

NOTICE AND AGENDA

Notice is hereby given that the Millville City Council will hold its regularly scheduled Council Meeting on Thursday, March 13, 2025, at the Millville City Office, 510 East 300 South in Millville, Utah, at 7:00 p.m.

1. Call to Order / Roll Call – Mayor Hair
2. Opening Remarks / Pledge of Allegiance – Councilmember Zollinger
3. Approval of agenda
4. Approval of minutes of the last City Council Meeting – February 13, 2025
5. Agenda Items—
 - A. Public comment period (2 min/person)
 - B. Administrative Hearing for dog code violation – Chris Coombs
 - C. Administrative Hearing for roaming animals violation – Paul Edgren
 - D. Business License and Micro-School request for home at 111 W. 200 N. – Mandi Gochnour
 - E. Consideration of resolution updating subdivision development fees – Recorder Twedt
 - F. Consideration of resolution updating construction deposits and fees – Development Coordinator Everton
 - G. City Reports: Roads, Parks, Water – Public Works Director Kendrick
 - H. Cache County Sheriff report – Sheriff Chad Jensen
 - I. Councilmember reports and other items for future agendas
6. Adjournment.

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

This agenda was posted on March 10, 2025, 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
February 13, 2025

PRESENT: David Hair, Daniel Grange, Pamela June, Ryan Zollinger, Jeremy Ward, Chad Kendrick, Corey Twedt, Megan Dyer, Dean Stevens, Coltan Williams, Mark Bodily, Gene Eggleston, Brad Bingham, Deputy Alex Gerke

Call to order/Roll call

Mayor David Hair called the City Council Meeting to order for February 13, 2025 at 7:00 p.m. The roll call indicated Mayor David Hair and Councilmembers Pamela June, Jeremy Ward, and Ryan Zollinger in attendance in City Council chambers. Councilmember Daniel Grange attended over the phone. Councilmember Clay Wilker was excused.

Opening remarks

Councilmember Ward welcomed everyone to the Council Meeting and offered a word of prayer. He then introduced Skipper Dean Stevens from the Sea Scouts.

Pledge of Allegiance by Sea Scout Ship 716

Coltan Williams from the Sea Scouts led the Pledge of Allegiance.

Approval of agenda

The agenda for the City Council Meeting for February 13, 2025 was reviewed. Mayor Hair explained that this morning, he had been notified that a third Councilmember was not going to be able to attend the meeting. This would mean that a quorum wouldn't be present, and a meeting could not be held. There were a couple of short agenda items that really needed to take place today, so Councilmember Grange said that he could join by phone, as is permitted for a councilmember, while driving to the state wrestling tournament. As a result, an updated agenda had been posted, which had been dramatically reduced to only cover those emergency items. This afternoon, a meeting scheduled that would have required Councilmember Zollinger to be absent was canceled because of the weather, allowing him to attend City Council, but not in enough time to republish the previous full agenda. Councilmember Grange still agreed he could join this short meeting over the phone to allow for a quorum on the agenda item for which Councilmember Zollinger had a conflict and on which he could not vote.

Councilmember June motioned to approve the updated agenda for February 13, 2025. Councilmember Zollinger seconded. Councilmembers Ward, June, Grange, and Zollinger voted yes, with Councilmember Wilker excused. (A copy of the agenda is included with the minutes as Attachment "A".)

Approval of minutes of the previous meeting

The Council reviewed the minutes of the City Council Meeting on January 9, 2025.

Councilmember June motioned to approve the minutes for January 9, 2025.

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

Public comment period

Brad Bingham said that he had come to address an invoice he had received to cover the cost of a part purchased to relocate the location where his sewer lateral connects to the main line. Brad showed the Council the drawing from the health department displaying his home septic connection location. He said that he felt the City should have known and placed the sewer lateral connection there instead of on the other side of the home.

Recorder Twedt explained the process used by the engineers to do the original sewer design. The Bingham home was built after the City had received the packet of septic drawings from the Health Department, so the engineers had designed the sewer with their best idea of where the connection should take place. Even if all septic drawings had been available, many of them are incorrect. This is why the sewer contractor public relations representative has been placing notices on every door and why the sewer contractor website, as well as the City newsletter, had indicated that residents need to determine where they want their lateral to go and let the City know if it is different from what is on the engineer's design.

It was discussed by the Council that there needed to be some level of involvement from homeowners in determining the preferred location of their laterals. Changes made after construction could not be dropped on the City wherein other taxpayers would need to cover the costs.

Recorder Twedt said that in this case, there was some confusion as to whether or not the flyers had actually been placed on the Bingham door properly before the digging had taken place. After Council deliberation, they decided to cancel the Bingham invoice since there were questions as to who was at fault. Brad Bingham thanked the Council for their time and consideration.

