

MILLVILLE CITY COUNCIL MEETING
City Hall – 510 East 300 South – Millville, Utah
August 8, 2024

PRESENT: David Hair, Daniel Grange, Pamela June, Ryan Zollinger, Jeremy Ward, Corey Twedt, Megan Dyer, Kara Everton, Dennis Webster, Aaron Young, Elise Wright, Joseph Johnson, Makenna Peterson, Hope Spaulding, Isaac Eastmond, Gabriel Murray, Kristin Howell, Chris Howell, Joe Fuhriman, Melia Richards, Eric Richards, Bonnie Farmer, Jacob Ames, Darcy Riplinger, Alex Bearnson

Call to Order/Roll Call

Mayor David Hair called the City Council Meeting to order for August 8, 2024, at 7:00 p.m. The roll call indicated Mayor David Hair and Councilmembers Pamela June, Jeremy Ward, Ryan Zollinger, and Daniel Grange were in attendance with Councilmember Clay Wilker excused.

Opening remarks/Pledge of Allegiance

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

Approval of agenda

The agenda for the City Council Meeting of August 8, 2024, was reviewed.

Councilmember Zollinger motioned to approve the agenda for August 8, 2024.

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

Approval of minutes of the previous meeting

The Council reviewed the minutes of the City Council Meeting on July 11, 2024.

Councilmember June moved to approve the minutes for July 11, 2024.

Councilmember Grange seconded. Mayor Hair added a few words to clear up the context regarding complaints received about the baseball field lights. He also made a grammatical correction. Councilmembers Ward, June, Grange, and Zollinger voted yes with Councilmember Wilker excused.

Public comment period

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

Consideration of appointing and swearing in Megan Dyer as the Millville City Treasurer

Mayor Hair introduced Megan Dyer to the members of the City Council who didn't know her. He said that Megan had trained with Tara Hobbs for over a month and has now been doing the Treasurer job for the past couple of weeks. Recorder Twedt said that both Megan and Kara had been doing a great job at getting everything figured out.

Councilmember Grange motioned to appoint Megan Dyer as the Millville City Treasurer. Councilmember Zollinger seconded. Councilmembers Ward, June, Grange, and Zollinger voted yes with Councilmember Wilker excused.

Recorder Twedt then swore in Megan Dyer as the Millville City Treasurer.

Ridgeline High School student representatives

Representatives from the Ridgeline High School Student Body Presidency presented their homecoming plans to the City Council. Homecoming will be the week of September 23rd this year. It was also discussed that the Alumni Association would like to put flags in the roundabout near the school. The consensus from the Council was that all of this would be fine. Mayor Hair thanked the students for coming.

Request for installation of "little libraries"

Melia Richards said that she and a friend would like to build and install some mini-libraries at a few locations in Millville. Melia said that she thought the post office would be a good location for one of the libraries. The Council said that they thought this was a good idea, but that it would need to be located on the City right-of-way. The North Park was discussed as another possible location for a mini library. Recorder Twedt said that it would be best to check in with the public works department before finalizing locations. Recorder Twedt said that Roxie Hancey had dropped off a library box that was sitting upstairs that Melia could use if she was interested.

Councilmember Ward motioned to allow the installation of library boxes on City property. Councilmember Grange seconded. Councilmembers Ward, June, Grange, and Zollinger voted yes with Councilmember Wilker excused.

Consideration of ordinance updating City Code Section 13.20 – Sewer Policy

Recorder Twedt reviewed the ordinance including the proposed code updates. There was some brief discussion on the timeline requirements for connection to the sewer system.

Councilmember Ward motioned to adopt Ordinance 2024-4. Councilmember Grange seconded. Councilmembers Ward, June, Grange, and Zollinger voted yes with

Councilmember Wilker excused. (A copy of the adopted ordinance is included with the minutes as Attachment “B”).)

Consideration of ordinance to add City Code Section 5.18 for Microschools

Recorder Twedt reviewed the ordinance including the new proposed code. He said that in addition to the microschool group that was looking to purchase a home in Millville, Hyrum and Providence have received similar requests. There are some new things in State Code that limit the controls a City has over a microschool in a residential or any other zone within a City. Providence City adopted some code recently to at least have some regulations in place. The code before the Council tonight was only slightly modified from what Providence adopted.

