to be in school for purposes of receiving instruction.
- (9) "School year" means the period of time designated by a local school board or charter school governing board as the school year for the school where the school-age child:
 - (a) is enrolled; or
 - (b) should be enrolled, if the school-age child is not enrolled in school.
- (10) "School-age child" means a minor who:
 - (a) is at least six years old but younger than 18 years old; and
 - (b) is not emancipated.
- (11)
 - (a) "Truant" means a condition in which a school-age child, without a valid excuse, and subject to Subsection (11)(b), is absent for at least:
 - (i) half of the school day; or

- (ii) if the school-age child is enrolled in a learner verified program, as that term is defined by the state board, the relevant amount of time under the LEA's policy regarding the LEA's continuing enrollment measure as it relates to truancy.
- (b) A school-age child may not be considered truant under this part more than one time during one day.
- (12) "Truant minor" means a school-age child who:
 - (a) is subject to the requirements of Section 53G-6-202 or 53G-6-203; and
 - (b) is truant.
- (13)
 - (a) "Valid excuse" means:
 - (i) an illness, which may be either mental or physical, regardless of whether the school-age child or parent provides documentation from a medical professional;
 - (ii) mental or behavioral health of the school-age child;
 - (iii) a family death;
 - (iv) an approved school activity;
 - (v) an absence permitted by a school-age child's:
 - (A) individualized education program; or
 - (B) Section 504 accommodation plan;
 - (vi) an absence permitted in accordance with Subsection 53G-6-803(5); or
 - (vii) any other excuse established as valid by a local school board, charter school governing board, or school district.
 - (b) "Valid excuse" does not mean a parent acknowledgment of an absence for a reason other than a reason described in Subsections (13)(a)(i) through (vi), unless specifically permitted by the local school board, charter school governing board, or school district under Subsection (13)(a)(vi).

Amended by Chapter 464, 2024 General Session

Effective 5/1/2024

10-9a-305 Other entities required to conform to municipality's land use ordinances -- Exceptions -- School districts, charter schools, home-based microschools, and micro-education entities -- Submission of development plan and schedule.

- (1)
 - (a) Each county, municipality, school district, charter school, special district, special service district, and political subdivision of the state shall conform to any applicable land use ordinance of any municipality when installing, constructing, operating, or otherwise using any area, land, or building situated within that municipality.
 - (b) In addition to any other remedies provided by law, when a municipality's land use ordinance is violated or about to be violated by another political subdivision, that municipality may institute an injunction, mandamus, abatement, or other appropriate action or proceeding to prevent, enjoin, abate, or remove the improper installation, improvement, or use.
- (2)
 - (a) Except as provided in Subsection (3), a school district or charter school is subject to a municipality's land use ordinances.
 - (b)
 - (i) Notwithstanding Subsection (3), a municipality may:
 - (A) subject a charter school to standards within each zone pertaining to setback, height, bulk and massing regulations, off-site parking, curb cut, traffic circulation, and construction staging; and
 - (B) impose regulations upon the location of a project that are necessary to avoid unreasonable risks to health or safety, as provided in Subsection (3)(f).
 - (ii) The standards to which a municipality may subject a charter school under Subsection (2)(b)(i) shall be objective standards only and may not be subjective.
 - (iii) Except as provided in Subsection (7)(d), the only basis upon which a municipality may deny or withhold approval of a charter school's land use application is the charter school's failure to comply with a standard imposed under Subsection (2)(b)(i).
 - (iv) Nothing in Subsection (2)(b)(iii) may be construed to relieve a charter school of an obligation to comply with a requirement of an applicable building or safety code to which it is otherwise obligated to comply.
- (3) A municipality may not:
 - (a) impose requirements for landscaping, fencing, aesthetic considerations, construction methods or materials, additional building inspections, municipal building codes, building use for educational purposes, or the placement or use of temporary classroom facilities on school property;
 - (b) except as otherwise provided in this section, require a school district or charter school to participate in the cost of any roadway or sidewalk, or a study on the impact of a school on a roadway or sidewalk, that is not reasonably necessary for the safety of school children and not located on or contiguous to school property, unless the roadway or sidewalk is required to connect an otherwise isolated school site to an existing roadway;
 - (c) require a district or charter school to pay fees not authorized by this section;
 - (d) provide for inspection of school construction or assess a fee or other charges for inspection, unless the school district or charter school is unable to provide for inspection by an inspector, other than the project architect or contractor, who is qualified under criteria established by the state superintendent;
 - (e) require a school district or charter school to pay any impact fee for an improvement project unless the impact fee is imposed as provided in Title 11, Chapter 36a, Impact Fees Act;

- (f) impose regulations upon the location of an educational facility except as necessary to avoid unreasonable risks to health or safety; or
- (g) for a land use or a structure owned or operated by a school district or charter school that is not an educational facility but is used in support of providing instruction to pupils, impose a regulation that:
 - (i) is not imposed on a similar land use or structure in the zone in which the land use or structure is approved; or
 - (ii) uses the tax exempt status of the school district or charter school as criteria for prohibiting or regulating the land use or location of the structure.
- (4) Subject to Section 53E-3-710, a school district or charter school shall coordinate the siting of a new school with the municipality in which the school is to be located, to:
 - (a) avoid or mitigate existing and potential traffic hazards, including consideration of the impacts between the new school and future highways; and
 - (b) maximize school, student, and site safety.
- (5) Notwithstanding Subsection (3)(d), a municipality may, at its discretion:
 - (a) provide a walk-through of school construction at no cost and at a time convenient to the district or charter school; and
 - (b) provide recommendations based upon the walk-through.
- (6)
 - (a) Notwithstanding Subsection (3)(d), a school district or charter school shall use:
 - (i) a municipal building inspector;
 - (ii)
 - (A) for a school district, a school district building inspector from that school district; or
 - (B) for a charter school, a school district building inspector from the school district in which the charter school is located; or
 - (iii) an independent, certified building inspector who is not an employee of the contractor, licensed to perform the inspection that the inspector is requested to perform, and approved by a municipal building inspector or:
 - (A) for a school district, a school district building inspector from that school district; or
 - (B) for a charter school, a school district building inspector from the school district in which the charter school is located.
 - (b) The approval under Subsection (6)(a)(iii) may not be unreasonably withheld.
 - (c) If a school district or charter school uses a school district or independent building inspector under Subsection (6)(a)(ii) or (iii), the school district or charter school shall submit to the state superintendent of public instruction and municipal building official, on a monthly basis during construction of the school building, a copy of each inspection certificate regarding the school building.
- (7)
 - (a) A charter school, home-based microschool, or micro-education entity shall be considered a permitted use in all zoning districts within a municipality.
 - (b) Each land use application for any approval required for a charter school, home-based microschool, or micro-education entity, including an application for a building permit, shall be processed on a first priority basis.
 - (c) Parking requirements for a charter school or a micro-education entity may not exceed the minimum parking requirements for schools or other institutional public uses throughout the municipality.
 - (d) If a municipality has designated zones for a sexually oriented business, or a business which sells alcohol, a charter school or a micro-education entity may be prohibited from a location

which would otherwise defeat the purpose for the zone unless the charter school or micro-education entity provides a waiver.