City Holiday Flag Service with Sea Scout Ship 716

Skipper Dean Stevens turned the time over to Sea Scout Coltan Williams.

Coltan addressed the City Council and thanked them for allowing the Sea Scouts to provide the holiday flag service to the community. He described the amazing trip the Sea Scouts had taken last year to sail in the San Francisco Bay on the Matthew Turner. Coltan said that this was only possible because of the fundraising funds received from Millville City and others. Coltan said that the Sea Scouts would like to continue the service for

another year, which would include putting up eight flags spread around both Millville roundabouts for ten different flag holidays/events throughout the year. The cost would be the same as it was last year.

Members of the Council expressed their appreciation to the Sea Scouts for this service and said that they liked seeing the flags at the roundabouts on the holidays.

Councilmember Zollinger motioned to approve the request from the Sea Scouts to pay for the flags to be hung in the roundabouts again this year. Councilmember Grange seconded. Councilmembers Ward, June, Grange, and Zollinger voted yes, with Councilmember Wilker excused. (A copy of the information sheet provided by the Sea Scouts is included with the minutes as Attachment “B”.)

Consideration of resolution authorizing PTIF administration

Mayor Hair reviewed the proposed resolution. He explained that this was just updating records with the State for who has access to manage and get reporting on the City’s Public Treasury Investment Fund investments. The resolution would add Treasurer Dyer and remove former Treasurer Hobbs from the account.

Councilmember Zollinger motioned to adopt Resolution 2025-2. 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 “C”.)

Consideration of resolution for the Zollinger boundary line adjustment request

Councilmember Zollinger recused himself and sat in the chairs dedicated for the public.

Recorder Twedt reviewed the proposed resolution with the Council. He explained that a boundary line adjustment (BLA) goes through the same steps as an annexation as defined by State code. This resolution is the first step. There will be a public hearing and consideration of adoption by ordinance later in the process. This resolution states that the City is beginning the process and is considering accepting the BLA request.

Ryan Zollinger said that the purpose of the BLA was to clean up the area on the County records so that some of the Zollinger Commercial complex parcels did not span both Logan City and Millville City. With the change, each parcel would be in a single city.

Recorder Twedt said that he did not like to have parcels that span two cities, so he thinks this is a great change. He asked if there were any sales tax implications with the proposed change. Ryan confirmed that sales tax recipient cities wouldn’t be affected by the change.

Councilmember Grange motioned to adopt Resolution 2025-3. Councilmember June seconded. Councilmembers Ward, June, and Grange voted yes, with Councilmember

Wilker excused. (A copy of the adopted resolution is included with the minutes as Attachment “D”).)

RAPZ Tax application discussion

Recorder Twedt reported that a lot of progress had been made this past month on the new pavilion at the South Park. All of the concrete work is complete, and the pavilion should be done well before the City Celebration this year.

Recorder Twedt said that he and Director Kendrick had met regarding potential RAPZ applications and would propose the City apply for more funds to complete the pavilion project as it was only partially funded last year. This new application could include whatever else is needed after spending through the funds received with the 2024 funding cycle.

Recorder Twedt asked the Council for other ideas on what the City should apply for this year. Councilmember June said that she had been discussing this with her kids and would like to propose some improvements to Glenridge Park. She recommended an outdoor futsal court that could be made to fit the envelope allowed at that park. The Council felt that improvements to that small park and some kind of futsal field could be a good addition for the City and allow for future improvements as funding became available.

The Council felt that applying for both the completion of the South Park pavilion and the Glenridge Park futsal field this year would be good. Recorder Twedt said that he would begin working on the applications. (A copy of the related staff report is included with the minutes as Attachment “E”).)

Councilmember Reports and Items for Future Agendas

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

Recorder Twedt reported that the Millville City website had now been ported to a new URL as required by the state. The new URL is millvilleut.gov. Recorder Twedt explained that this had been a bit of a painful undertaking, but it was finally complete. The old URL redirects to the new one so people will be able to locate the City website. There are some small website maintenance items he will be working on, but the site is up and active and compliant with the new state requirements.

Adjournment

Councilmember Ward moved to adjourn the meeting. Councilmember June seconded. Councilmembers Ward, June, Grange, and Zollinger voted yes, with Councilmember Wilker excused. The meeting adjourned at 7:39 p.m.

DRAFT



AGENDA REPORT: MICRO-EDUCATION ENTITY REQUEST March 13, 2025

Background

Mandie Gochmour has requested to put either a microschool or micro-education entity at a home located at 111 W. 200 N. in Millville. From the information she has provided, she says that the home will allow of up to 34 students if the home is used as a micro-education entity.

Utah State Code 53G-6-201 definitions:

Home-based microschool

An individual or association of individuals that:

1. Registers as a business entity in accordance with state and local laws; and
2. 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.