Recorder Twedt said that Development Coordinator Everton attended the meeting in Hyrum when it was discussed and both he and Coordinator Everton watched the results from the Providence meeting as well. Development Coordinator Everton called and spoke with the sponsoring State Senator to get a better understanding of the legislation. Although this code being proposed in Millville may not have everything we might eventually want to cover and it will likely change with future legislation from the State, the staff thinks that it would be good for Millville to have something in place so that we can make sure we can manage what we are able to manage and limit the negative impacts to existing residents in Millville if a microschool decides to come here.

Councilmember Zollinger motioned to adopt Ordinance 2024-5. Councilmember Grange seconded. Councilmembers Ward, June, Grange, and Zollinger voted yes with Councilmember Wilker excused. (A copy of the adopted ordinance is included with the minutes as Attachment “C”).)

Consideration of resolution accepting the Canyon Breeze Subdivision (approx. 587 S. 550 E.)

Mayor Hair reviewed the resolution for acceptance of the Canyon Breeze Subdivision. Development Coordinator Everton clarified that Planning and Zoning had recommended approval. She said that all fees had been paid and the City Engineer had given final approval.

Councilmember Grange motioned to adopt Resolution 2024-14. Councilmember June seconded. Councilmembers Ward, June, Grange, and Zollinger voted yes with Councilmember Wilker excused. (A copy of the adopted resolution is included with the minutes as Attachment “D”).)

Consideration of resolution accepting the Millville City Background Check Policy

Recorder Twedt explained that new State Code required background checks for employees and volunteers who deal with youth and vulnerable adults. For Millville City, that applies to the Youth Council advisors. Recorder Twedt said that he has been working through the

process to get the City certified to be able to do those background checks at the Utah Bureau of Criminal Identification (BCI). This is now in place. The City should have a policy indicating who needs to receive a background check.

Councilmember Zollinger motioned to adopt Resolution 2024-13. Councilmember Grange seconded. Councilmembers Ward, June, Grange, and Zollinger voted yes with Councilmember Wilker excused. (A copy of the adopted resolution is included with the minutes as Attachment “E”.)

Consideration of resolution accepting the FY24 Fraud Risk Assessment

Recorder Twedt reviewed with the Council the fraud risk assessment for fiscal year 2024.

Councilmember June motioned to adopt Resolution 2024-15. Councilmember Ward seconded. Councilmembers Ward, June, Grange, and Zollinger voted yes with Councilmember Wilker excused. (A copy of the adopted resolution is included with the minutes as Attachment “F”.)

Consideration of Boundary Line Adjustment to move three parcels owned by Seth Alder Farm LLC from Millville City into Providence City

Mayor Hair said that the City Council and the Planning Commission had spent a lot of time working on this and talking it through. He said that it is a tough decision, but the Council needs to now decide on the boundary line adjustment (BLA) request.

Councilmember Ward said that he was against the boundary line adjustment. He briefly discussed SB 174 and the limitations it puts on city council control over development. He said that he feels Millville will hit the 5,000 population benchmark regardless and he wants the development to take place in Millville.

Councilmember June discussed some research she had done on Public Infrastructure Districts (PIDs). She said that she doesn’t think PIDs are constitutional. She said that if they were to keep the parcels in Millville, they could at least stop the PID from happening. Councilmember June said that she feels that if they were to allow the parcels to move into Providence for a PID there, Millville would be complicit. She said that her vote would be to deny the BLA and not make changes to Millville zoning for high-density.

Councilmember Zollinger said that today they just need to decide if they should allow the BLA. He said that he agrees and is not a fan of a PID.

Councilmember Ward motioned to deny the Boundary Line Adjustment request.

Councilmember Zollinger seconded. Councilmembers Ward, June, and Zollinger voted yes. Councilmember Grange voted no. Councilmember Wilker was excused. (A copy of the related staff report is included with the minutes as Attachment “G”.)