(e)

- (i) A school district, charter school, or micro-education entity may seek a certificate authorizing permanent occupancy of a school building from:
 - (A) the state superintendent of public instruction, as provided in Subsection 53E-3-706(3), if the school district or charter school used an independent building inspector for inspection of the school building; or
 - (B) a municipal official with authority to issue the certificate, if the school district, charter school, or micro-education entity used a municipal building inspector for inspection of the school building.
- (ii) A school district may issue its own certificate authorizing permanent occupancy of a school building if it used its own building inspector for inspection of the school building, subject to the notification requirement of Subsection 53E-3-706(3)(a)(ii).
- (iii) A charter school or micro-education entity may seek a certificate authorizing permanent occupancy of a school building from a school district official with authority to issue the certificate, if the charter school or micro-education entity used a school district building inspector for inspection of the school building.
- (iv) A certificate authorizing permanent occupancy issued by the state superintendent of public instruction under Subsection 53E-3-706(3) or a school district official with authority to issue the certificate shall be considered to satisfy any municipal requirement for an inspection or a certificate of occupancy.

(f)

- (i) A micro-education entity may operate in a facility that meets Group E Occupancy requirements as defined by the International Building Code, as incorporated by Subsection 15A-2-103(1)(a).
- (ii) A micro-education entity operating in a facility described in Subsection (7)(f)(i):
 - (A) may have up to 100 students in the facility; and
 - (B) shall have enough space for at least 20 net square feet per student.
- (g) A micro-education entity may operate in a facility that is subject to and complies with the same occupancy requirements as a Class B Occupancy as defined by the International Building Code, as incorporated by Subsection 15A-2-103(1)(a), if:
 - (i) the facility has a code compliant fire alarm system and carbon monoxide detection system;
 - (ii)
 - (A) each classroom in the facility has an exit directly to the outside at the level of exit or discharge; or
 - (B) the structure has a code compliant fire sprinkler system;
 - (iii) the facility has an automatic fire sprinkler system in fire areas of the facility that are greater than 12,000 square feet; and
 - (iv) the facility has enough space for at least 20 net square feet per student.

(h)

- (i) A home-based microschool is not subject to additional occupancy requirements beyond occupancy requirements that apply to a primary dwelling, except that the home-based microschool shall have enough space for at least 35 net square feet per student.
- (ii) If a floor that is below grade in a home-based microschool is used for home-based microschool purposes, the below grade floor of the home-based microschool shall have at least one emergency escape or rescue window that complies with the requirements for

emergency escape and rescue windows as defined by the International Residential Code, as incorporated by Section 15A-1-210.

- (8)
- (a) A specified public agency intending to develop its land shall submit to the land use authority a development plan and schedule:
 - (i) as early as practicable in the development process, but no later than the commencement of construction; and
 - (ii) with sufficient detail to enable the land use authority to assess:
 - (A) the specified public agency's compliance with applicable land use ordinances;
 - (B) the demand for public facilities listed in Subsections 11-36a-102(17)(a), (b), (c), (d), (e), and (g) caused by the development;
 - (C) the amount of any applicable fee described in Section 10-9a-510;
 - (D) any credit against an impact fee; and
 - (E) the potential for waiving an impact fee.
 - (b) The land use authority shall respond to a specified public agency's submission under Subsection (8)(a) with reasonable promptness in order to allow the specified public agency to consider information the municipality provides under Subsection (8)(a)(ii) in the process of preparing the budget for the development.
- (9) Nothing in this section may be construed to:
- (a) modify or supersede Section 10-9a-304; or
 - (b) authorize a municipality to enforce an ordinance in a way, or enact an ordinance, that fails to comply with Title 57, Chapter 21, Utah Fair Housing Act, the federal Fair Housing Amendments Act of 1988, 42 U.S.C. Sec. 3601 et seq., the Americans with Disabilities Act of 1990, 42 U.S.C. 12102, or any other provision of federal law.
- (10) Nothing in Subsection (7) prevents a political subdivision from:
- (a) requiring a home-based microschool or micro-education entity to comply with municipal zoning and land use regulations that do not conflict with this section, including:
 - (i) parking;
 - (ii) traffic; and
 - (iii) hours of operation;
 - (b) requiring a home-based microschool or micro-education entity to obtain a business license;
 - (c) enacting municipal ordinances and regulations consistent with this section;
 - (d) subjecting a micro-education entity to standards within each zone pertaining to setback, height, bulk and massing regulations, off-site parking, curb cut, traffic circulation, and construction staging; and
 - (e) imposing regulations on the location of a project that are necessary to avoid risks to health or safety.

Amended by Chapter 464, 2024 General Session

**MILLVILLE CITY
RESOLUTION 2024-14**

**RESOLUTION TO ESTABLISH THE CANYON BREEZE SUBDIVISION
LOCATED AT APPROXIMATELY 587 SOUTH 550 EAST**

WHEREAS, a request to subdivide parcel 03-040-0010 into three parcels has been received; and

WHEREAS, the Planning Commission reviewed the request on August 1, 2024 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 August 8, 2024;

THEREFORE, BE IT RESOLVED that the City Council hereby accepts the Canyon Breeze Subdivision of three 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 8th day of August 2024.

SIGNED:

David Hair, Mayor

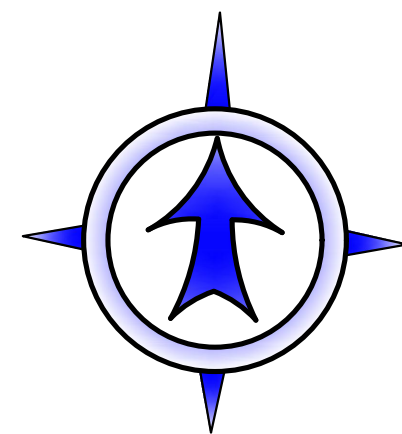
ATTEST:

Corey Twedt, City Recorder

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

FINAL PLAT
Canyon Breeze Estates Subdivision

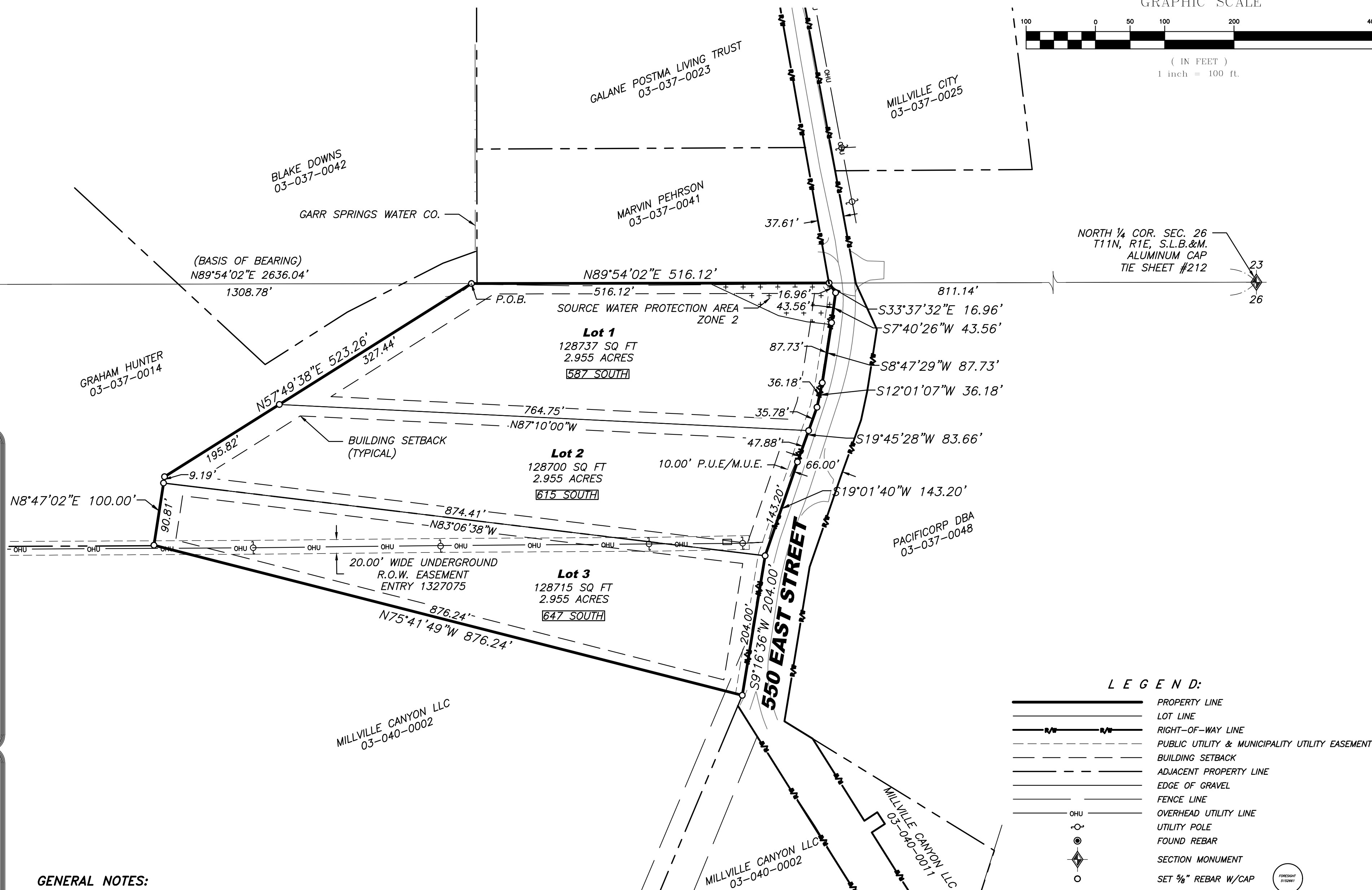
A PART OF THE NORTHWEST QUARTER OF SECTION 26,
TOWNSHIP 11 NORTH, RANGE 1 EAST OF THE S.L.B. & M.
MILLVILLE, CACHE COUNTY, UTAH
CONTAINING 8.86 ACRES IN 3 RESIDENTIAL LOTS



July 1, 2024

GRAPHIC SCALE

(IN FEET)
1 inch = 100 ft.



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 _____, 2024
BY _____

TITLE _____

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 _____, 2024

BY _____

TITLE _____

GENERAL NOTES:

- There is a fault line that runs North and South approximately 500 feet from the East line of the subdivision.
- Building setback lines are for reference only. Setbacks shall meet the requirements of Millville City Code at the time building permit(s) are issued.
- Storm water storage facilities and berms on each lot shall remain in place and will be maintained by the lot owners.

Record Owner(s): Lundahl Cold Storage LLC,
2005 North 600 West Suite C
Logan, Utah 84321

LEGEND:

	PROPERTY LINE
	LOT LINE
	RIGHT-OF-WAY LINE
	PUBLIC UTILITY & MUNICIPALITY UTILITY EASEMENT
	BUILDING SETBACK
	ADJACENT PROPERTY LINE
	EDGE OF GRAVEL
	FENCE LINE
	OVERHEAD UTILITY LINE
	UTILITY POLE
	FOUND REBAR
	SECTION MONUMENT
	SET 3/4" REBAR W/CAP

SHEET 1 of 1

CANAL COMPANY APPROVAL

ACCEPTED BY THE GARR SPRINGS WATER COMPANY THIS ____ DAY OF _____, 2024

BY: _____ TITLE: _____

UTILITY COMPANY APPROVAL

COMCAST _____ DATE _____

CENTURY LINK _____ DATE _____

CITY ENGINEER

DATA ON THIS PLAT REVIEWED THIS ____ DAY OF _____, A.D., 2024 BY THE CITY ENGINEER OF MILLVILLE, UTAH.

CITY ENGINEER

BEAR RIVER HEALTH DEPT. APPROVAL

THE SUBDIVISION DESCRIBED IN THIS PLAT HAS BEEN APPROVED BY THE BEAR RIVER HEALTH DEPARTMENT THIS ____ DAY OF _____, 2024.

BY: _____ TITLE: _____

PLANNING AND ZONING COMMISSION

THIS PLAT APPROVED BY THE CITY OF MILLVILLE PLANNING AND ZONING COMMISSION THIS ____ DAY OF _____, A.D., 2024.

CHAIRPERSON _____ ATTEST: _____ SECRETARY _____

FORESIGHT
LAND SURVEYING

2005 North 600 West, Logan, Utah
435-753-1910

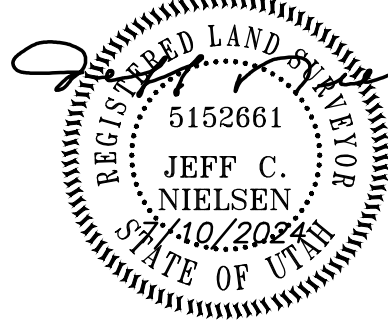
Project No. 23-053
Prepared by JH, 7/1/24

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 Canyon Breeze Estates 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 (1/10,000).

Jeff C. Nielsen, No. 5152661

Date: _____



CERTIFICATE OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED TODD LUNDAHL, 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 CANYON BREEZE ESTATES SUBDIVISION, IS LOCATED IN SECTION 26, TOWNSHIP 11 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN, MILLVILLE, CACHE COUNTY, UTAH AND IS DESCRIBED AS FOLLOWS:

A PART OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 11 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 26 LOCATED NORTH 89°54'02" EAST, A DISTANCE OF 1,308.78 FEET FROM THE ALUMINUM CAP MONUMENTING THE NORTHWEST CORNER OF SAID SECTION 26 FROM WHICH THE ALUMINUM CAP MONUMENTING THE NORTH QUARTER CORNER OF SAID SECTION 26 BEARS NORTH 89°54'02" EAST, A DISTANCE OF 2636.04 FEET; THENCE RUNNING ALONG SAID NORTH LINE NORTH 89°54'02" EAST, A DISTANCE OF 516.12 FEET TO THE WEST RIGHT-OF-WAY LINE OF 550 EAST; THENCE RUNNING ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING SEVEN (7) COURSES: (1) SOUTH 33°37'32" EAST, A DISTANCE OF 16.96 FEET; (2) SOUTH 07°40'26" WEST, A DISTANCE OF 43.56 FEET; (3) SOUTH 08°47'29" WEST, A DISTANCE OF 87.73 FEET; (4) SOUTH 12°01'07" WEST, A DISTANCE OF 36.18 FEET; (5) SOUTH 19°45'28" WEST, A DISTANCE OF 83.66 FEET; (6) SOUTH 19°01'40" WEST, A DISTANCE OF 143.20 FEET; (7) SOUTH 09°16'36" WEST, A DISTANCE OF 204.00 FEET; THENCE NORTH 75°41'49" WEST, A DISTANCE OF 876.24 FEET THENCE; NORTH 08°47'02" EAST, A DISTANCE OF 100.00 FEET; THENCE NORTH 57°49'38" EAST, A DISTANCE OF 523.26 FEET TO THE POINT OF BEGINNING. AND CONTAINS AN AREA OF 8.86 ACRES, MORE OR LESS, IN 3 LOTS 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(S) AND PROPRIETOR(S), 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(S) OF THE LAND SHOWN AND DESCRIBED ON THIS PLAT DOES (DO) HEREBY DEDICATE TO THE CITY OF MILLVILLE AND ITS LICENSEES FOR PERPETUAL PUBLIC USE ALL STREETS, ALLEYS, 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., 2024 BY:

Todd Lundahl

STATE OF UTAH

)SS.