Micro-education entity

A person or association of persons that:

1. Registers as a business entity in accordance with state and local laws; and
2. For compensation, provides kindergarten through grade 12 education services to 100 or fewer.

Micro-education entity does not include:

1. A daycare
2. A home-based microschool
3. A private school
4. A school within the public education system

Utah State Code 10-9a-305-7(f-h) outlines state requirements for a microschool and micro-education entity.

Home-Based Microschool or Micro-Education Entity

Although the State Code could use some clarification, Millville staff has researched and spoken directly with Senator Fillmore, who sponsored the code allowing microschools.

As stated in the highlighted code above, clarified by Senator Fillmore, and clarified by Jon England, an Education Policy Analyst with the Libertas Institute, a home-based microschool can only serve 16 or fewer students from a residential dwelling. If the residential dwelling cannot accommodate a maximum of 16 students, the number of students is based on 35 square feet per student. If this home is permitted as a home-based microschool, based on the square footage provided by the applicant, up to 16 students would be permitted.

Setback Issues

Although the home at 111 W. 200 N. has been “grandfathered in” as a residential unit in Millville, it clearly does not meet the code requirements for the required front yard setback or the rear yard setback.

As stated in Millville City Code 5.18.040(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.”

Although this home can be used as a residential unit, it does not meet current code requirements and should not be permitted as a location for a home-based microschool.

Parking and Traffic Issues

The business license application submitted by Mandie Gochmour lists that parking for the three employees will be on the “City right of way, gravel area off of the road.”

Millville City Code 5.18.050(B) states:

“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.”

This requirement has not been met with the application.

Millville City Code 5.18.060 states:

“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.”

This requirement has not been met with the application. No traffic plan has been provided.

Staff recommendation

It is the recommendation from City staff that if any type of microschool were permitted at this location, it should only be permitted as a home-based microschool and not a micro-education entity. Therefore, it would have a limit of 16 students.

Because the home at this address does not meet setback requirements as City Code requires for a microschool and because of the parking-related issues, staff recommends denial of any microschool application for this location.

Included Documents

- Business License Application for Apogee Cache Valley
- Information sheet provided by Mandie Gochmour
- Utah State Code 10-9a-305
- Millville City Code Chapter 5.18 – Home-Based Microschools and Micro-Education Entities



Monday, March 3, 2025

Business License Application

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

Type of Business

Home Based Business

SECTION I: Business Information

Application Contact: Mandie Gochnour

Contact Phone: 801-682-7876

Business Name "DBA": Apogee Cache Valley

Business Phone #: 435-557-3541

Business Address: 2730 W 6500 S Wellsville, UT 84339

Mailing Address: 2730 W 6500 S Wellsville, UT 84339

Email: mandie@apogeecachevalley.com

SECTION II: Business Description - COMMERCIAL

SECTION II: Business Description - HOME BUSINESS

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

On-site employees?

Yes

If yes, up to how many?

3

Typical working hours?

August 18th 2025-June 11th 2026

Where will they park?

City right of way, gravel area off of the road

On-site customers?

No

On-site business will be performed from a:

Home office

Do you intend to set-up offsite?

No

Proposed start date: Tuesday, April 1, 2025

HOME-BASED BUSINESS FEE EXEMPTION CERTIFICATION

Will you be applying for the Home-Based Business Fee Exemption Certification? NO

This Business includes: Care of children or preschool

SECTION III: Business Description- Be specific

Apogee Cache Valley is an education center where children take ownership of their education, acquire skills, and grow into confident leaders through hands-on experiences, mentorships, and project-based learning. Helping learners think critically, collaborate effectively, and embrace adventure. It's an education program that can replace full time "school" or supplement a homeschool program. I'd like to start Friday-only day camps for homeschool kids on one or two Fridays in April and May, then a couple of week long summer day camps in June and July. August 18th through June 11th will be a daily schedule 8:30-3:30, the schedule is flexible and I'm happy to adjust. Sessions are usually about 6 weeks long and have an entire week off in between each session. I'd like to limit my enrollment for the first year to 24, even though the space allows for more. 8 explorer students (5-7 years old) and 16 trailblazer students (8-12 years old). If I have enough interest I would also like to hold a couple of classes on Fridays for teens 13 and up. I will bring calendars and brochures to the city council meeting on March 13th.

SECTION IV: Addition Information

Utah State Tax Commission - Sales Tax Number 14541546-0160

State & Federal regulatory agency licensing info: There are no state or federal agencies that regulate or license microschools

Did you use "One-Stop Online Business Registration" to register your business with state and federal agencies? Not at all

SECTION V: Ownership

Parent business entity and business officer information.