Consideration for providing a letter of support for the Elkhorn Ranch Phase 2 Conservation Easement Project

Mayor Hair turned the time over to Gabriel Murray from the Bear River Land Conservancy group. Gabriel explained that the mission of their organization is to preserve land, open space, and wildlife habitat. He said that this is generally done through a conservation easement. They are working with the Fuhrman family to place a conservation easement on the remainder of their property.

It was clarified that City approval was not needed for the County to provide money from the open-space bond. They were here to request a letter of support for additional funding from the Leroy McAllister Working Farm and Ranch Fund which does require the entity wherein the property was located to provide a letter of acknowledgment and support.

Councilmember Ward motioned to approve a Millville City letter of support for the Elkhorn Ranch Phase 2 Conservation Easement Project for the Leroy McAllister Organization. Councilmember Grange seconded. Councilmembers Ward, June, and Grange voted yes. Councilmember Zollinger voted no. Councilmember Wilker was excused.

Traffic issues on 550 North Road (west of Main Street)

Recorder Twedt said that the Sheriff's Department had been able to put their speed tracking sensor in place and monitor traffic on 550 North from July 13th – July 21st. The front page of that report was provided in the agenda packet. There was some speeding on that road with a top speed of 45 mph one morning at 9 a.m. The average speed was 26.79 mph, but that probably isn't very telling, because you have residents that live there that are going in and out of their driveways at hopefully slower speeds which would bring down that average. The 85th percentile number shows a speed of 31 mph. This is more representative of the majority of traffic on that road. What that means is that 85% of the traffic was traveling at 31 mph or slower.

After the last meeting, Councilmember Wilker and Recorder Twedt met with Sheriff Jensen and Lieutenant Ramirez from the Sheriff's Department. Then, 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 said that he is still looking into grants where the City could get some traffic sensors that display how fast drivers are going that could be used in this and other areas of the City.

The consensus of the Council was that they would prefer not to close the road.

Councilmember Grange motioned to not close the road and to enforce traffic violations with law enforcement. Councilmember Zollinger seconded. Councilmembers Ward, June, Grange, and Zollinger voted yes with Councilmember Wilker excused. (A copy of the related staff report is included with the minutes as Attachment “H”.)

Consideration for the appointment of Lynette Dickey to another term on the Planning Commission

Councilmember June said that she thinks Lynette continues to do a great job in Planning and Zoning. She has spoken with Lynette who is interested in serving one more term.

Councilmember June motioned to appoint Lynette Dickey to serve another term on the Planning Commission. Councilmember Grange seconded. Councilmembers Ward, June, Grange, and Zollinger voted yes with Councilmember Wilker excused.

Recorder Twedt said he would attend a future Planning and Zoning meeting to swear in Commissioner Dickey.

Parking enforcement on the street southwest of Ridgeline High School

Recorder Twedt said that the Council had previously denied the request from the school district for additional parking on that narrow road because of safety issues and that it would be on top of an already crowded bike lane. The Council had requested that it be back on the agenda tonight to discuss parking enforcement for that road. Recorder Twedt had created a map showing the existing signs.

The Council clarified that they would like to restrict street parking on that entire road because of safety concerns and complaints from the nearby residents. Recorder Twedt said that he had spoken with Public Works Director Kendrick and they will be looking into painting the curb red in the future, but for now, the quickest way to enforce the no parking restriction would likely be to put up signs. (A copy of the related staff report is included with the minutes as Attachment “I”.)

Cemetery Water

Councilmember Grange requested that this agenda item be pushed to the next City Council meeting to allow more time for conversations with the Cemetery Board and so that Director Kendrick could be involved. Mayor Hair said that they would move this to the next City Council meeting.

Councilmember Grange left at this time.

Report on P&Z Meetings held July 18, 2024 and August 1, 2024

Development Coordinator Everton reviewed with the Council the Planning Commission's minutes for the meetings.

Councilmember Reports and Items for Future Agendas

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

Councilmember Ward said that he hadn't been able to attend the last Food Truck Friday, but he was told that it went well and residents had enjoyed the karaoke singing. He said that the next event would be a week from tomorrow. There would be live music, food trucks, and star gazing.