COUNTY OF CACHE

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, A.D. 2024, BY: _____ AS A FREE AND VOLUNTARY ACT AND DEED. WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE _____

A NOTARY PUBLIC COMMISSIONED IN UTAH
(PRINT NAME)

COMMISSION NUMBER - EXPIRES _____

COUNCIL APPROVAL AND ACCEPTANCE

APPROVED BY THE CITY COUNCIL OF THE CITY OF MILLVILLE, UTAH THIS ____ DAY OF _____, A.D., 2024.

ATTEST: _____
MAYOR _____ CITY RECORDER _____

COUNTY RECORDER'S NO.

STATE OF UTAH, COUNTY OF _____, RECORDED AND FILED
AT THE REQUEST OF: _____

DATE: _____ TIME: _____ FEE: _____

ABSTRACTED _____

INDEX _____
FILED IN: FILE OF PLATS _____ COUNTY RECORDER _____



AGENDA REPORT: BACKGROUND CHECK POLICY

August 8, 2024

Background

Utah State Code Section 53-10-108 requires individuals who work or volunteer in certain positions to undergo a background check. Currently in Millville, this specifically applies to Millville City Youth Council advisors.

Millville City staff have been working on an application with the Utah Bureau of Criminal Identification (BCI) to contract for these required background checks.

This resolution is for the adoption of a policy for background checks in Millville City.

Included Documents

- Resolution 2024-13 including the proposed Millville City Background Check Policy

**MILLVILLE CITY
RESOLUTION 2024-13**

ADOPTING A CITY BACKGROUND CHECK POLICY

WHEREAS, requirements outlined in Utah State Code Section 53-10-108, and

WHEREAS, the Millville City Council wishes to establish a City Background Check Policy to protect children and vulnerable adults;

NOW THEREFORE, be it resolved that the Millville City Council adopts the attached Background Check Policy.

This resolution shall become effective upon adoption. Passed and approved by the Millville City Council, this 8th day of August 2024.

SIGNED:

David Hair, Mayor

ATTEST:

Corey Twedt, City Recorder

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

MILLVILLE CITY BACKGROUND CHECK POLICY

PURPOSE

To ensure a safe and secure environment and to comply with state and local laws, Millville City requires background checks under certain circumstances.

DEFINITION

Qualifying Position: any paid or unpaid employment position with the City, including a volunteer position, that involves significant contact with minors or vulnerable adults.

Qualifying Prospective Employee: an individual who is 18 years old or older and applies for a qualifying position with the City.

Minor: an individual under 18 years old.

Vulnerable Adult: an individual who is (1) 65 years old or older or (2) a dependent adult who has a mental or physical impairment that substantially affects that individual's ability to provide personal protection, carry out the activities of daily living, or comprehend the nature and consequences of remaining in a situation of abuse, neglect, or exploitation. (See Utah Code § 76-5-111(1)(a)(xiv)(A), (D), (F).)

PROCESS

All qualifying prospective employees must submit to a criminal background check as a condition of employment (or before volunteering) with the City.

As part of the application process, a qualifying prospective employee shall consent to, and provide the information necessary to obtain, a criminal background check. After a contingent offer of employment is made, Millville City will run a criminal background check and review the results.

If the criminal background check reveals any prior criminal offenses, the City may disqualify the qualifying prospective employee or volunteer. If a qualifying prospective employee is disqualified based on the information obtained through the criminal background check, the City will give the qualifying prospective employee or volunteer written notice of the reasons for the disqualification and two business days to submit a written response to the reasons for disqualification.



AGENDA REPORT: FRAUD RISK ASSESSMENT FY24

August 8, 2024

Background

The State Auditor's Office has put together some guidelines and an assessment to determine risk of fraud for entities in the State of Utah. Millville does this assessment yearly, which will be adopted by the City Council and reviewed as part of the independent audit.

Included here is the assessment that was completed for Fiscal Year 2024. One of the most important areas in reducing risk of fraud is by having an adequate level of separation of duties. This is difficult for a staff of our size and we are only able to accomplish this with the oversight of our contract financial advisor CPA.

Recorder Twedt and CPA Scott Swensen regularly meet to discuss potential Millville risk of fraud and how to mitigate those risks. The fraud risk assessment was completed by Scott Swenson and Recorder Twedt.

Included Documents

- Resolution 2024-15 including the FY24 Fraud Risk Assessment

**MILLVILLE CITY
RESOLUTION 2024-15**

RESOLUTION ADOPTING THE FISCAL YEAR 2024 FRAUD RISK ASSESSMENT

WHEREAS, the City is required to provide an annual Fraud Risk Assessment report to the Utah State Auditors; and

WHEREAS, the purpose of this assessment, in part, is to fulfill the requirement set forth by the Utah State Auditor's Office; and

WHEREAS, the Millville City Council supports internal controls, policies, practices and processes that ensure the operations of the City are performed effectively and efficiently; and

WHEREAS, the Millville City Council supports and is dedicated to providing frameworks and guidance on risk management, internal controls and fraud deterrence.

NOW THEREFORE, be it resolved that the Millville City Council adopts the included Millville Fiscal Year 2024 Fraud Risk Assessment.

This resolution shall become effective upon adoption. Passed and approved by the Millville City Council, this 8th day of August 2024.

SIGNED:

David Hair, Mayor

ATTEST:

Corey Twedt, City Recorder

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

Fraud Risk Assessment

Continued

*Total Points Earned: 370 / 395 *Risk Level: Very Low Low Moderate High Very High
> 355 316-355 276-315 200-275 < 200

	Yes	Pts
1. Does the entity have adequate basic separation of duties or mitigating controls as outlined in the attached Basic Separation of Duties Questionnaire?	200	200
2. Does the entity have governing body adopted written policies in the following areas:		
a. Conflict of interest?	5	5
b. Procurement?	5	5
c. Ethical behavior?	5	5
d. Reporting fraud and abuse?	5	5
e. Travel?	5	5
f. Credit/Purchasing cards (where applicable)?	0	5
g. Personal use of entity assets?	5	5
h. IT and computer security?	5	5
i. Cash receipting and deposits?	5	5
3. Does the entity have a licensed or certified (CPA, CGFM, CMA, CIA, CFE, CGAP, CPFO) expert as part of its management team?	20	20
a. Do any members of the management team have at least a bachelor's degree in accounting?	10	10
4. Are employees and elected officials required to annually commit in writing to abide by a statement of ethical behavior?	20	20
5. Have all governing body members completed entity specific (District Board Member Training for local/special service districts & interlocal entities, Introductory Training for Municipal Officials for cities & towns, etc.) online training (training.auditor.utah.gov) within four years of term appointment/election date?	20	20
6. Regardless of license or formal education, does at least one member of the management team receive at least 40 hours of formal training related to accounting, budgeting, or other financial areas each year?	20	20
7. Does the entity have or promote a fraud hotline?	20	20
8. Does the entity have a formal internal audit function?	0	20
9. Does the entity have a formal audit committee?	20	20

