

NOTICE AND AGENDA

Notice is hereby given that the Millville City Council will hold their regularly scheduled council meeting on Thursday, May 14, 2015, at the Millville City Office, 510 East 300 South in Millville, Utah, which meeting shall begin promptly at 7 p.m. (Please note the time given to each agenda item is an approximate time.)

1. Call to Order / Roll Call – Mayor Michael Johnson.
2. Opening Remarks / Pledge of Allegiance – Councilmember Michael Callahan.
3. Approval of agenda and time allocation.
4. Approval of minutes of the previous meeting – April 23, 2015.
5. Action Items—
 - A. Report on P & Z Meeting held May 7, 2015 – 7:03 p.m.
 - B. Review of Questar Franchise Agreement – Mayor Michael Johnson –7:05 p.m.
 - C. 2015-2016 Proposed Budget – Mayor Michael Johnson – 7:10 p.m.
 - D. Proposed Revision on Policy for Utah Retirement Systems Tier 2 Retirement Resolution – Mayor Michael Johnson – 7:20 p.m.
 - E. Bills to be paid.
6. Discussion Items—
 - A. Cache County Water Master Plan – Mayor Michael Johnson.
 - B. Proposal on Form-Based Code – Mayor Michael Johnson.
 - C. Concern for Expanding Businesses in a Residential Zone – Mayor Michael Johnson.
 - D. Review of Ordinance for Private Roads – Development Coordinator Harry Meadows.
 - E. Millville City Sewer Master Plan – Engineer Zan Murray.
 - F. Update on the New Millville High School – Councilmember Julianne Duffin.
 - G. City Council Meeting attendance for May 28, 2015.
 - H. Councilmember Reports.
 - I. Other items for Future Agendas.
7. Adjournment.

In compliance with the American with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during public meetings should notify Rose Mary Jones at (435)752-8943 at least three working days prior to the meeting.

Notice was posted on May 11, 2015, a date not less than 24 hours prior to the date and time of the meeting and remained so posted until after said meeting. A copy of the agenda was sent electronically to the Utah Public Meeting Notices website (<http://www.utah.gov/pmn/index.html>) on May 11, 2015.


Rose Mary A. Jones, Recorder

MILLVILLE CITY COUNCIL MEETING
City Hall – 510 East 300 South – Millville, Utah
April 23, 2015

PRESENT: Michael Johnson, Michael Callahan, Julianne Duffin, Mark Williams, Ryan Zollinger, Cindy Cummings, Stephanie Eggleston, Tara Hobbs, Harry Meadows, Gary Larsen, Bob Fotheringham, Craig W. Buttars, Jake Young, James Thatcher, Peter Whelan, Shane Reed, Zan Murray, Chris and Crystal Jensen, Tori Nyman, Alec Johnson, Gabriel Whelan, Chris Slater, Trey Hustad, Samuel Whelan, Ronan Melani, Stratford Simmons, Quint Casperson, and Kai Casperson.

Minutes taken by Secretary Stephanie Eggleston. Due to a malfunction in the recording, there is no audio available from the meeting.

Call to Order/Roll Call

Mayor Michael Johnson welcomed everyone to the Council Meeting calling the meeting to order at 7 p.m. The roll call indicated Mayor Michael Johnson and Councilmembers Michael Callahan, Cindy Cummings, Julianne Duffin, Mark Williams, and Ryan Zollinger were in attendance. Recorder Rose Mary Jones was excused; also Treasurer Tara Hobbs and Secretary Stephanie Eggleston were present.

Opening Remarks/Pledge of Allegiance

Councilmember Ryan Zollinger welcomed everyone to the meeting, including Cub Scout Troop #305 from Millville. Troop #305 led those present in the Pledge of Allegiance.

Approval of agenda and time allocations

The agenda for the City Council Meeting of April 23, 2015 was reviewed. Councilmember Julianne Duffin moved to approve the agenda with a request to add a report from the Youth Councilmember, Tori Nyman, as the first action item. Councilmember Mark Williams seconded. Councilmembers Callahan, Cummings, Duffin, Williams, and Zollinger voted yes. (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 held April 9, 2015.

Councilmember Mark Williams moved to approve the minutes for April 9, 2015.

Councilmember Michael Callahan seconded. Councilmembers Callahan, Cummings, Duffin, Williams, and Zollinger voted yes. (A copy of the draft minutes is included as Attachment "B".)

Youth Council Report

Youth Councilmember Tori Nyman reported the Youth Council attended a Youth Conference in March. There were three motivational speakers who were very inspiring. The theme of the

conference was about Soul and Service. In April, the Youth Council helped with the city Easter Celebration which was a success. In May, the Youth Council will have an End of the Year party. In June, the Youth Council will be helping with the City Celebration for Millville Days.

Report on Planning Commission Meeting held April 16, 2015

Councilmember Zollinger asked Harry Meadows what the memorandum stated for Mond-Aire estates. Harry Meadows said it was an outline showing all previous issues that had been addressed and an approved final checklist. The Planning Commission feels comfortable moving forward with Mond-Aire Heights Subdivision. (A copy of the draft Planning Commission minutes is included as Attachment "C".)

Information regarding Cache Valley Transit District

Tricia Cronin handed out a Cache Valley Transit District 2014 Performance Packet. This report shows ridership numbers and other statistics for the year. Ms. Cronin did not have time to answer questions but did notify the council of upcoming meetings; at which time the councilmembers in attendance could ask questions and give input. There will be discussion on the "Faire Free" issue. The meetings are scheduled for May 27th and June 24th at 5:45 p.m. at BATC room 40. (A copy of the information provided is included as Attachment "D".)

Request for a business license for Little Explorers Academy Preschool – 370 North 300 East

Crystal Jensen asked for a business license for a preschool. She stated there would be a limited number of students attending. She does not think there will be a problem with traffic, as far as picking children up and dropping them off. There were no questions from the councilmembers.

Councilmember Ryan Zollinger moved to approve the request for a business license for Little Explorers Academy Preschool. Councilmember Cindy Cummings seconded. Councilmembers Callahan, Cummings, Duffin, Williams, and Zollinger voted yes. (A copy of the business license application is included as Attachment "E".)

Cache County Water Master Plan/Consideration to Create a Water Conservancy District

Bob Fotheringham handed out a brochure titled "Cache County Water Master Plan". He said water conservation and water protection are two additional needs facing Cache Valley. He presented a map of the Bear River Allocation. He also presented a map of Preliminary Possible Water Projects. He discussed cost and possible start dates. He noted the possible increase in county population in the future.

Craig Buttars explained the importance of creating a Water Conservancy District by pointing out three key reasons: 1. secure our Bear River allocation; 2. promote water conservation; and 3. safeguard adequate amounts of water for the future.

Bob Fotheringham emphasized the importance of forming a district to protect current water rights. He spoke about some concerns such as, what a Water District will and will not do. He asked if there are any questions.

Mayor Johnson asked if the Water District has tax authority. Mr. King said there is a limit but yes, it has tax authority.