Councilmember June said that following the work session last week wherein the Alder development was discussed, she had been involved in a discussion about conflicts of interest more generally. Recorder Twedt had provided her with some of the background and the ordinance adopted by Nibley restricting elected officials from developing property in the City while they were serving in their positions. Councilmember June said that she wanted to discuss this and get the thoughts from the rest of the Council. The consensus of the Council was to put this on the agenda for a future meeting to discuss possible changes to the Millville Conflict of Interest Policy.

Councilmember Zollinger discussed a recent accident and expressed his concerns about the number of kids on side-by-sides and dirt bikes driving on City streets in Millville. He said that there is a general lack of respect and accountability and he is worried there are going to be injuries. He asked that this be a discussion item at the next City Council meeting so they could talk through things. Mayor Hair said that he would add it to his message in the newsletter and invite residents to join the discussion.

Recorder Twedt said that he had completed the grant application for COG funding for the intersection project and that it had been submitted yesterday.

Recorder Twedt said that because of some changes with the mailing company the City uses for the monthly utility bills, the bills had gone out later than usual last month. This means that customers would have about 16 days after receiving the bills until the due date on August 10th. He asked the Council if they thought that was enough time or if an extension should be provided. Treasurer Dyer said that with the 10th falling on a weekend, they could wait until after the 12th before payments were considered late. The Council agreed that this would be fine.

Mayor Hair said that he wanted to say that he feels that Millville has the best Planning Commission, City Council, and staff in Cache Valley and that he appreciates all that they do. Councilmember Zollinger expressed his gratitude for Mayor Hair and what he does for the City.

Adjournment

Councilmember Zollinger motioned to adjourn the meeting. Councilmember June seconded. Councilmembers Ward, June, Grange, and Zollinger voted yes with Councilmember Wilker excused. The meeting adjourned at 8:39 p.m.

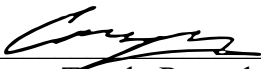
NOTICE AND AGENDA - Revised

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
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	X			
Daniel Grange	X			
Clay G. Wilker			X	
Pamela June	X			
Ryan Zollinger	X			

POSTED: 8/9/24

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)

**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.

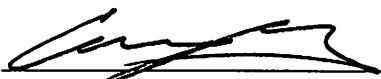
This ordinance shall become effective immediately upon publication or posting as set forth by State Law.

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	X			
Daniel Grange	X			
Clay G. Wilker			X	
Pamela June	X			
Ryan Zollinger	X			

POSTED: 8/9/24

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)

**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

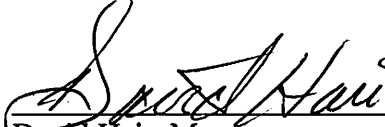
WHEREAS, the City Council discussed and reviewed the request at the City Council Meeting held on August 8, 2024;

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

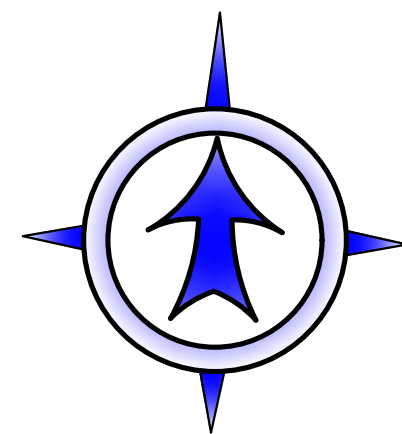
ATTEST:


Corey Twedt, City Recorder

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

FINAL PLAT
Canyon Breeze Estates Subdivision

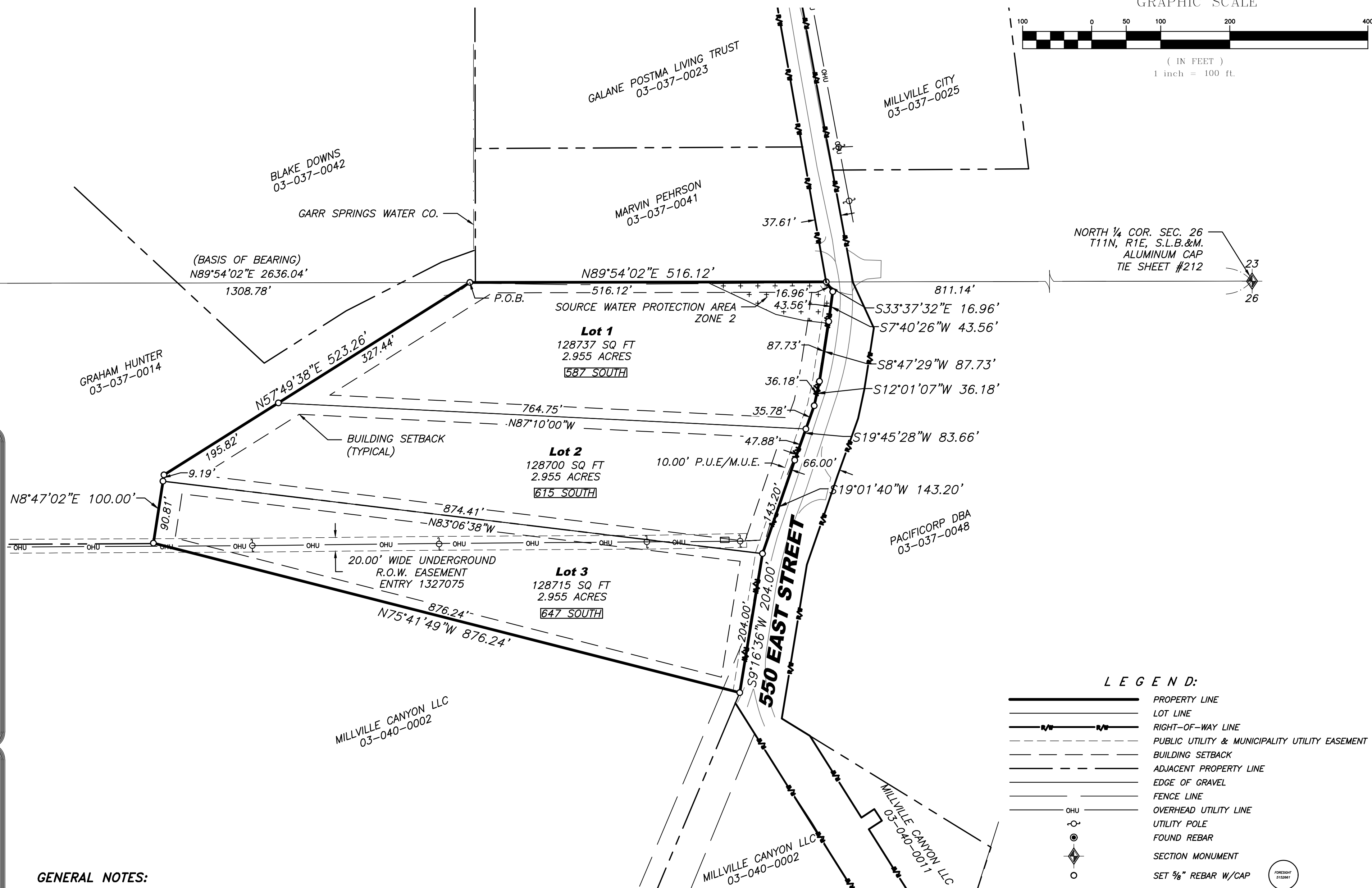
A PART OF THE NORTHWEST QUARTER OF SECTION 26,
TOWNSHIP 11 NORTH, RANGE 1 EAST OF THE S.L.B. & M.
MILLVILLE, CACHE COUNTY, UTAH
CONTAINING 8.86 ACRES IN 3 RESIDENTIAL LOTS



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

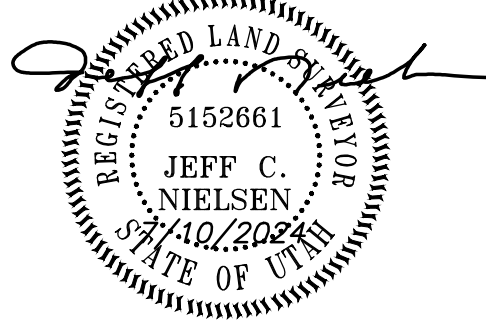
Project No. 23-053
Prepared by JH, 7/1/24

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

**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	X			
Daniel Grange	X			
Clay G. Wilker			X	
Pamela June	X			
Ryan Zollinger	X			

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.