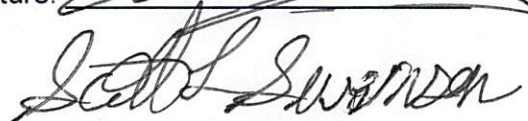
*Entity Name: Mollville City

*Completed for Fiscal Year Ending: 6/30/24 *Completion Date: 8/6/24

*CAO Name: David Hair *CFO Name: Corey Twedt

*CAO Signature: _____ *CFO Signature: 

*Required



Basic Separation of Duties

See the following page for instructions and definitions.

	Yes	No	MC*	N/A
1. Does the entity have a board chair, clerk, and treasurer who are three separate people?	✓			
2. Are all the people who are able to receive cash or check payments different from all of the people who are able to make general ledger entries?			✓	
3. Are all the people who are able to collect cash or check payments different from all the people who are able to adjust customer accounts? If no customer accounts, check "N/A".			✓	
4. Are all the people who have access to blank checks different from those who are authorized signers?			✓	
5. Does someone other than the clerk and treasurer reconcile all bank accounts OR are original bank statements reviewed by a person other than the clerk to detect unauthorized disbursements?			✓	
6. Does someone other than the clerk review periodic reports of all general ledger accounts to identify unauthorized payments recorded in those accounts?	✓			
7. Are original credit/purchase card statements received directly from the card company by someone other than the card holder? If no credit/purchase cards, check "N/A".			✓	
8. Does someone other than the credit/purchase card holder ensure that all card purchases are supported with receipts or other supporting documentation? If no credit/purchase cards, check "N/A".	✓			
9. Does someone who is not a subordinate of the credit/purchase card holder review all card purchases for appropriateness (including the chief administrative officer and board members if they have a card)? If no credit/purchase cards, check "N/A".	✓			
10. Does the person who authorizes payment for goods or services, who is not the clerk, verify the receipt of goods or services?	✓			
11. Does someone authorize payroll payments who is separate from the person who prepares payroll payments? If no W-2 employees, check "N/A".	✓			
12. Does someone review all payroll payments who is separate from the person who prepares payroll payments? If no W-2 employees, check "N/A".	✓			

* MC = Mitigating Control



AGENDA REPORT: ALDER DEVELOPMENT

August 8, 2024

Background

On September 12, 2022, Millville City received a request for a boundary line adjustment (BLA) that would move three parcels owned by Alder Farms that are currently in Millville City into Providence City. The BLA included the following parcels: 03-002-0001 (20.39 acres), 03-002-0002 (10 acres), and 03-002-0009 (20 acres) for a total of 50.39 acres.

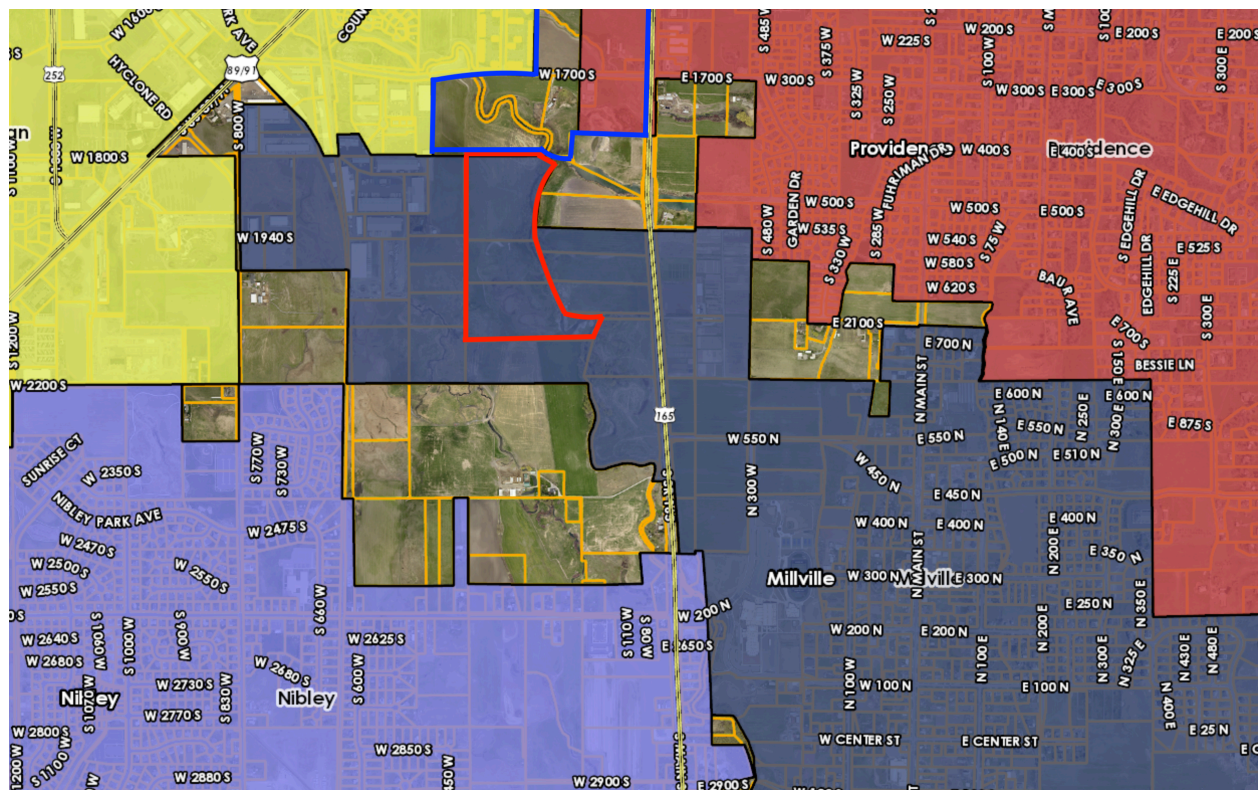
Since that meeting, the Millville City Council has had several other meetings – including two work sessions with the Planning Commission – to discuss this property and the requested boundary line adjustment.

The goal tonight is for the City Council to make a final decision on accepting or denying the BLA request to move the three parcels into Providence.

To try and summarize the narrowed-down options under consideration, we believe you have whittled this down to three possible decisions:

1. Accept the BLA request to move the three parcels into Providence which would mean the Providence City Council could then consider the same request and make a decision on their end. This acceptance of the BLA request could come with or without stipulations from Millville City.
2. Deny the BLA request and tell the developer that Millville is willing to allow the development in Millville City with a similar density and plan as provided by the developer. Next step with this would be to begin working on zoning in Millville that would work for the development as desired by the developer.
3. Deny the BLA request and tell the developer that Millville would like the property to remain in Millville for development as desired by the developer under one of Millville's existing zones.

By selecting one of these options (or another if this does not summarize your desires), the City Council will give the Alder development team the information to move forward on their next steps for the development of their property.