Bob Fotheringham continued, reemphasizing the value of water and the cost to protect it. He gave some examples of communities investing in Water Districts. He pointed out the state is requiring a district in order to participate in decision making. A district gives the community more power and authority. The Water District may be brought about by two different means. The brochure explains both processes – by Resolution or by Petition.

Harry Meadows asked how many people are on the board. Bob Fotheringham said there are up to eleven members on the board. All members must be elected or appointed.

Councilmember Callahan asked if the city would be able to sell or lease water rights after the Water District is formed. Bob Fotheringham said there are many different possibilities to choose from within a Water District. Councilmember Callahan said this will be good for the future.

Mayor Johnson asked if there are any other questions. There were none.

Councilmember Callahan requested the Cache County Water Master Plan booklet be put on the next meeting's agenda as a discussion item. (A copy of this information will be on file at the City Office.)

Councilmember Julianne Duffin moved to return to item 5.D. Request for a business license for G & E Wholesales Produce in the Zollinger Complex. Councilmember Cummings seconded. Councilmembers Callahan, Cummings, Duffin, Williams, and Zollinger voted yes.

Request for a business license for G & E Wholesales Produce in the Zollinger Complex – 1000 North 1000 West – Building 28, Suite 108

Jose is a partner with Lazaro Guerra representing G & E Wholesales Produce. Harry Meadows asked Jose if he would be processing the produce. Jose said yes. Harry Meadows gave Jose the state paperwork necessary for the Department of Agriculture requirements. Jose states they will not be selling to the public but wholesale distribution only.

Councilmember Michael Callahan moved to approve the request for a business license for G & E Wholesales Produce in the Zollinger Complex. Councilmember Cummings seconded. Councilmembers Callahan, Cummings, Duffin, Williams, and Zollinger voted yes. (A copy of the business license application is included as Attachment "F".)

Proposal on Form-Based Code

Jake Young gave councilmembers a handout titled Millville City – Commercial Design Ordinance. He pointed out examples of recently constructed buildings in downtown Logan. He discussed the question of whether Millville could support a Commercial Center. He noted examples in North Logan City and explained the development process.

Councilmember Zollinger asked what kind of time line the city is looking at for plans. Mr. Young said approximately four months.

Councilmember Lance Zollinger moved to put the Proposal on Form-Based Code on the next agenda as a discussion item. Councilmember Duffin seconded. Councilmembers Callahan, Cummings, Duffin, Williams, and Zollinger voted yes. (A copy of the information is included as Attachment “G”.)

Interlocal Agreement with Cache County School District/Conditional Use Permit

Zan Murray explained three specific additional exhibits to the agreement; 1. Plans, 2. Roadway Corridor Study and 3. Manual Design and Construction Standards. He discussed the changes of responsibilities to be borne by the district. There was also discussion on the differences there may be between the original agreement and the cost of the new add-ons from the city. Councilmembers would like to see a balance between the costs that have been reduced by the city and the cost of the add-ons requested by the city.

Exhibit D titled Project Improvement Costs was explained and discussed. The exhibit shows the upgraded costs from section 5.b. of the Interlocal Agreement.

Councilmember Zollinger requested the school district be responsible for road improvements to 550 North Main. He added that it may not need to be improved right now but most likely at sometime in the future. If the CCCOG money doesn't come through, the school district should be held responsible for the road improvement.

Zan Murray will get a revised copy of the Interlocal Agreement to the county as soon as possible. He will be available to meet with the council again the week of May 11th for final approval. (A copy of the information reviewed is included as Attachment “H”.)

Quarterly Financial Report for 3rd Quarter 2015

Treasurer Tara Hobbs reviewed with the councilmembers the Profit & Loss Budget vs. Actual from July 2014 through March 2015. (A copy of the report is included as Attachment “I”.)

Bills to be paid

The bills were presented. They are as follows:

Mike Johnson	50.00	Water
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BILLS (Continued)--

Tara Hobbs	41.20	Water
Julianne Duffin	22.09	Easter
Cindy Cummings	790.58	General
Olson and Hoggan	285.00	Legal
Tex-Net Inc.	960.44	Road
Millville City Corporation	3,764.26	General/Park
Questar	103.62	Park/Building
Maverik	193.35	Water
Utah Geological Survey	659.88	Water
Utah Water Users Association	100.00	Water
Century Link	176.83	Water
Bear River Health Department	40.00	Water
Ecosystems Research	184.00	Water
Riverside Carwash	27.67	Stormwater
Jones Simkins	77.80	General/Water
Rocky Mountain Power	1,157.57	Street Lights
Utah Local Governments Trust	248.55	Insurance
Cache Valley Bank	50.00	General
Salary Register	8,977.26	

Councilmember Mark Williams moved to pay the bills. Councilmember Cummings seconded. Councilmembers Callahan, Cummings, Duffin, Williams, and Zollinger voted yes.

City Reports

Roads/Sidewalks:

Gary Larsen stated there has been progress made on the bridge. The trees that were marked have been removed. The storm drain is a go.

City Parks:

Gary Larsen said the city parks signs are ready to be picked up. The splash pad is scheduled to open Memorial Day Weekend.

Culinary Water System:

Gary Larsen said the ASR project is in the monitoring stage. The stormwater fair is next Tuesday and Wednesday at the Cache County Fair Grounds.

Gary Larsen gave a demonstration using the white board to show what might happen if the city water is contaminated.

Discussion item 6.B. Review of Ordinance for Private Roads will be postponed until the next council meeting.

Councilmember Reports

Councilmember Julianne Duffin said the Mini-Miss Millville pageant was a complete success. Everything went exceptionally well.

She also stated the school district has narrowed down the choices for the name, color, and mascot for the new high school.

Councilmember Callahan said the Mond-Aire Estates is getting close to final approval.

Gary Larsen said Millville City has been helping Nibley City by giving them clean drinking water if needed.

(A copy of the Councilmember Reports is included as Attachment "J".)

Other items for Future Agendas

Zan Murray requested the Millville City Sewer Master Plan be put on the May 14th meeting agenda as a discussion item.

The Mayor added he has requested a 3% increase in wages for city employees. He has also requested an increase for the councilmembers and mayor. He asked the councilmembers to let him know if this needed to be a discussion item for the next meeting's agenda.

Adjournment

Councilmember Cindy Cummings moved to adjourn. Councilmember Julianne Duffin seconded. Councilmembers Callahan, Cummings, Duffin, Williams, and Zollinger voted yes. The meeting adjourned at 10 p.m.

MILLVILLE PLANNING COMMISSION MEETING

City Hall - 510 East 300 South - Millville, Utah

May 7, 2015

1. Roll Call

Commissioners Lynette Dickey, Rachel Thompson, Larry Lewis (Alt.). Commissioner Bonnie Farmer, excused. (Chairman Jim Hart arrived after approval of the agenda.)

Others Present:

Mayor Michael Johnson, Development Coordinator Harry Meadows, Councilmember Michael Callahan, Treasurer Tara Hobbs, Ron Jenson, Robyn Jenson, Karla Anderson, Delmar Anderson. City Recorder Rose Mary Jones recorded the minutes.