Parent Business Name Apogee Cache Valley

State Entity Type: LLC

Officers

Officer Name	Sole Prop/Partnership	LLC	Corporation	Address
Mandie Gochnour	Owner	Manager	Director	2730 W 6500 S Wellsville, UT 84339

SECTION VI: Notification and Verification of Authority

Accepted

1) Mandatory review process- this application does not constitute a business license. All applications are subject to the review process mandated by Title 5 of the Municipal Code. Incomplete applications will not be processed. Decisions on applications will take 15 days (minimum), and are made based on:

- i. the information provided on the application, and
- ii. review of the Mayor and City Council

2) Additional Requirements- Under the Municipal Code, additional Business License application requirements are necessitated for some business types.

3) Denial of License- Application denial or subsequent license suspension or revocation are most often the result of:

- i. an inaccurate or incomplete application, or failure to update information with the City and/or
- ii. non-compliance with the Municipal Code, Land Use Code, and/or applicable building, fire, and environmental codes.

4) Other regulatory bodies- It is the applicant's responsibility to determine and comply with any requirements from other regulatory agencies.

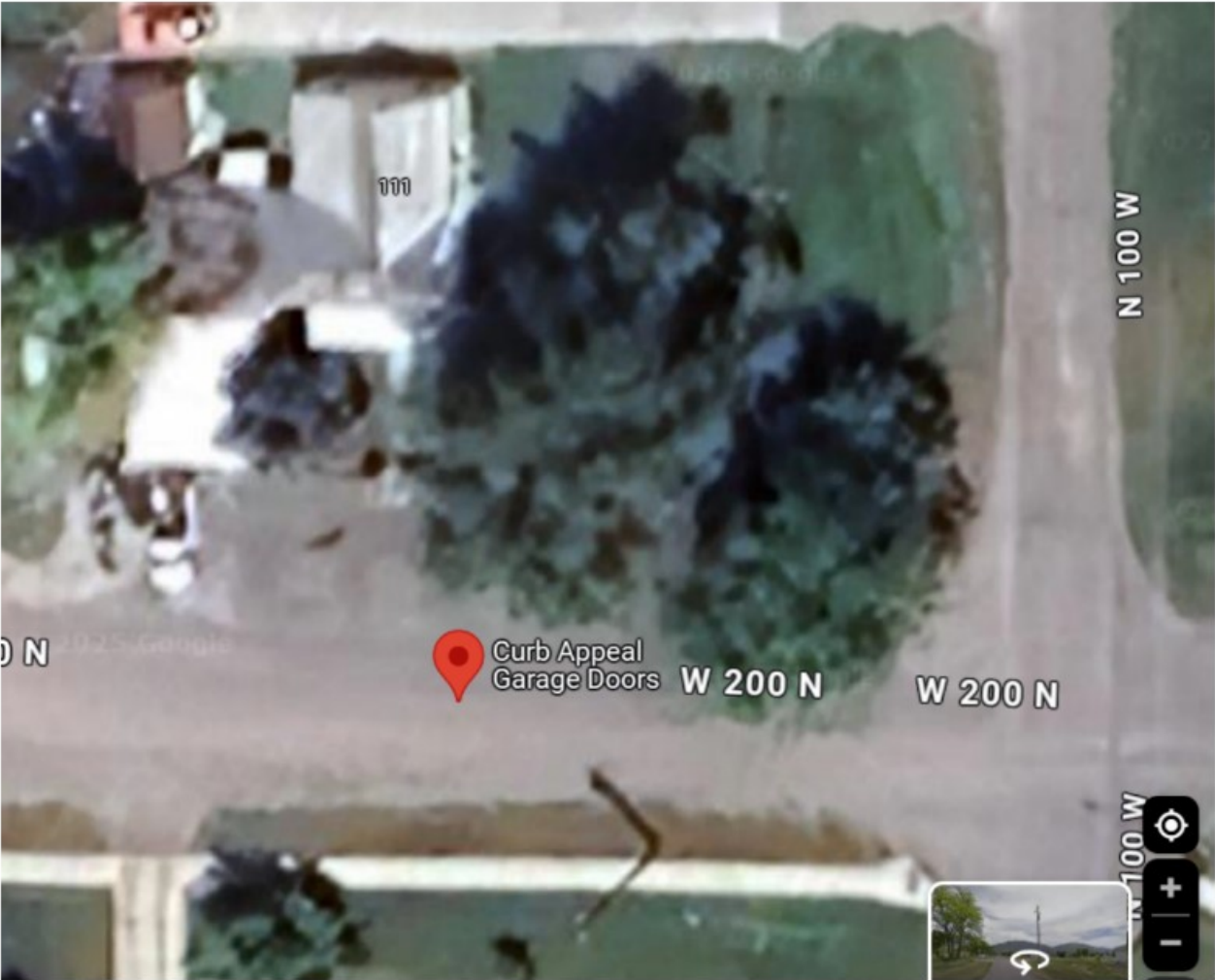
5) Signage- Permanent signage requires a separate Sign Permit Application, which is located on the city website, Millvillecity.org

6) Building alterations- All alterations to buildings or spaces, including electrical, plumbing, and mechanical alterations, require a separate building application.