Bear River
LAND CONSERVANCY
Conserving Critical Lands
in Rich, Cache and Box Elder Counties

Bear River Land Conservancy
P.O. Box 4565
Logan, Ut 8323

08/06/2024

Millville City
510 E. 300 S.
P.O. Box 308
Millville, UT 84326

Subject: Bear River Land Conservancy - Application to the Utah LeRay McAllister Fund for the Elkhorn Ranch
Phase 2 Conservation Easement project

Dear Millville City Council Members,

Bear River Land Conservancy, a small nonprofit in Cache Valley Utah, is planning to submit a grant application to the Utah LeRay McAllister Working Farm and Ranch Fund for the Elkhorn Ranch Phase 2 Conservation Easement project. The goal of this project is to protect approximately 115 acres of property along the Blacksmith Fork River that has both agricultural and commercial zoning and is shared between Cache County and Millville City. The proposed conservation easement would expand upon an existing conservation easement placed on a portion of the property in 2004 and will connect to another conservation easement held by the Utah Division of Wildlife Resources and managed by Stokes Nature Center. In total, this project will help to protect over 180 acres of open space in a rapidly developing area of Cache Valley.

Project Summary:

The Elkhorn Ranch was first established in 1855 by Mormon Pioneers and was one of the first settlements in the valley. This project seeks to protect the heritage and legacy of the land by protecting the property from future development and maintaining its use as a working cow/calf cattle ranch.

The property also contains nearly a half mile of the Blacksmith Fork River. The Blacksmith Fork River provides habitat for numerous species including Bonneville Cutthroat Trout, Brown Trout, Bald Eagles, Golden Eagles, Mallards, and several other riparian and aquatic species. Placing a conservation easement on the property will protect the habitat for these species and reduce downstream flood impacts by protecting an active floodplain from future development.

Placing a conservation easement on the property will also protect critical scenic vistas of agricultural land, rivers, wet meadows, and the Wellsville Mountains that are in full view while traveling along State Route 165.

A project map has been attached to this letter for your review and consideration.

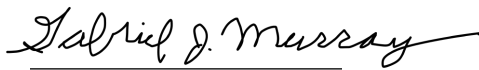
Millville City Request:

In order to pursue funding through the LeRay McAllister Working Farm and Ranch Fund, the Utah Legislature has asked applicants to provide a letter of support or approval from the local land use authority that resides over the property. For this application, both the Cache County Council and the Millville City Council will be required to give their approval. To date, the Cache County Council has provided their approval, and we are now seeking the approval of the Millville City Council.

If you have any questions or concerns regarding the LeRay McAllister Working Farm and Ranch Fund and this application, you are encouraged to contact Commissioner Craig Butters with the Utah Department of Agriculture and Food at craigbuttars@utah.gov.

I sincerely apologize for the short notice on this request, and if you have any questions or concerns, please don't hesitate to contact me at gabriel@bearriverlandconservancy.org or at 907-953-2575.

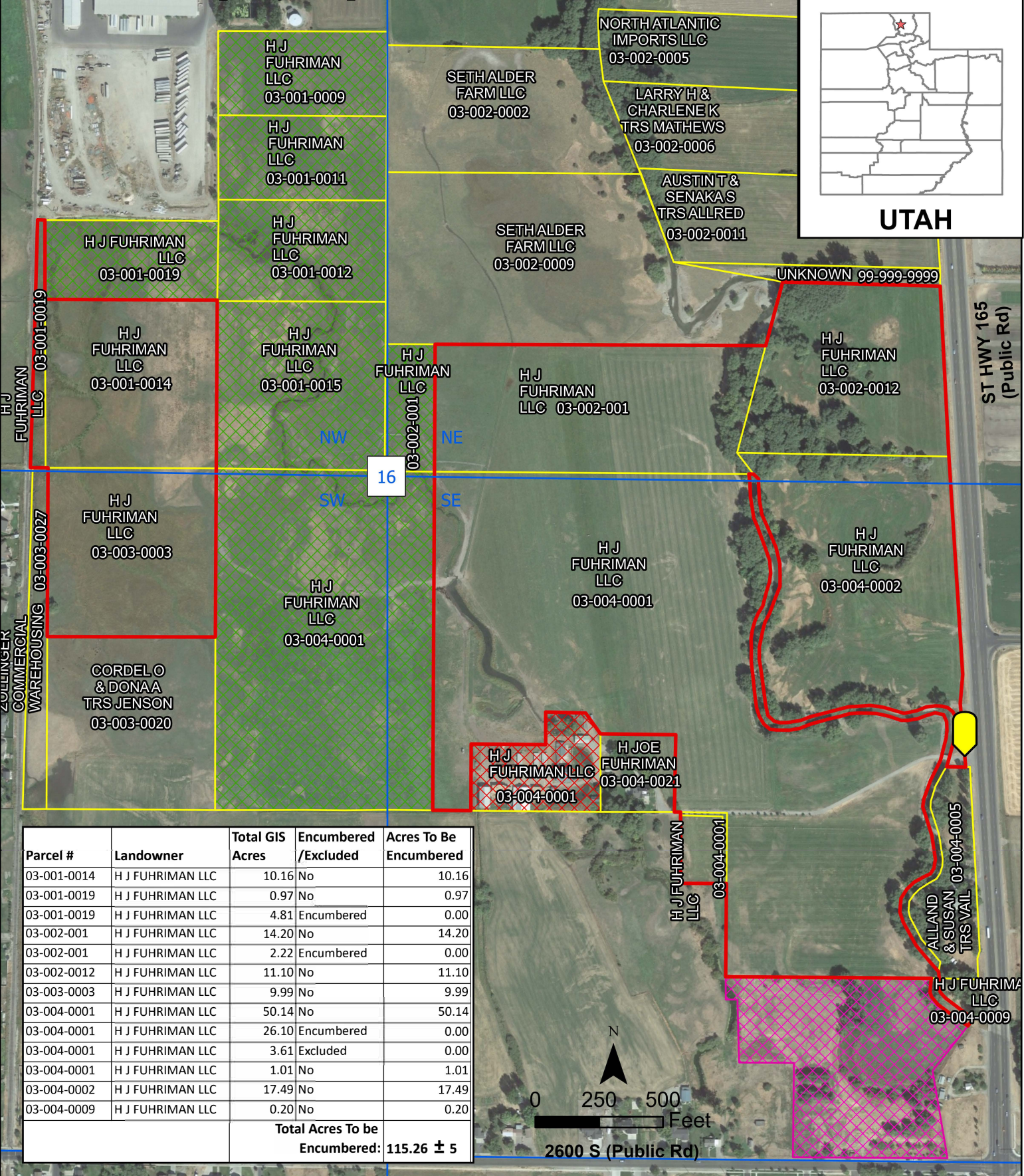
Sincerely,



Executive Director - BRLC



FIGURE 2: Property Map





AGENDA REPORT: 550 N. ROAD CLOSURE REQUEST

August 8, 2024

Background

At the City Council meeting held May 9, 2024, several residents who live on 550 North, west of Main Street, requested that the Council consider closing 550 North. Their concerns stem from the safety issues created from cars that speed up and down that road.

In reviewing the minutes and audio recordings of meetings held from 2014-2016, there were discussions about the possibility of closing that road when the new roundabout was installed. Here is an outline of the pros and cons that were discussed by the City Council and staff along with the City engineer.