2. Opening Remarks/Pledge of Allegiance

Commissioner Dickey opened the meeting at 8:02 p.m. and those present recited the Pledge of Allegiance led by Commissioner Thompson.

3. Review and Approval of agenda

The agenda for the Planning Commission Meeting of May 7, 2015 was reviewed. **A motion was made by Commissioner Lewis (Alt.) to approve the agenda for May 7, 2015.** Commissioner Thompson seconded. Commissioners Dickey, Thompson, and Lewis (alt.) voted yes. (Included with the minutes as attachment "A".)

Commissioner Jim Hart arrived at the meeting at this time.

4. Review and Approval of the Minutes of the Planning Commission Meeting

The minutes for the meeting of April 16, 2015 were reviewed. There was a correction noted on page 2 of the minutes changing 'council' to 'commission'; the minutes would read--The Commission wasn't happy with leaving roads unfinished. **A motion was made by Commissioner Dickey to approve the minutes for April 16, 2015 with the correction as noted.** Commissioner Thompson seconded. Commissioners Hart, Dickey, Thompson, and Lewis (alt.) voted yes. (Included with the minutes as Attachment "B".)

5.A. Consideration for a conceptual review of a proposed subdivision from Karla O. Anderson. The subdivision includes parcel 03-029-0121, located on the southeast corner of the 100 West and 100 North intersection, and parcel 03-029-0074, located on the northeast corner of the same intersection in Millville.

The Commission reviewed the Verla Olson Trust Property proposed to be a subdivision as submitted. The parcel and zoning viewer (included with the minutes as Attachment "C") was reviewed noting parcel 03-029-0041 had previously been sold and is not part of the proposed subdivision.

There were four lots proposed on parcel 03-029-0074 with two lots proposed on parcel 03-029-0121. There was discussion about 100 North becoming a busier road because of the high school; at least two of the homes would face that road and the third home could face the south or west. Lot #1, having no other access into the property except for the frontage on 100 West, had been proposed as a larger lot and would not be subdivided again.

There was discussion about the water shares required to be turned over to the City. Mr. Anderson indicated he did not want to turn over the shares because lots with an acre of property would need the water to irrigate. There is 3½ acres of property being divided so there would be 3½ shares of water required to be turned over to the City for the development. It was explained the irrigation water can be changed to culinary water with a process outlined through the state. The property is currently being irrigated with water owned by other individuals. The current City requirements were explained regarding the water transfer.

Development Coordinator Meadows explained the engineer has not yet reviewed this proposed subdivision; however, Mayor Johnson and Superintendent Larsen have reviewed the proposed plans.

Commissioner Hart recommended to go forward with this proposal. Commissioner Lewis (alt.) seconded. Commissioners Hart, Dickey, Thompson, and Lewis voted yes.

Development Coordinator Meadows outlined the procedure for the development. He indicated the filing fee is to be paid to Treasurer Hobbs. The preliminary plans are then to be drawn by an engineer and submitted to the Planning Commission for review; a public hearing will then be held. An outline of what is required for the preliminary plan approval will be provided by Development Coordinator Meadows.

6.A. City Council Report – review minutes from April 23, 2015.

There was discussion on the three choices for the new name of the High School. They are Riverside, Canyon River, and Canyon Cove. Also proposed mascots are falcons, badgers, and wolves.

6.B. Agenda items for next meeting.

There was discussion about the Mond-Aire Subdivision. The City is waiting for information from the developers to come back before any other action will be taken.

6.C. Other.

No other items were brought before the Commission for discussion.

7. Calendaring of future Planning Commission Meeting.

The next Planning Commission Meeting will be scheduled for May 21, 2015 and will be cancelled if there are no items. Commissioner Dickey indicated she will be out of town for that meeting and asked to be excused.

8. Assignment of Representative to next City Council Meeting.

There was no Commissioner selected to attend the Council Meeting.

Oath of Office

Commissioner Jim Hart had been reappointed by the City Council to serve another term of 2½ years as a Commissioner. He was given the Oath of Office by Recorder Rose Mary Jones.

9. Adjournment

Commissioner Hart moved to adjourn the meeting. Commissioner Thompson seconded. The meeting adjourned at 8:22 p.m.



Questar Gas Company
Industrial and Municipal Accounts
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P.O. Box 45360
Salt Lake City, UT 84145-0360
Tel 801 324 2734 • Cell 801 557 2538
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Stephanie Gallegos
Sr. Account Manager

Millville City
Attn: Michael Johnson
Address: 510 E. 300 S.
Millville, UT 84326

RE: FRANCHISE AGREEMENT

Dear Michael:

I am writing to notify and/or remind you that the Franchise Agreement (“Agreement”) between Questar Gas Company (“Questar Gas”) and Millville (“City”) is due to expire on or about 2012.

Enclosed for the City’s review and signature is Questar Gas’s standard Franchise Agreement. The Agreement renews the franchise term to ensure there is no disruption in the parties’ respective rights and obligations and sets forth the rights and privileges given to Questar Gas by the City as well as how Questar Gas may use the City’s public right-of-way.

Should you have any questions or concerns, do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, reading "Stephanie Gallegos". The signature is written in a cursive, flowing style with a large, sweeping loop under the name.

ORDINANCE NO. _____

DATE _____

AN ORDINANCE GRANTING TO QUESTAR GAS COMPANY A FRANCHISE FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF A GAS DISTRIBUTION SYSTEM IN MILLVILLE CITY, CACHE COUNTY, STATE OF UTAH.

Questar Gas Company, a Utah corporation, (Questar Gas) desires to construct, maintain, and operate a gas distribution system within the City of Millville (City); and

The City Council has determined that it is in the best interest of the citizens of the City to grant a franchise to Questar Gas to use the roads and streets within the City for such purpose;

NOW, THEREFORE, the City Council ordains as follows:

1. **Grant of Franchise.** The City grants to Questar Gas a nonexclusive franchise (Franchise) to construct, maintain, and operate in the present and future roads, streets, alleys, highways, and other public rights-of-way within City limits, including any property annexed or otherwise acquired by the City after the effective date of this Franchise, (collectively, Streets) a distribution system for furnishing natural gas to the City and its inhabitants for heating and other purposes. Questar Gas shall have the right to erect, construct, equip, and maintain along, over, and under the Streets a system of mains, pipes, laterals, and related equipment (Facilities) as are reasonably necessary for supplying natural gas service in accordance with this Franchise.

2. **Consideration.** In consideration of this Franchise, Questar Gas shall pay to City the sum of \$50.00 upon acceptance of this Franchise and shall provide gas service in accordance with the terms of this Franchise.

3. **Term.** This Franchise is granted for an initial term of thirty (30) years. At the expiration of the initial term, the Franchise shall continue in effect upon the same terms and conditions for up to two additional terms (each of which is a renewal period) of fifteen (15) years

each. The City may terminate the Franchise at the end of the initial term, or at the end of any renewal period, by giving Questar Gas written notice of the City's intent to so terminate not less than ninety (90) calendar days before the expiration of the initial term or any renewal period.