Signature



Mandie Gochmour 801-682-7876



Apogee Cache Valley

7 - 6 week sessions that run Monday-Thursday
Starting mid-August through May 2025 or less, depending on construction of commercial rental space in Hyrum
Dropoff between 8:30-9 am
Pickup 3:30 pm
(to avoid Ridgeline traffic starting at 8 am ending at 2:45 pm)
The space allows for 34 children in rooms with doors connecting directly to the outside. The teachers have access to parking spaces in the garage and there is more space out front for parking. I will take measurements and propose a parking and pickup/dropoff plan.



June 2013

House Location
111 W 200 N
Millville



August 2024 - Gravel parking added with fence along front

Living room right inside front door 16.5'x14.5'=239.25 239.25/20=11.96 class of 11
Living room behind the garage w/ door directly to the back 23'x20'=460' 460/20=23 class of 23
Maximum of 34 children per fire code

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 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)



AGENDA REPORT: SUBDIVISIONS FEES

March 13, 2025

Background

As required by new Utah State law, Millville recently updated our subdivision code to be compliant with the new legislation. As a result, our subdivision review process has changed dramatically, and we need to update the subdivision review fees to better align with the new process.

Also, we would like to update the fee structure to have escalating fees to better cover the costs of larger subdivisions instead of having a single flat rate fee.

Development Coordinator Everton has done an analysis of similar fees charged by neighboring cities as well as an evaluation of staff time spent on subdivision reviews and development to come up with the basis for the proposed fee structure in this resolution.

Included Documents

- New proposed: Resolution 2025-4
- Current (outdated): Resolution 2019-14

**MILLVILLE CITY
RESOLUTION 2025-4**

FEES PERTAINING TO MILLVILLE CITY SUBDIVISIONS

WHEREAS, Millville City Ordinance, Chapter 16.12.030 states, “All fees required for applications pertaining to this Title shall be set by resolution of the City Council”; and

WHEREAS, the Millville City Council has reviewed the cost to administer and secure approval for development within the City; and

WHEREAS, Millville City Code has defined a major subdivision as having four (4) or more lots and a minor or small subdivision as having less than four (4) lots;

NOW THEREFORE, be it resolved by the Millville City Council that the following fees be charged:

- Preliminary Plat Application and Review
 - Minor Subdivision
 - Review Fee \$250 + \$15/lot
 - Engineering and/or Legal Review Fees Charged
 - Major Subdivision
 - Review Fee \$500 + \$50/lot
 - Engineering and/or Legal Review Fees Charged
- Final Plat Application and Review
 - Minor Subdivision
 - Review Fee \$200 + \$15/lot
 - Recording Fee \$85
 - Public Works Inspection Fee \$20/lot
 - Engineering and/or Legal Review Fees Charged
 - Major Subdivision
 - Review Fee \$750 + \$25/lot
 - Recording Fee \$85
 - Public Works Inspection Fee \$20/lot
 - Engineering and/or Legal Review Fees Charged

The above fees will cover four reviews during the preliminary subdivision stage and one review at the final subdivision stage. If additional reviews are required, new fees for each stage will be required. If the developer changes to the plat are deemed significant by the City Council, it will be treated as a new submittal, and new fees will be required.

THEREFORE, be it resolved that this resolution and the rates set forth in the fee schedule supersede all prior resolutions and fee schedules. All other fees remain as previously stated as of the date of adoption of this resolution.

THEREFORE, be it resolved by the Millville City Council that this resolution shall become effective immediately upon passage.

Passed and approved by the Millville City Council this 13th day of March 2025.

SIGNED:

David Hair, Mayor

ATTEST:

Corey Twedt, City Recorder

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

**MILLVILLE CITY
RESOLUTION 2019-14**

FEES PERTAINING TO MILLVILLE CITY SUBDIVISIONS

WHEREAS, Millville City Ordinance, Chapter 16.12.010 states “All fees required by the subdivision ordinance of the city shall be set by resolution of the city council”; and

WHEREAS, the Millville City Council has reviewed the cost to administer and secure approval for development within the City; and

WHEREAS, Millville City Code has defined a major subdivision as having four (4) or more lots and a minor or small subdivision as having less than four (4) lots;

NOW THEREFORE, be it resolved by the Millville City Council that the following fees be charged:

- Pre Application Conceptual Review, Chapter 16.16.010
 - Minor Subdivision
 - Review Fee \$100.00
 - Engineering and/or Legal Review Fee Charged
 - Major Subdivision
 - Review Fee \$200.00
 - Engineering and/or Legal Review Fee Charged
- Preliminary Plat, Chapter 16.16.020
 - Major Subdivision or Minor Subdivision that does not meet requirements of 16.20.040 A&B
 - Review Fee \$200.00
 - Engineering and/or Legal Review Fee Charged