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.

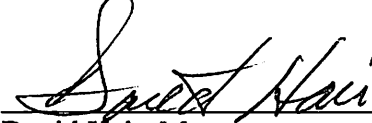
This resolution shall become effective upon adoption. Passed and approved by the Millville City Council, this 8th day of August 2024.



ATTEST:


Corey Twedt, City Recorder

SIGNED:


David Hair, Mayor

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

Fraud Risk Assessment

Continued

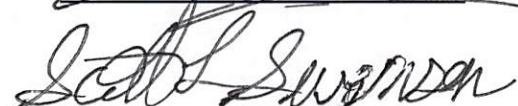
*Total Points Earned: 310395 *Risk Level: Very Low Low Moderate High Very High
> 355 316-355 276-315 200-275 < 200

	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.

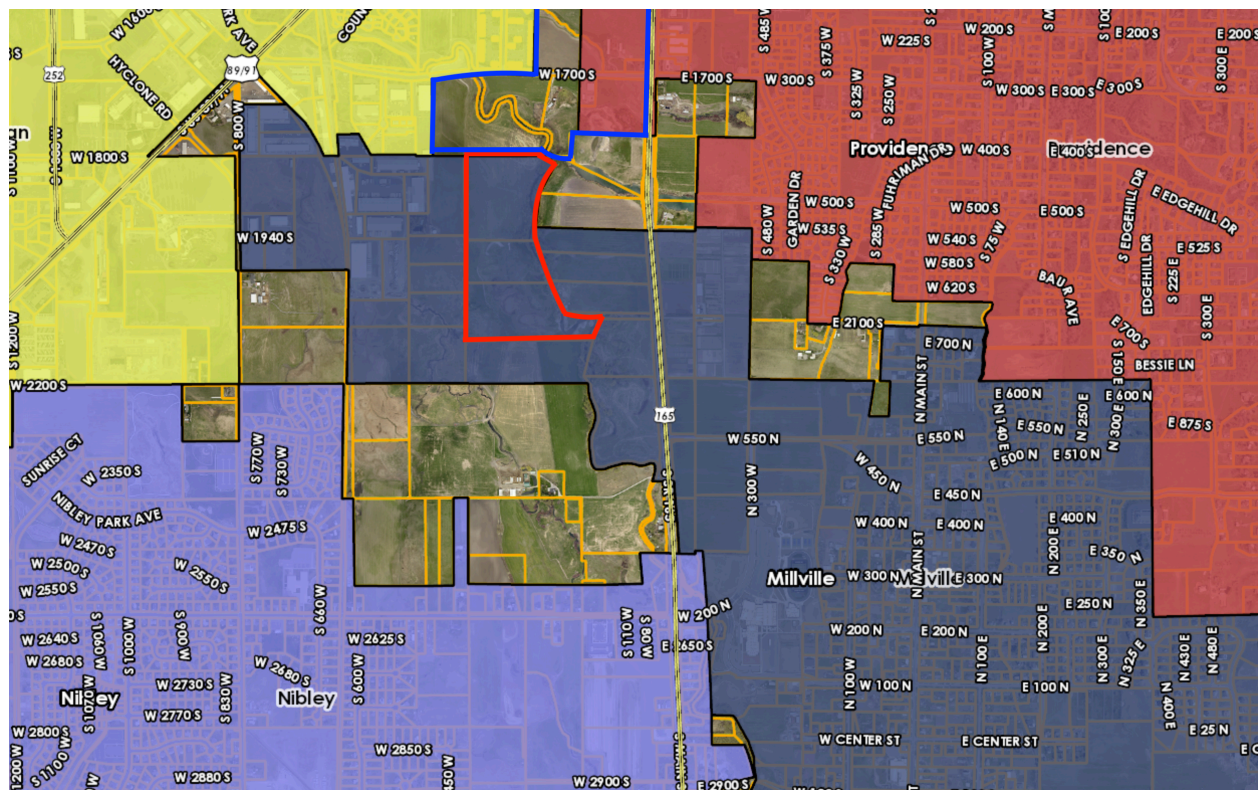
Since that meeting, the Millville City Council has had several other meetings – including two work sessions with the Planning Commission – to discuss this property and the requested boundary line adjustment.