Pros discussed in Closing the 550 North Road:

- Potential difficulties for residents living on 550 North to get out of their driveways. Either because they are blocked by backed-up traffic or just safe access to the road from the driveways because of the traffic on that road.
- It may be difficult for traffic heading east to be able to turn left onto Main Street. The main concern here was after school. The safety concern discussed was cars that would try and shoot the gap between traffic to make it onto Main from 550 North.

Cons discussed in closing the 550 North Road

- 550 North would act as an alternate route to be used in case of construction, a wreck, or other emergency at the roundabout. The old bridge failure and the decision to restore it as well as the design criteria for multiple entries to subdivisions and schools were discussed as similar desires to provide alternate traffic options.
- Closing 550 North would significantly increase the amount of traffic that would hit the roundabout. It was estimated at that time that this would result in 20-25% more traffic in the roundabout. It was discussed that this would back up more traffic waiting for entry to the roundabout and cause safety issues for pedestrians as there would be fewer gaps in the traffic wherein it would be safe for them to cross.

It was also discussed that overall, the new roundabout would result in a net decrease of traffic on 550 North – even with the school being built – over what it had been before. Before the roundabout was built, 550 North was the only route to/from the highway going west/east on the north side of the City.

Ultimately, it was determined that the City would be better serviced by keeping the 550 North Road open.

The 550 North traffic issues were discussed again at City Council meetings held in June and July 2024. Following the meeting in June, Councilmember Ward reached out to the County Sheriff's Department, and Recorder Twedt spoke with the head deputy for Millville City. The Cache

County Sheriff's Department has since placed a traffic sensor on 550 North so that we could get data and understand the scope of the issue. That traffic report is included with this staff report.

After the City Council meeting in July, Recorder Twedt and Councilmember Wilker met with Sheriff Jensen and Lieutenant Ramirez from the Sheriff's Department. After that, Recorder Twedt had a phone call with Sergeant Batt and met with Deputy Gerke. In all of these meetings, Millville City has discussed the concerns with speeding on 550 North as well as some other areas in the City and asked for tickets to be written for speed violations. The Sheriff's Department has assured staff that they will increase their efforts in these key areas in Millville.

Recorder Twedt will continue to look for and apply for grants to help cover the costs of a speed display sign or other traffic mitigation measures.

Included Documents

- Report from Sheriff's Department for traffic study conducted on 550 North between 7/13/24 and 7/21/24

For Project:	100 West Millville				
Project Notes:					
Location/Name:	Merged				
Report Generated:	7/21/2024	14:48			
Speed Intervals	1 MPH				
Time Intervals	Instant				
Traffic Report From	7/13/2024	14:00:00	through	7/21/2024	14:59:59
85th Percentile Speed	31 MPH				
85th Percentile Vehicles	1887				
Max Speed	45 MPH	on	7/17/2024	08:56:40	
Total Vehicles	2220				
AADT:	276				

Volumes - weekly counts

Time	5 Day	7 Day
Average Daily	347	282
AM Peak	08:00 30	24
PM Peak	06:00 31	25

Speed

Speed Limit:	25
85th Percentile Speed:	31
Average Speed:	26.79

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Count over limit	244	176	324	286	139	166	132
% over limit	65.2	59.5	72.6	71.0	63.2	61.7	62.3
Avg Speeder	29.6	29.4	29.6	29.5	29.8	30.0	29.8

Class Counts

	Number	%
VEH_SM	4	0.2
VEH_MED	2152	96.9
VEH_LG	64	2.9
[VEH_SM=motorcycle,	VEH_MED = sedan,	VEH_LG = truck]

MILLVILLE PLANNING COMMISSION MEETING

City Hall - 510 East 300 South - Millville, Utah

July 18, 2024

PRESENT: Garrett Greenhalgh, Lynette Dickey, Bonnie Farmer, Matthew Anderson, Larry Lewis, Kara Everton, Megan Dyer, Pam June, Mike Everton, Chad Kendrick

Call to Order/Roll Call:

Commissioner Greenhalgh opened the meeting for July 18, 2024, at 8:00 pm. Commissioners Garrett Greenhalgh, Bonnie Farmer, Lynette Dickey, Larry Lewis, and Matt Anderson were present. Commissioner Ripplinger was 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 July 18, 2024.** Commissioner Dickey seconded. Commissioners Garrett Greenhalgh, Bonnie Farmer, Lynette Dickey, Larry Lewis, and Matt Anderson voted in favor. Commissioner Ripplinger was excused.

Approval of the Minutes of the Previous Meeting

The Planning Commission reviewed the minutes for the Planning Commission Meeting for June 20, 2024. **Commissioner Anderson moved to approve the minutes for the meeting on June 20, 2024.** Commissioner Lewis seconded. Commissioners Garrett Greenhalgh, Bonnie Farmer, Lynette Dickey, Larry Lewis, and Matt Anderson voted in favor. Commissioner Ripplinger was excused.

5.A. Zoning Clearance- Accessory Building- Cook Home for Roberts Family located at 593 E 100 S

There are no bedrooms. Just a bathroom, outdoor kitchen. Will utilize gas, electricity, sewer/septic, or water. There is a water swale in the back and the setback from the back is 10'. Director of Public Works, Chad Kendrick, stated he was comfortable with that setback.

Commissioner Dickey moved to approve the zoning clearance for an accessory building for Cook Home for Roberts Family located at 593 E 100 S. Commissioner Lewis seconded. Commissioners Garrett Greenhalgh, Bonnie Farmer, Lynette Dickey, Larry Lewis, and Matt Anderson voted in favor. Commissioner Ripplinger was excused.

5.B. Zoning Clearance- New Residence- Mondaire Heights Lot 4- Carsen Anderson- 435 E 200 N

Carsen is present. Planning on septic tank unless sewer is done beforehand.

Commissioner Anderson moved to approve the zoning clearance for a New Residence- Mondaire Heights Lot 4- Carsen Anderson- 435 E 200 N. Commissioner Dickey seconded. Commissioners Garrett Greenhalgh, Bonnie Farmer, Lynette Dickey, Larry Lewis, and Matt Anderson voted in favor. Commissioner Ripplinger was excused.

5.C. Zoning Clearance- Addition- Mike Everton- 115 South Main Street

Mike Everton is present. New addition on the front will enclose the front porch. Back addition will be within setbacks.

Commissioner Anderson moved to approve the zoning clearance for a Addition- Mike Everton- 115 South Main Street. Commissioner Farmer seconded. Commissioners Garrett Greenhalgh, Bonnie Farmer, Lynette Dickey, Larry Lewis, and Matt Anderson voted in favor. Commissioner Ripplinger was excused.

5.D. Review for Retaining Wall Code

Retaining walls over 4' need to be engineered and need to be reviewed. So do we need a zoning clearance application for retaining walls? We would want to look at setbacks. Building permit if it's concrete foundation. Every retaining wall needs to have a zoning clearance. It can be included in a building or accessory building zoning clearance.

5.E Review of Millville City Subdivision Code Audit

How does that apply to small cities like ours that don't have a full-time staff? If our planning and zoning members are appointed, does that make them administrative? Does P&Z still recommend this to the City Council. What is their involvement? Does CC get to review?