- Final Plat, Chapter 16.20.010

- All Subdivisions

▪ Review Fee	\$200.00
▪ Recording	\$80.00
▪ Engineering and/or Legal Review	Fee Charged

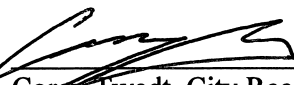
The above fees will cover two reviews at each stage. If additional reviews are required, new fees for each stage will be required. If developer changes to the plat are deemed significant by the City Council, it will be treated as a new submittal; and the process will go back to the conceptual plan and the beginning fees will apply.


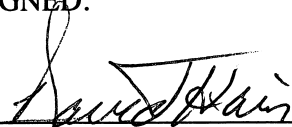
THEREFORE, be it resolved that this resolution and the rates set forth in the fee schedule supersede all prior resolutions and fee schedules. All other fees remain as previously stated as of the date of adoption of this resolution.

THEREFORE, be it resolved by the Millville City Council that this resolution shall become effective immediately upon passage.

Passed and approved by the Millville City Council this 8th day of August 2019.

ATTEST:


Corey Twedt, City Recorder

 SIGNED: 
David Hair, Mayor

COUNCILMEMBER	YES	NO	ABSENT	ABSTAIN
Michael Callahan	X			
Cindy Cummings	X			
Mark Williams			X	
Clay G. Wilker	X			
Daniel Grange	X			



AGENDA REPORT: CONSTRUCTION DEPOSITS AND FEES March 13, 2025

Background

From time to time, staff reviews the Millville City fees to ensure that we are covering costs for various services performed by the City. In a recent review, it was determined that we are not covering our costs for the time spent by Planning and Zoning and Public Works to do reviews and inspections of building happening in Millville City. In fact, we haven't been charging anything other than a refundable deposit. The existing resolution has not been updated in the past 8 years.

The recommendation from staff is to update the resolution to add a small fee – along with the deposit – to cover the cost for the time spent in Planning Commission meetings and Public Works inspections so that these costs are paid for by people doing the building and not subsidized by other Millville City residents.

Included Documents

- New proposed: Resolution 2025-5
- Current (outdated): Resolution 2017-19

**MILLVILLE CITY
RESOLUTION 2025-5**

REQUIRING A DEPOSIT & FEES FOR BUILDING

WHEREAS, the Millville City Council deems it necessary to maintain the integrity of new building and infrastructure improvements and ensure that they are completed in a timely manner; and

WHEREAS, the Millville City Council desires for builders to cover the cost for the time spent by the Planning Commission, Development Coordinator, and Public Works; and

WHEREAS, the Millville City Council wishes to clarify the deposit timeline and the requirements for a deposit refund;

NOW THEREFORE, be it ordained, that the Millville City Council requires the following fees and deposits for building clearance approval:

New residential zoning clearance:

- Refundable deposit = \$2,000
- Review fees = \$250

Addition to an existing residence:

- Refundable deposit = \$1,000
- Review fees = \$150

All other zoning clearances:

- Refundable deposit = \$500
- Review fees = \$150

Revised zoning clearances will incur a 50% review fee each time a new review is required. Deposits and fees are to be paid before building clearance is granted. After City inspection of new infrastructure, all requirements from the Manual of Design and Construction Standards and the Deposit Return Requirements Policy must be met before a deposit refund will be granted. The deadline for a deposit refund request will be two years from the date that the certificate of occupancy is granted. After that time, all deposit refunds will be forfeited.

Passed and approved by the Millville City Council this 13th day of March 2025.

SIGNED:

David Hair, Mayor

ATTEST:

Corey Twedt, City Recorder

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

Millville City Building Deposit Return Requirements

A deposit is required for building inside Millville City in accordance with adopted ordinances and resolutions Resolution 2017-3. This document ~~lists a summary~~izes of the requirements that must be met to be eligible for a deposit refund from Millville City. ~~The complete list of~~ Additional requirements can be found in the Manual of Design and Construction Standards available on the Millville City wWebsite. The deadline for a deposit refund request will be two years from the date that the certificate of occupancy is granted. After that time, all deposit refunds will be forfeited.

SINGLE FAMILY NEW CONSTRUCTION REQUIREMENTS

Landscape

Required yard areas except those portions devoted to driveways and/or parking shall be reasonably landscaped with plants, trees, grass or similar landscaping materials. (17.40.030)

Clear Vision Area/Sight Triangle: In all zones requiring a front yard setback, no obstruction to view in excess of thirty six inches (36") in height shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points thirty feet (30') from the intersection of the property line.