4. **Acceptance.** Within sixty (60) days after the passage of this ordinance, Questar Gas shall file with the City an unconditional written acceptance of the Franchise declaring its acceptance of the Franchise and its intention to be bound by the terms and conditions of the Franchise.

5. **Construction and Maintenance of Facilities.** All Facilities shall be constructed and installed so as to interfere as little as possible with traffic over and public use of the Streets and to cause minimum interference with the rights and reasonable convenience of property owners who adjoin any of the Streets. All Facilities shall be constructed in accordance with established gas distribution construction practices and in a manner which protects the Facilities from all traffic loads. Without unreasonable additional cost to Questar Gas, all Facilities that are installed during the term of the Franchise shall be sited to be visually unobtrusive and to preserve the natural beauty and neighborhood aesthetics within the City limits.

Questar Gas shall repair or replace, at its own expense, any and all rights of way, pavements, sidewalks, street improvements, excavations, other facilities, landscaping, or other improvements, public or private, that it damages in the Franchise operations.

6. **Compliance with Ordinances--Conflict.** Questar Gas shall comply with all City ordinances, regulations, and requirements and shall pay all applicable excavation fees and charges that are or may be prescribed by the City with respect to the construction, maintenance and operation of all Facilities. However, these obligations shall apply only as long as such ordinances, regulations, requirements, or fees are not preempted by or otherwise in conflict with any applicable statutory or constitutional law, rule, or regulation, or the tariffs approved by regulatory bodies having jurisdiction

over Questar Gas, including this Franchise and any lawful revisions made and accepted by Questar Gas during the term of the Franchise.

The City shall have the right to inspect the construction and maintenance of the Facilities to ensure the proper compliance with applicable City ordinances, regulations, and requirements. In the event Questar Gas should fail to comply with the terms of any City ordinance, regulation, or requirement, the City shall give Questar Gas written notice of such non-compliance and the time for correction provided by ordinance or a reasonable time for correction if there is no time frame provided by the applicable ordinance, regulation, or requirement. Excluding any correction, modification, or change to the Facilities, and after written notice and failure of Questar Gas to make correction, the City may, at its sole risk, make such correction itself and charge the cost to Questar Gas including any minimum cost provided by ordinance. The City shall not make, nor request or allow any party other than Questar Gas to make changes, corrections, or modifications of any kind to Questar Gas's Facilities. Nothing in this Franchise limits Questar Gas's right to oppose any ordinance, whether existing, proposed, or adopted, from and after the effective date of this Franchise.

7. **Information Exchange.** Upon request by either the City or Questar Gas, as reasonably necessary, Questar Gas and the City shall meet for the purpose of exchanging information and documents regarding construction and other similar work within the City limits, with a view towards coordinating their respective activities in those areas where such coordination may prove mutually beneficial. Any information regarding future capital improvements that may involve land acquisition shall be treated with confidentiality upon request to the extent that the City may lawfully do so.

8. **Relocation.** Upon written notice to Questar Gas, the City may require the relocation and removal or reinstallation (collectively, Relocation) of any Facilities located in, on, along, over,

across, through, or under any of the Streets. After receipt of such written notice, Questar Gas shall diligently begin such Relocation of its Facilities as may be reasonably necessary to meet the City's requirements. The Relocation of Facilities by Questar Gas shall be at no cost to the City if (i) such request is for the protection of the public health, safety and welfare pursuant to lawful authority delegated to the City; (ii) the Facilities have been installed pursuant to this or any other Questar Gas franchise and not pursuant to a property or other similar right, including, but not limited to, a right-of-way, grant, permit, or license from a state, federal, municipal or private entity; and (iii) the City provides a new location for the Facilities. Otherwise, a Relocation required by the City pursuant to such written notice shall be at the City's expense. Following Relocation of any Facilities, Questar Gas may maintain and operate such Facilities in a new location within City limits without additional payment. If a City project is funded by federal or state monies that include an amount allocated to defray the expenses of Relocation of Facilities, then the City shall compensate Questar Gas up to the extent of such amount for any Relocation costs mandated by the project to the extent that the City actually receives or is otherwise authorized to direct or approve payment of such federal or state funds; however, the City shall ensure that receipt of compensation from federal or state sources shall not restrict or otherwise obligate Questar Gas's ownership of the Facilities in any way.

Notwithstanding the preceding paragraph, Questar Gas shall not be responsible for any costs associated with an authorized City project that are not attributable to Questar Gas's Facilities in the Streets. Further, all such costs shall be allocated among all utilities or other persons whose facilities or property are subject to Relocation due to an authorized City project.

9. **Terms of Service.** Questar Gas shall furnish natural gas service without preference or discrimination among customers of the same service class at reasonable rates, in accordance with all applicable tariffs approved by and on file with regulatory bodies having jurisdiction over Questar

Gas, including revisions to such tariffs made during the term of the Franchise, and in conformity with all applicable constitutional and statutory requirements. Questar Gas may make and enforce reasonable rules and regulations in the conduct of its business, may require its customers to execute a gas service agreement as a condition to receiving service, and shall have the right to contract with its customers regarding the installation and operation of its Facilities. To secure safe and reliable service to the customers, and in the public interest, Questar Gas shall have the right to prescribe the sizes and kinds of pipes and related Facilities to be used and shall have the right to refuse service to any customer who refuses to comply with Questar Gas's rules and regulations.

10. **Indemnification.** Questar Gas shall indemnify, defend, and hold the City, its officers and employees, harmless from and against any and all claims, demands, liens, liabilities, damages, actions, and proceedings arising from the exercise by Questar Gas of its rights under this Franchise, including its operations within City limits, and Questar Gas shall pay the reasonable cost of defense plus the City's reasonable attorney fees. Notwithstanding any provision to the contrary, Questar Gas shall not be obligated to indemnify, defend or hold the City harmless to the extent that any underlying claim, demand, lien, liability, damage, action, and proceeding arises out of or in connection with any act or omission of the City or any of its agents, officers or employees.

11. **Assignment.** Questar Gas may assign or transfer its rights and obligations under the Franchise to any parent, affiliate, or subsidiary of Questar Gas, to any entity having fifty percent (50%) or more direct or indirect common ownership with Questar Gas, or to any successor-in-interest or transferee of Questar Gas having all necessary approvals, including those from the Utah Public Service Commission or its successor, to provide utility service within the City limits. Otherwise, Questar Gas shall not transfer, assign, or delegate any of its rights or obligations under the Franchise to another entity without the City's prior written approval, which approval shall not be

unreasonably withheld, conditioned, or delayed. Inclusion of the Franchise as an asset of Questar Gas subject to the liens and mortgages of Questar Gas shall not constitute a transfer or assignment requiring the City's prior written consent.

12. **Insurance.** The Company shall responsibly self-insure or maintain insurance to cover its obligations and liabilities as set forth in Section 10, in lieu of any insurance as may be required in any City ordinances.