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.





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]

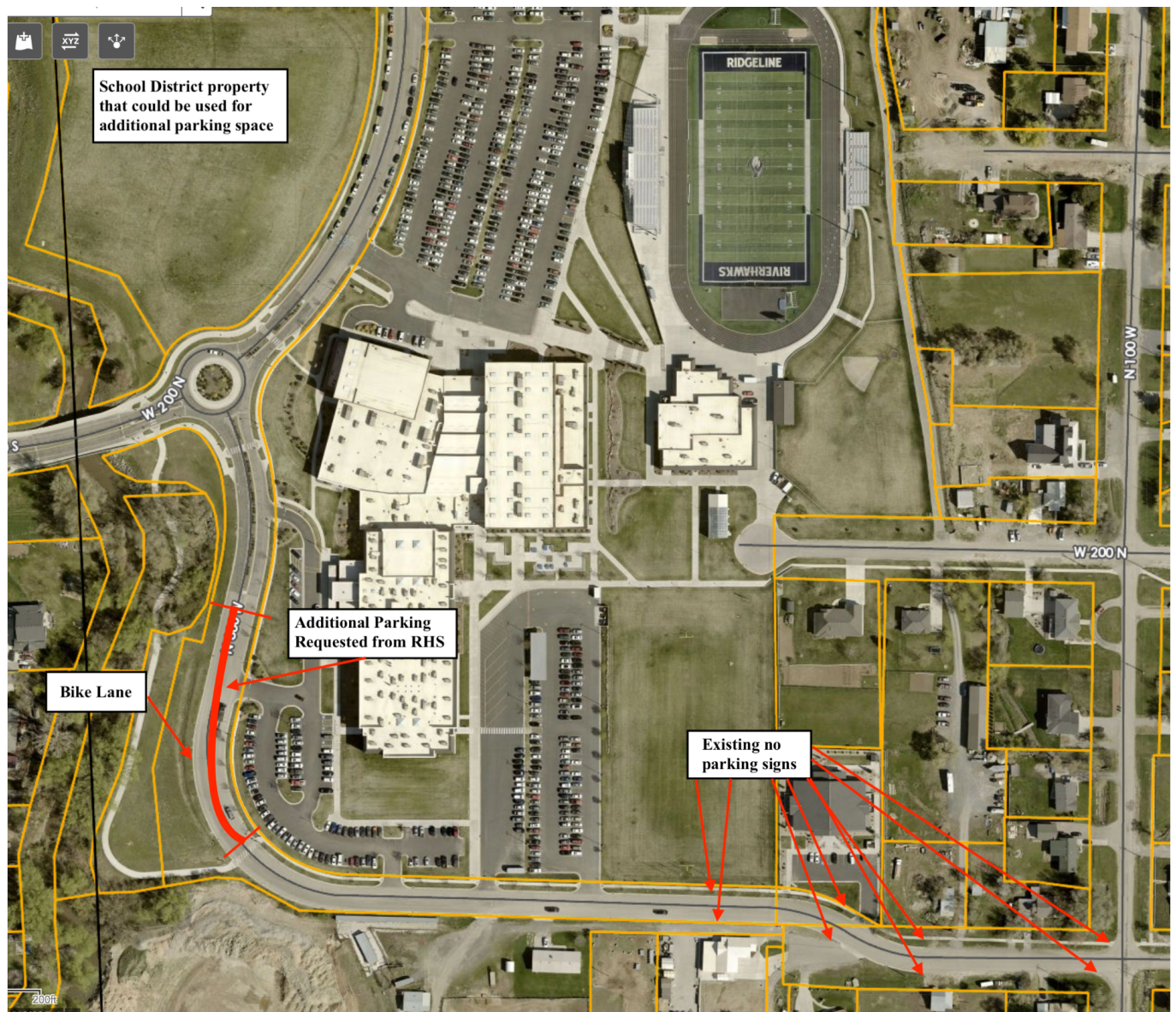


AGENDA REPORT: PARKING NEAR RIDGELINE HIGH SCHOOL August 8, 2024

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