1. Restrictions: Fencing and planting is restricted within this area as follows:
 - a. No sight-obstructing fence shall be higher than thirty six inches (36").
 - b. Shrubs shall be pruned to a height not to exceed thirty six inches (36").
 - c. Trees shall be pruned to maintain a clear area below eight feet (8').
2. Functions: This clear vision area of the public right of way serves many different functions simultaneously, such as, public access for people and utilities overhead and underground, transition zone from street to adjoining properties, beautification area, storage of rainwater and snow and play area for children. Our effort is to facilitate all of these uses as much as possible in a balanced manner.
3. Landscaping Permanent and Public: All landscaping installed in the dedicated right-of-way shall be considered open to the public and owned by the public. No removal of landscaping material or any modification to the landscaping or grading shall be made to the dedicated right-of-way without written authorization from the city. (17.40.040 K)

Landscaping is required for stabilization of bare ground per the City Storm Water Ordinance 13.24.

Infrastructure

All driveway approaches shall meet the following specifications: Minimum width ~~or of~~ 10 feet and maximum width of 32 feet.

Driveway Offsets: All single-family residential driveways shall be offset from other driveways by no less than twice the flare width as per Plan No. 221 of the Manual of Standard Plans.

Common Driveways: Driveways along the property lines may be installed for common use of both adjacent properties only upon approval by the City Engineer and guaranteed by a recorded access agreement. Such driveway width shall be limited to the maximum allowable individual driveway width. (Manual of Design & Construction Standards 2.04 F)

Construction Completion Inspection: A FINAL INSPECTION shall be made by ~~the~~a City ~~inspector~~ ~~Engineer or their representative~~ after all construction work is completed. Any faulty, defective, or incomplete work shall be corrected by the persons responsible for the work within a period of thirty (30) days of the date of the inspection report defining the faulty or defective work. If the contractor fails to complete the required work, the City may arrange to have the incomplete/defective work completed and bill the contractor or use the monies in escrow or otherwise held by the City to complete the defective work.

Areas to be inspected: Sidewalks, curb and gutter, roadway surface, swales, storm water lines and associated infrastructure, retention/detention basins, water and meter are to grade, a sewer cleanout with a valve box cover has been properly installed, and water backflow has been properly installed, fencing, shouldering (swales), sump pump discharge, survey markers, and any other items deemed necessary by the City inspector.

City Representative

Corrections needed.

RESOLUTION 2017-19

A Resolution Requiring a Deposit for Building within Millville City (A Resolution Amending Resolution 2017-3)

WHEREAS, the cost associated with building inspection of completed infrastructure within Millville City has increased; and

WHEREAS, the Millville City Council deems it necessary to maintain the integrity of the infrastructure improvements; and

WHEREAS, the Millville City Planning and Zoning Commission has reviewed the requirements for construction deposits and timelines for refunds and proposed changes to the Millville City Council;

NOW THEREFORE, be it ordained, that the Millville City Council requires a deposit of \$2,000 for a new building zoning clearance approval. After inspection of the dedicated infrastructure occurs and all required items are completed to meet the requirements of the Manual of Design and Construction Standards (Standards), and the exterior construction is completed per the submitted building design, the \$2,000 deposit will be refunded.

An addition to an existing residence requires a deposit of \$1,000 for a zoning clearance approval. After inspection of the dedicated infrastructure occurs, all required items are completed to meet the requirements of the Standards, and the exterior construction is completed per the submitted building design, the \$1,000 deposit will be refunded.

All other zoning clearances greater than 500 square feet will require a \$500 deposit for the purpose of restoring and maintaining the right-of-way infrastructure during the building process. The \$500 deposit will be refunded after the final inspection is complete to confirm all of the dedicated or right-of-way improvements are complete.

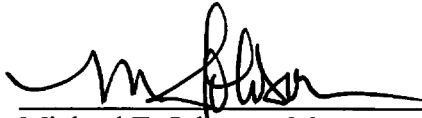
Zoning clearances of less than 500 square feet will require a \$200 deposit for the purpose of restoring and maintain the right-of-way infrastructure during the building process. The \$200 deposit will be refunded after the final inspection is complete to confirm all of the dedicated or right-of-way improvements are complete.

In all instances, landscaping must be completed and storm water Standards and permits must be followed.

The deadline for a deposit refund request will be two years from the date of the first utility billing after which all deposit refunds will be forfeited.

APPROVED AND PASSED by the Millville City Council this 28th day of September 2017.

BY:


Michael E. Johnson, Mayor

ATTEST:


Corey Twedt, City Recorder

COUNCILMEMBER	YES	NO	ABSENT	ABSTAIN
Michael Callahan	X			
Cindy Cummings			X	
Julianne Duffin	X			
Mark Williams			X	
Ryan Zollinger	X			

Millville City Building Deposit Return Requirements

A deposit is required for building inside Millville City in accordance with Resolution 2017-3. This document lists a summary of the requirements that must be met to be eligible for a deposit refund from Millville City. The complete list of requirements can be found in the Manual of Design and Construction Standards available on the Millville City Website.