13. **Bonding.** If City ordinance requires Questar Gas to post a surety bond, that section of the ordinance is expressly waived.

14. **Effect of Invalidity.** If any portion of this Franchise is for any reason held illegal, invalid, or unconstitutional, such invalidity shall not affect the validity of any remaining portions of this Franchise.

15. **Amendment.** This ordinance shall not be altered or amended without the prior written consent of Questar Gas.

16. **Effective Date.** This ordinance shall become effective upon the date of acceptance by Questar Gas as established above.

APPROVED and ADOPTED this _____ day of _____, 20____.

ATTEST:

Millville City

City Recorder

By _____
Mayor

By _____
Council member

By _____
Council member

By _____

Council member

By _____
Council member

By _____
Council member

Voting Outcome

Council member _____
Council member _____
Council member _____
Council member _____
Council member _____

Yes	No
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

QUESTAR GAS COMPANY

By: _____
Craig C. Wagstaff
President

CITY ACKNOWLEDGMENT

STATE OF _____)
: ss
COUNTY OF _____)

On the ____ day of _____, 20__, personally appeared before me _____, who being duly sworn, did say that he is the Mayor of _____, a municipal corporation of the State of Utah, and that the foregoing instrument was signed in behalf of the City by authority of its governing body and said Mayor acknowledged to me that the City executed the same.

Notary Public

My Commission Expires:

Residing at:

QUESTAR GAS ACKNOWLEDGMENT

STATE OF UTAH)
: ss
COUNTY OF SALT LAKE)

On the ____ day of _____, 20__, personally appeared before me Craig C. Wagstaff, who being by me duly sworn did say that he is President of **QUESTAR GAS COMPANY**, a Utah corporation, and that the foregoing instrument was signed in behalf of said corporation by authority of a resolution of its Board of Directors; and he acknowledged to me that said corporation executed the same.

Notary Public

My Commission Expires:

Residing at:

MILLVILLE CITY PROPOSED BUDGET 2015-2016

May 2015

Description	General Income	Description	General Expense
Property Tax	\$59,000.00	General Government	\$45,000.00
Sales Tax	\$172,000.00	Auditor	\$10,600.00
Comcast Franchise	\$8,500.00	Financial Consulting	\$8,070.00
In Lieu Fees	\$6,500.00	Elected Officials	\$18,700.00
Building Permits	\$4,000.00	Insurance/Bonds	\$15,050.00
Animal Licenses	\$5,000.00	Recorder	\$13,500.00
Sanitation	\$130,000.00	Treasurer	\$6,800.00
Fines / Court	\$4,200.00	School Crossing Guard	\$3,600.00
Interest	\$3,800.00	Development Coordinator	\$3,700.00
Business Licenses	\$2,200.00	Legal	\$10,000.00
9-1-1 Service	\$21,000.00	Building	\$8,400.00
Class "C" Roads	\$73,000.00	P&Z Budget	\$4,800.00
Energy Sales and Use Tax	\$113,000.00	City Engineering	\$45,000.00
Appropriated Fund Balance	\$55,797.00	Police	\$16,111.00
Park Impact Fee	\$10,000.00	Fire	\$14,000.00
Appropriated Road Impact Fee		Animal Control	\$6,000.00
Road Impact Fee	\$22,800.00	Elections	\$5,000.00
Restaurant/RAPZ Tax	\$3,000.00	First Responders	\$7,266.00
Appro. Fund Bal. Class "C" Rd	\$15,700.00	Roads-General	\$88,000.00
Appro. Fund Bal. Park Capital	\$9,500.00	Roads-Class "C"	\$88,700.00
Designated for Future Use		Roads - Capital Outlay	\$0.00
Youth Council	\$2,600.00	Road Impact Fees Capital Outlay	\$22,800.00
Mass Transit Sales Tax/CVTD	\$13,500.00	Road Impact Fee Desgnted Future	\$0.00
Park Rentals	\$2,800.00	Class "C" Desgntd for Future Use	\$0.00
Motor Tax	\$500.00	Parks-General	\$82,200.00
Property Review Fee/Conceptual Plan	\$1,000.00	Parks-Other	\$8,200.00
Millville Memories Books	\$150.00	Park Capital Improvement	\$0.00
CIB Grant	\$0.00	Sanitation	\$130,500.00
CCCOG Grant	\$0.00	9-1-1 Service	\$21,000.00
		Disaster Relief Fund	\$2,600.00
		Public Safety	\$4,850.00
		Youth Council	\$5,600.00
		Designated for Future Use	\$0.00
		Mass Transit Tax Distribution/CVTD	\$13,500.00
		Park Impact Desgnted Future Use	\$10,000.00
		CIB Grant	\$20,000.00
		Transfer to Capital Project Fund	
TOTAL GENERAL	\$739,547.00	TOTAL GENERAL	\$739,547.00

Description		Stormwater Income		Description		Stormwater Expenses	
Stormwater Fees		\$13,600.00		Salaries/Benefits		\$6,500.00	
Interest		\$20.00		Special Department Supplies		\$9,100.00	
Appropriated Fund Balance		\$1,980.00					
TOTAL STORMWATER		\$15,600.00		TOTAL STORMWATER		\$15,600.00	
Description		Capital Project Income		Description		Capital Project Expenses	
Interest		\$2,500.00		Designated for Future Use		\$35,000.00	
Appropriated Fund Balance		\$32,500.00		City Office Improvements			
Transfer from General Fund							
TOTAL CAPITAL PROJECT		\$35,000.00		TOTAL CAPITAL PROJECT		\$35,000.00	
Description		Water/Sewer Income		Description		Water/Sewer Expenses	
Charges for Water Service		\$305,000.00		General		\$34,200.00	
				Salary/Benefit		\$86,000.00	
Interest		\$500.00		Legal		\$2,000.00	
				Auditor		\$5,300.00	
Impact Fee		\$18,500.00		Financial Consulting		\$4,100.00	
				Bond (1997)		\$57,000.00	
Tapping Fee		\$400.00		Bond (2006)		\$91,700.00	
				Cap. Facility Rplcmnt Fund Reserve		\$30,000.00	
Filing Fee		\$1,200.00		Bond -06 Reserve Fund		\$10,000.00	
				Special Department Supplies		\$25,000.00	
InterCity Sewer Upsizing Line		\$13,500.00		Insurance		\$9,675.00	
Grant Revenue for ASR Project		\$16,000.00		Capital Outlay - Highline Reservoir		\$0.00	
				Engineering		\$10,000.00	
Appropriated Fund Balance		\$238,975.00		Water Capital Projects		\$188,000.00	
				InterCity Sewer Upsizing Payment		\$13,600.00	
				InterCity Nibley Sewer Payment		\$0.00	
				City Sewer		\$5,500.00	
				ASR Project		\$22,000.00	
TOTAL WATER AND SEWER		\$594,075.00		TOTAL WATER AND SEWER		\$594,075.00	
BUDGET TOTAL		\$1,384,222.00		BUDGET TOTAL		\$1,384,222.00	
DIFFERENCE		\$0.00					

**RESOLUTION 2015-
POLICY FOR UTAH RETIREMENT SYSTEMS (URS) TIER 2
RETIREMENT (Revised)**

WHEREAS, the Utah Retirement Systems has changed the Retirement Program; and

WHEREAS, Millville City Corporation is a member of the Utah Retirement Systems;
and

WHEREAS, the Millville City Council complies with the governing rules of the Utah
Retirements Systems, and

WHEREAS, the policy should address the retirement for elected and appointed
officials;

THEREFORE, BE IT RESOLVED, the Millville City Council adopts the policy that
any new employee hired after this date, which meets the requirements to obtain
retirement through Millville City, will be included in the Tier 2 Retirement
System Plan.