5. F. Other

6. City Council Report – June 13, 2024

7. Agenda Items for Next Meeting

8. Calendaring of future Planning Commission Meeting

The next regularly scheduled meeting will be held Thursday, July 18, 2024, at 8:00 pm.

9. Adjournment

Chairman Greenhalgh moved to adjourn the meeting at 9:31 p.m.

MILLVILLE PLANNING COMMISSION MEETING
City Hall - 510 East 300 South - Millville, Utah
August 1, 2024

PRESENT: Garrett Greenhalgh, Lynette Dickey, Bonnie Farmer, Matthew Anderson, Darcy Ripplinger, Larry Lewis, Kara Everton, Pam June, Corey Twedt, Chad Kendrick, Todd Lundahl, Mark Bishop

Call to Order/Roll Call:

Commissioner Greenhalgh opened the meeting for August 1, 2024, at 8:00 pm. Commissioners Garrett Greenhalgh, Bonnie Farmer, Lynette Dickey, Larry Lewis, Darcy Ripplinger and Matt Anderson were present. 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 for August 1, 2024 was reviewed. **Commissioner Dickey moved to approve the agenda for August 1, 2024.** Commissioner Ripplinger seconded. Commissioners Garrett Greenhalgh, Bonnie Farmer, Lynette Dickey, Larry Lewis, Darcy Ripplinger and Matt Anderson voted in favor.

Approval of the Minutes of the Previous Meeting

The Planning Commission reviewed the minutes for the Planning Commission Meeting for July 18, 2024. **Commissioner Anderson moved to approve the minutes for the meeting on July 18, 2024 with changes.** Commissioner Farmer seconded. Commissioners Garrett Greenhalgh, Bonnie Farmer, Lynette Dickey, Larry Lewis, Darcy Ripplinger and Matt Anderson voted in favor.

5.A. Final Plat Review- Canyon Breeze Subdivision located at 587 South 550 East

The roadway will be installed from a combination between the county and the developer.

Commissioner Anderson moved to recommend the Final Plat for the Canyon Breeze subdivision to City Council. Commissioner Lewis seconded. Commissioners Garrett Greenhalgh, Bonnie Farmer, Lynette Dickey, Larry Lewis, Darcy Ripplinger and Matt Anderson voted in favor.

5.B. Zoning Clearance- New Residence- Mark Bishop located at 325 East 100 North

The shop is not included in this zoning clearance. The engineers reviewed the plans regarding the slope before and after the shop is built. There will not need to be another hillside review for the shop.

Commissioner Anderson moved to approve the zoning clearance for Mark Bishop located at 325 East 100 North. Commissioner Lewis seconded. Commissioners Garrett Greenhalgh, Bonnie Farmer, Lynette Dickey, Larry Lewis, Darcy Ripplinger and Matt Anderson voted in favor.

5.C. Other

- Gave updates on the town center.

6. City Council Review- July 11, 2024

7. Agenda Items/Notes for Next Meeting

8. Calendaring of future Planning Commission Meeting – August 15, 2024, at 8:00 pm

9. Adjournment

Chairman Greenhalgh moved to adjourn the meeting at approximately 8:27 p.m.

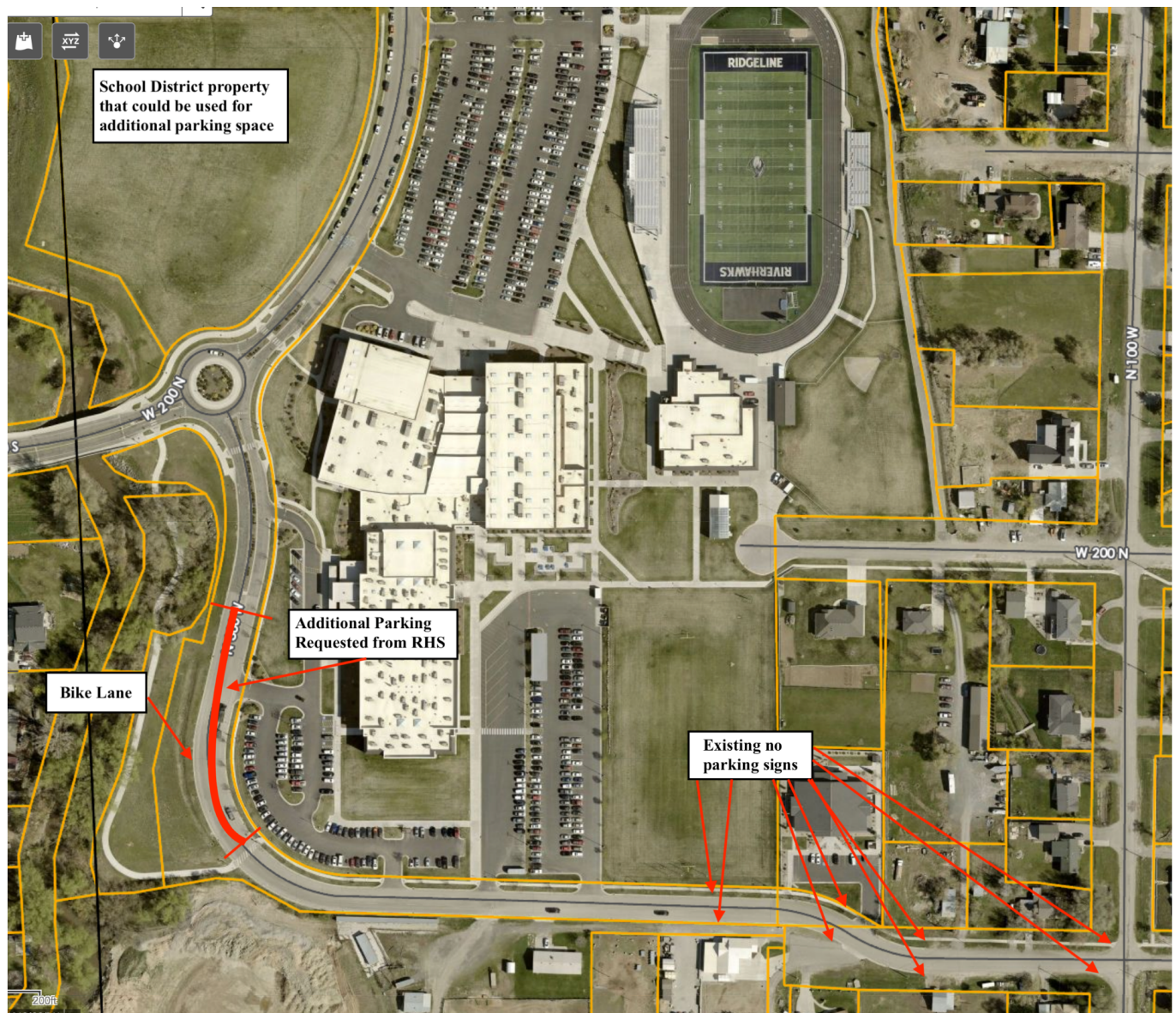


AGENDA REPORT: PARKING NEAR RIDGELINE HIGH SCHOOL August 8, 2024

Background

At the City Council meeting held July 11, 2024, the Council voted unanimously to deny the request from the Cache County School District for additional street overflow parking. The Council then asked that the new parking signs be reviewed at a future City Council meeting.

This map shows the area and the existing no-parking signs.



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