SINGLE FAMILY NEW CONSTRUCTION REQUIREMENTS

Landscape

Required yard areas except those portions devoted to driveways and/or parking shall be reasonably landscaped with plants, trees, grass or similar landscaping materials. (17.40.030)

Clear Vision Area/Sight Triangle: In all zones requiring a front yard setback, no obstruction to view in excess of thirty six inches (36") in height shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points thirty feet (30') from the intersection of the property line.

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Landscaping is required for stabilization of bare ground per the City Storm Water Ordinance 13.24.

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access agreement. Such driveway width shall be limited to the maximum allowable individual driveway width. (Manual of Design & Construction Standards 2.04 F)

Construction Completion Inspection: A FINAL INSPECTION shall be made by the City Engineer or their representative after all construction work is completed. Any faulty, defective, or incomplete work shall be corrected by the persons responsible for the work within a period of thirty (30) days of the date of the inspection report defining the faulty or defective work. If the contractor fails to complete the required work, the City may arrange to have the incomplete/defective work completed and bill the contractor or use the monies in escrow or otherwise held by the City to complete the defective work.

Areas to be inspected: Sidewalks, curb and gutter, roadway surface, swales, storm water lines and associated infrastructure, retention/detention basins, water and meter are to grade, fencing, shouldering (swales), sump pump discharge, survey markers and any other items deemed necessary by the City inspector.

City Representative

Corrections needed.



AGENDA REPORT: LAW ENFORCEMENT CONTRACT

March 13, 2025

Background

Every year, the Cache County Sheriff or a representative comes to the Millville City Council to discuss law enforcement within Millville City as well as the updated contract for law enforcement for the upcoming fiscal year.

As stated in the included letter from Sheriff Jensen, over the last four years, we have had incremental increases in our law enforcement to increase the number of contracted hours to be more realistic with the hours actually spent doing law enforcement in Millville City.

The Sheriff's Department would now like to tackle the issue of hourly pay for their officers and are proposing an hourly rate increase from \$52.35 up to \$56.00. This will bring the Millville City FY26 contract amount up to \$35,392 for the year. This is a relatively small increase of \$2,307.

Here is a breakdown by year of the Millville City contract with the Sheriff Department:

Fiscal Year	Hours	Cost
FY22	438	\$22,929
FY23	500	\$26,175
FY24	550	\$28,792
FY25	632	\$33,085
FY26	632	\$35,392

Included Documents

- March 5, 2025 letter from Sheriff Jensen



CACHE COUNTY SHERIFF'S OFFICE

D. CHAD JENSEN, SHERIFF

Doyle Peck, Lieutenant
Mikelshan Bartschi, Lieutenant
Roy Hall, Lieutenant
Candice Hatch, Lieutenant
Timothy Ramirez, Lieutenant

EMPATHY

FAIRNESS

INTEGRITY

PROFESSIONALISM

RESPECT

RESPONSIBILITY

TRUSTWORTHINESS

March 5, 2025

Dear Mayor Hair,

As we approach the annual discussion regarding our patrol contracts, I want to highlight the importance of this moment. Our current three-year budget cycle expires at the end of June, and this presents an opportunity for us to make meaningful adjustments.

Over the past three years, we have focused on increasing the hours provided in our contracts to better reflect the actual service delivered. This effort has successfully aligned both parties, but now I believe it's essential we also address the hourly rate, which has unfortunately remained stagnant for several years.

In the last five years, we have made significant investments in staffing to meet the growing needs of our community and stay competitive with other agencies in the state. This proactive approach has helped minimize turnover—something many agencies continue to struggle with.

The next step is to adjust the hourly rate, which has not been updated in several years as we concentrated on increasing hours. Given the staff increases we've made to keep up with demands, an adjustment to our rates is essential. This change will help maintain the low turnover rate we have successfully achieved compared to other agencies.

For the upcoming contract, I propose a one-year agreement that includes a necessary increase in the hourly rate. This will give me the necessary time to address some of the issues Cache County is facing with the new finance director and auditor.

Regardless of the situation in the valley and the county, I greatly appreciate the relationships I have with all the mayors, councils, and office staff in our city and towns. I look forward to our discussions in the coming weeks at your council meetings. Please feel free to call me directly with any questions or concerns. My cell phone number is 435-757-5850.

City: Millville

Hours: 632

Old Rate: \$52.35

New Rate: \$56.00

New Contract Amount: \$35,392.00

Sincerely,

A handwritten signature in black ink, appearing to read "D. Jensen", written over a horizontal line.

D. Chad Jensen, Sheriff

Councilmember Assignments 2025

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