Tier 2 elected officials are part-time ineligible for retirement benefits.
Tier 2 appointed officials, treasurer and recorder, may be full-time or part-time
and eligible for retirement benefits.

Adopted by the Millville City Council on this _____ day of May, 2015.

BY:

Michael E. Johnson, Mayor

ATTEST:

Rose Mary A. Jones, City Recorder

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

04/17/2015

Mayor and Council Members:

Attaches is the Nibley City ordinance regarding private gravel roads. I have placed an asterisk next to those items for your review. Nibley allows private gravel roads mainly for infill on flag lots.

Harry

11-5-5 Streets

A. Street Design: Subdividers shall locate streets within the subdivision so that streets will connect with existing streets. Streets shall be located and designed so that the adjoining land shall not be diminished in value. If the adjoining land is zoned for residential use, streets shall be located so that the adjacent land may be efficiently subdivided.

Half streets (completed only to centerline) are allowed only when the city engineer has reviewed the proposed half street design and can attest that public safety issues have been satisfied.

B. Streets To Conform To Major Street Plan: Major and collector streets shall conform to the major street plan. Whenever a subdivision is in an area for which a major or collector street plan has not been adopted, major or collector streets shall be provided as required by the planning commission.

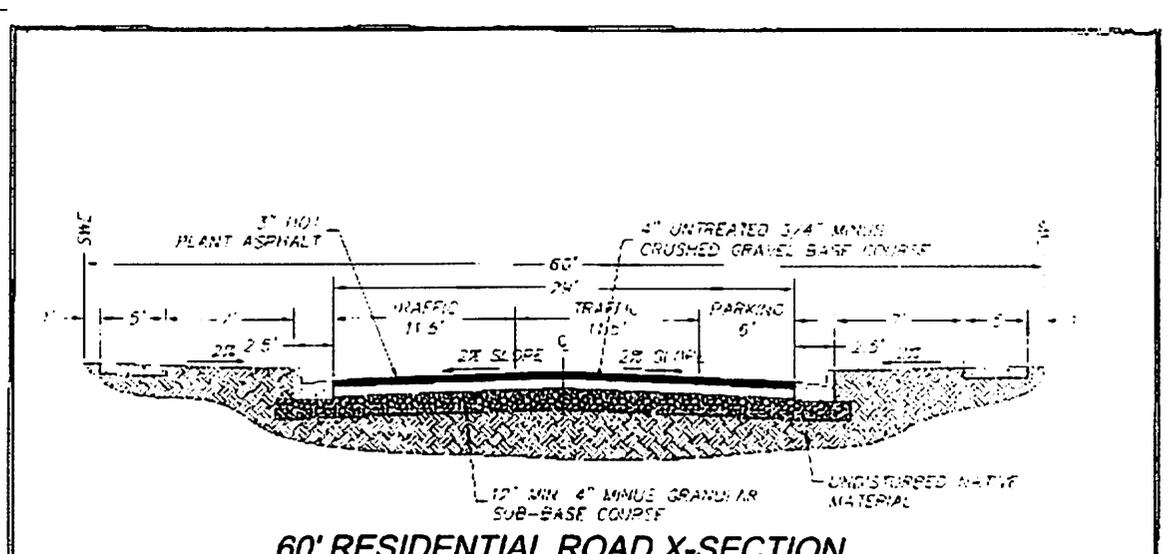
C. Minimum Street Widths: The minimum street widths shall be:

Road Type	Right Of Way Width	Pavement Width
Arterial	99 feet	66 feet
Collector	80 feet	49 feet
Residential	66 feet	35 feet
* Neighborhood	60 feet	29 feet

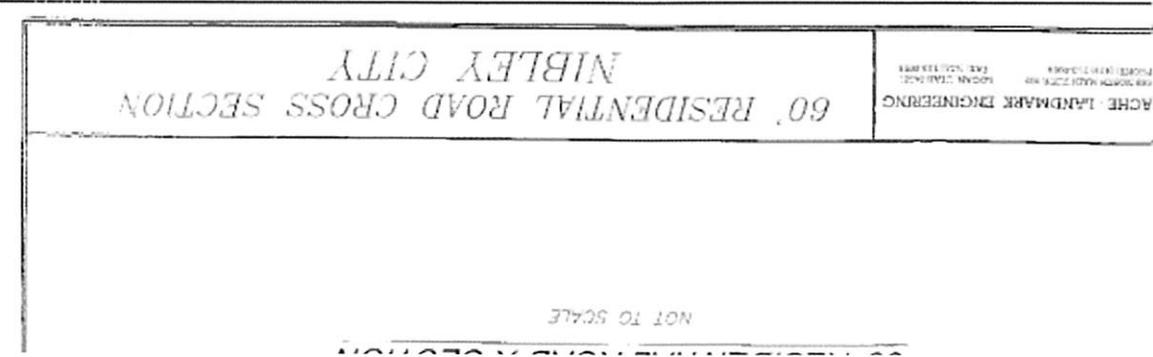
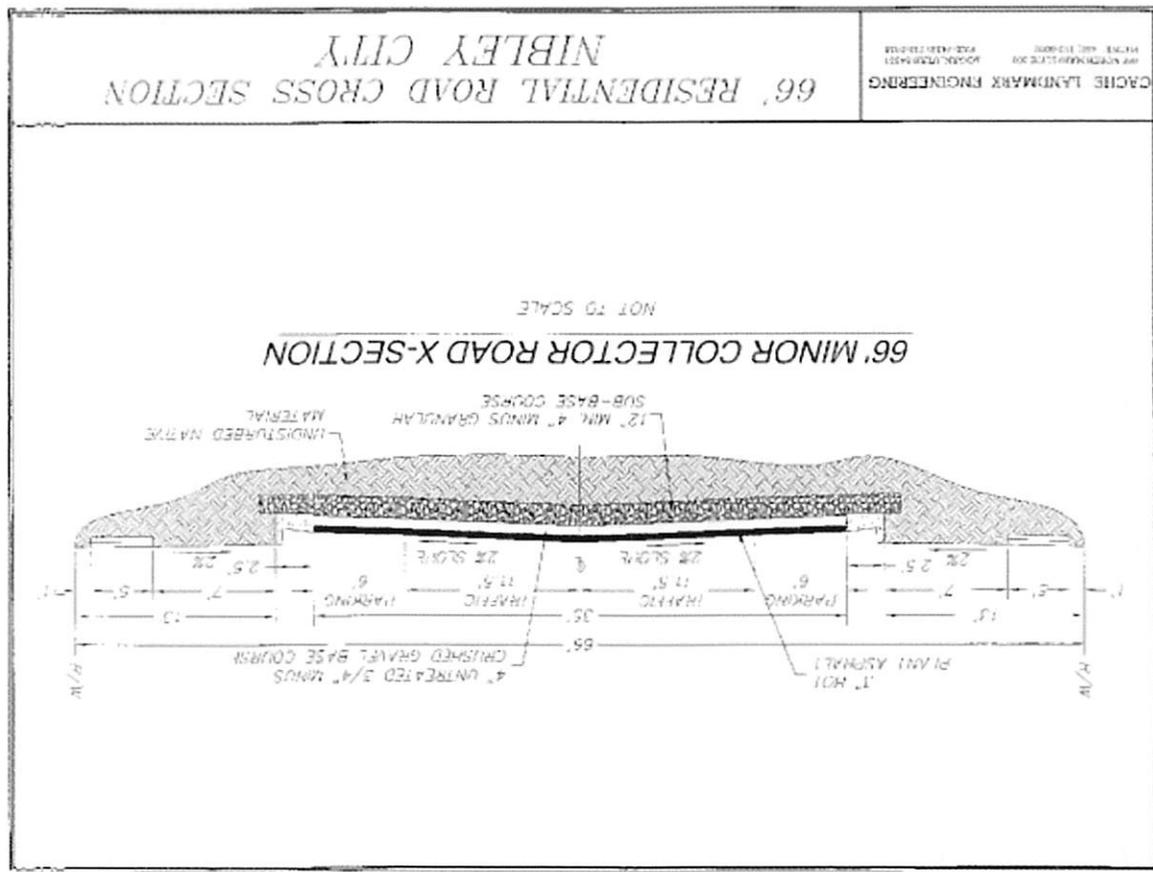
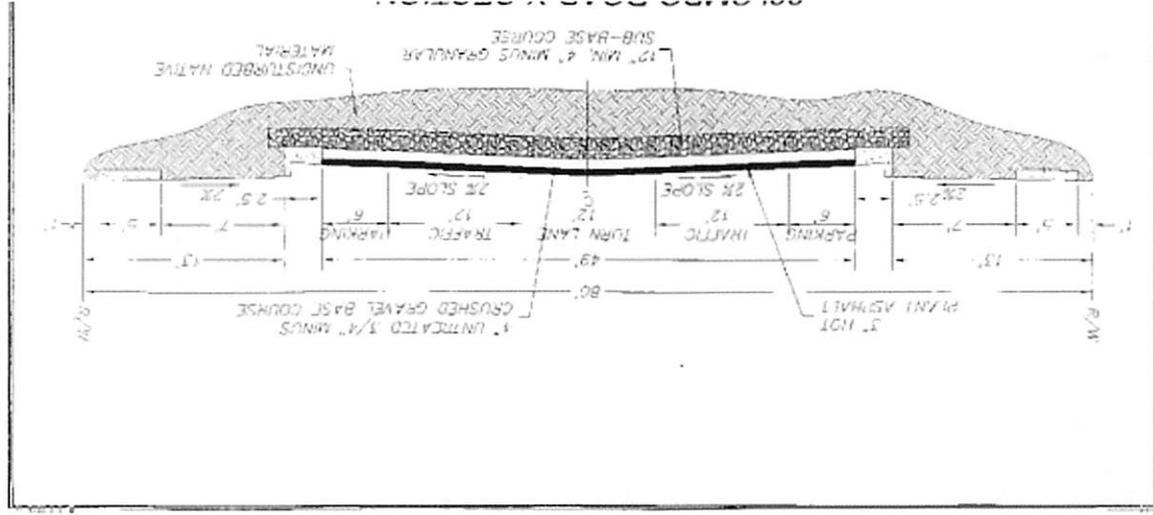
* The neighborhood street may be used in areas that would not generally be considered a through street or a street that would carry significant amounts of traffic other than that generated on that street. A cul-de-sac may be a neighborhood street.

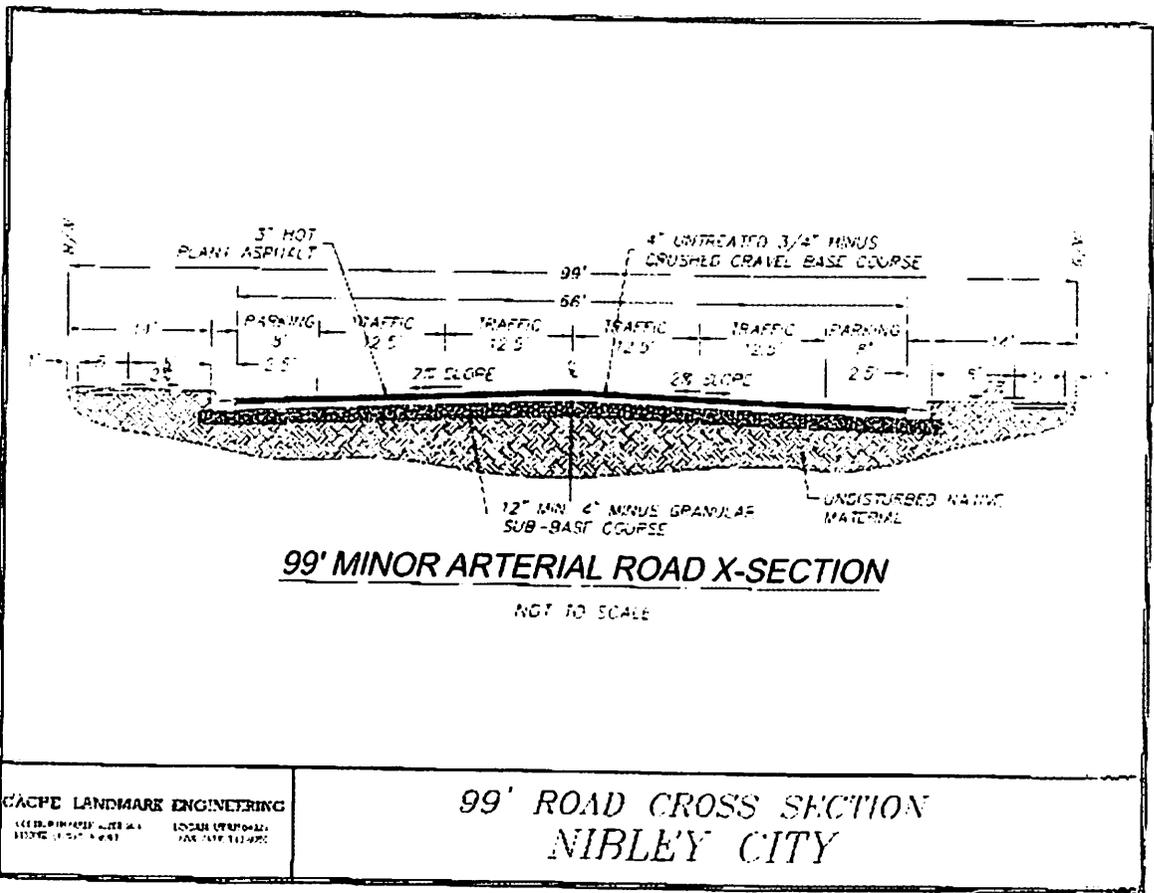
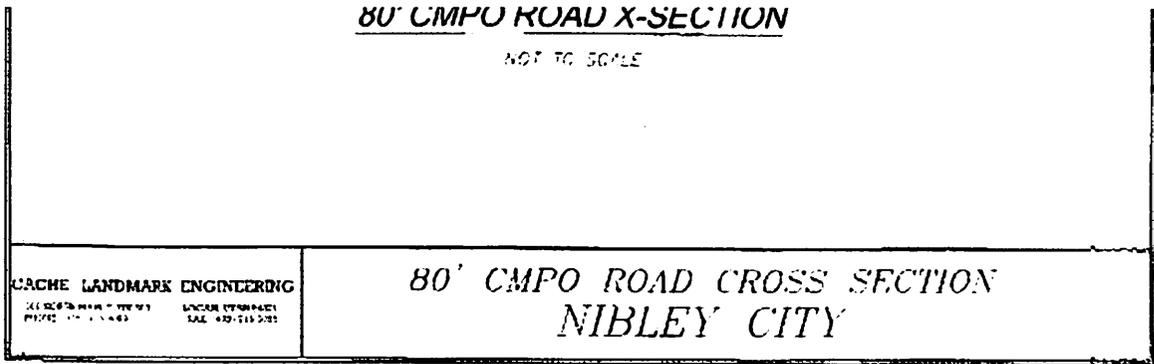
All sidewalks shall be a minimum of five feet (5') in width. Planting strips shall be at least seven feet (7').

In exceptional cases the city council may approve different street cross sections.



60' RESIDENTIAL ROAD X-SECTION





- D. Street Standards: All streets shall meet the construction standards for their respective classification as presented in the city standards for design and construction.
- E. Curb, Gutter And Sidewalks: The subdivider shall be required to install curb and gutter of the types and to the standards shown in the city standards for design and construction on all new and existing streets within or adjoining the proposed subdivision.
 - 1. Sidewalks may be required by the planning commission, if deemed necessary for public safety.
 - * 2. The above requirements may be waived in rural estate and agricultural zones, if it is felt that curb, gutter and sidewalks would detract from the rural setting of the subdivision.
 - 3. The requirement for curb and gutter on existing streets may be waived only if future changes to the street are anticipated that would make the installation of curb and

gutter unwise. In such cases, the planning commission may require that the subdivider pay to the city a sum equal to the cost of the improvements not installed to allow sufficient funds to later complete the improvements. Any such proceeds shall be placed in the street capital improvement fund.

F. Cul-De-Sacs: Cul-de-sacs (dead end streets designed to be permanently closed to through traffic) shall not exceed one-eighth (1/8) mile in length, except in R-E zones where they shall not exceed one-fourth (1/4) mile in length. Each cul-de-sac must be terminated by a turnaround with a radius of at least sixty feet (60'). If surface water drainage runs into the turnaround due to the grade of the street, necessary catch basins and drainage easements shall be provided. Where a street is designed to remain only temporarily as a dead end street, an adequate temporary turning area shall be provided at the dead end street. It shall remain and be available to the public so long as the dead end exists.

G. Alleys: Alleys may be required in the rear of business lots, but will not be accepted in residential blocks except under unusual conditions where such alleys are considered necessary by the planning commission.

H. Street Width Requirements For Small Acreage Parcels On Cul-De-Sacs: The following shall serve as street width requirements for development of small acreage parcels using a cul-de-sac as the only access to the development:

* 1. Private roads are allowed for areas of three (3) lots or less. The cross section of the road shall include: twenty feet (20') of asphalt, two feet (2') of shoulder on each side and four (4) to six feet (6') (each side) for stormwater swale. These roads shall be built to the standards of the Nibley City design standards and specifications and shall include five foot (5') sidewalks where required by city ordinance. Private roads in planned unit developments are exempt from this subsection.

2. Developments of four (4) to seven (7) lots shall have a publicly dedicated roadway with a fifty foot (50') cross section as follows: twenty five feet (25') of asphalt, and the following on each side of the road: 2.5 feet of curb and gutter, four feet (4') of planting strip, five foot (5') sidewalk and one foot (1') strip to property line. These roads shall be built to the standards of the Nibley City design standards and specifications.

3. All other developments shall have roadways that conform to this section.

I. Gravel Private Roads:

* 1. A gravel private road may be approved for a single lot access, provided that the following conditions are met by the developer:

a. Demonstrate how the gravel private road is an important consideration in the area's streetscape or in the overall project design.

b. Demonstrate that the gravel private road will not cause extensive dust, erosion or sediment problems or demonstrate how those problems will be eliminated. Provide a stormwater pollution prevention plan that will be followed to eliminate these problems.

c. Maximum slope gradients shall not exceed those set forth in the Nibley City engineering design standards and specifications.

d. All driveways approved for gravel shall have a driving surface of twenty feet (20') with six inch (6") minimum thickness of crushed gravel base course material and a three foot (3') drainageway on one side.

- e. Provide a turnaround as per the international fire code standards.
- * f. Those driveways accessing off of any public road shall be paved for the first fifty feet (50') off said road, or to the house, whichever is less. In areas where the gravel private road accesses the property by crossing an adjoining property, the planning commission and city council may require that the entire portion of the driveway crossing the adjoining property be paved.
- * g. Those lots using a gravel private road to access their lot shall be exempted from the standard frontage requirement.
- * h. Gravel private roads shall be permitted only for infill development in the R-E zone and not in new subdivisions.

Adopted by Ord. No Source on 6/1/1992
Amended by Ord. 2002 Code on 1/1/2002
Amended by Ord. 03-04 on 3/6/2003
Amended by Ord. 06-08 on 8/3/2006
Amended by Ord. 07-13 on 9/6/2007

R-E ZONE

Rural Estate Zone

Councilmember Reports

May 14, 2015

Sign into Millville – Mayor Johnson/Councilmember Duffin
Fees in Lieu of Water Rights – Gary Larsen/Bob Fotheringham
Review of Group Residential Facilities – Coordinator Harry Meadows
Volunteerism Always Pays (VAP) Projects provided by Wal-Mart – Mayor Johnson
City Artifacts – Councilmember Callahan
Old Mill Day Committee – Councilmember Duffin
CERT Training Program – Councilmember Cummings
Water Rights Recommendation from Planning Commission – Mayor Johnson
High School – Councilmember Duffin
Schedule for Newsletter Article – June, Mayor Johnson; July, Councilmember Callahan;
August, Councilmember Cummings; September, Councilmember Duffin; October,
Councilmember Williams; November – Councilmember Zollinger. (To be turned in by
the 6th of each month)