NOTICE AND AGENDA

Notice is hereby given that the Millville City Council will hold their regularly scheduled council meeting on Thursday, September 24, 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 Cindy Cummings.
3. Approval of agenda and time allocation.
4. Approval of minutes of the previous meeting – September 10, 2015.

5. Action Items—
   A. Form-Based Code Presentation – IGIB – Ray Whitchurch – 7:10 p.m.
   B. Discussion on Rezone of Property for Neil Artz at approximately 200 South 550 East, Parcel 03-037-0054 – 7:30 p.m.
   C. Form-Based Code Presentation – CRSA – Kelly Gilman – 7:40 p.m.
   D. City-owned Property Adjacent to Cemetery – Mayor Michael Johnson – 8 p.m.
   E. Form-Based Code Presentation – CSG – Jake Young – 8:10 p.m.
   F. Resolution to Cancel the 2015 Municipal Election and Consider Candidates to be Elected to Office – Recorder Rose Mary Jones – 8:30 p.m.
   G. Bills to be paid.

6. Discussion Items—
   A. City Reports.
      1. Roads/Sidewalks – Superintendent Gary Larsen.
      2. City Parks – Superintendent Larsen.
      3. Culinary Water System – Superintendent Larsen.
   B. Communication with Residents in case of an Emergency.
   C. Councilmember Reports.
   D. 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 September 21, 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 September 21, 2015.

Rose Mary A. Jones, Recorder

MILLVILLE CITY COUNCIL MEETING
City Hall – 510 East 300 South – Millville, Utah
September 10, 2015

PRESENT: Michael Johnson, Michael Callahan, Cindy Cummings, Julianne Duffin, Mark Williams, Ryan Zollinger, Rose Mary Jones, Tara Hobbs, Harry Meadows, Gary Larsen, Jason Leishman, Zan Murray

Call to Order/Roll Call
Mayor Michael Johnson opened 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, and Ryan Zollinger were in attendance with Councilmember Mark Williams absent. Also Recorder Rose Mary Jones was present.

Opening Remarks/Pledge of Allegiance
Councilmember Callahan led everyone present in the pledge of allegiance. He indicated he was looking forward to the cooler weather.

Approval of agenda and time allocations
The agenda for the City Council Meeting of September 10, 2015 was reviewed. **Councilmember Cummings moved to approve the agenda for September 10, 2015.** Councilmember Duffin seconded. Councilmembers Callahan, Cummings, Duffin, and Zollinger voted yes with Councilmember Williams absent. (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 for August 27, 2015. **Councilmember Duffin moved to approve the minutes of the previous meeting held August 27, 2015.** Councilmember Callahan seconded. Councilmembers Callahan, Cummings, Duffin, and Zollinger voted yes with Councilmember Williams absent. (A copy of the minutes is included as Attachment "B".)

Report on P & Z Meeting held September 3, 2015
Councilmember Callahan reviewed with the Council any questions regarding the Planning Commission Meeting held September 3, 2015. (A copy of the draft minutes are included as Attachment "C".) He indicated there had been quite a bit of discussion regarding the Derby Car Subdivision at the meeting.

Councilmember Mark Williams arrived at the meeting at this time.

Mayor Johnson updated the Council on the status of this subdivision. From the legal counsel he had received, he reported while the Council had taken action approving the subdivision, it did not comply with all current ordinances; because of that, the action would be void. He indicated there needs to be a property line adjustment made by the original owner, Larry Mathews, on the well property. Mr. Mathews had been approached about doing this, and all indications were he would make this adjustment. Attorney Jorgensen indicated some cities have ordinances which allow for utility lots. These utility lots could be created for that intended purpose only and would not be able to be built upon.

The Derby Car Subdivision plat has not been signed or recorded to date. Development Coordinator Meadows indicated the building permit for the Granges had been held up until this matter is resolved. Mayor Johnson indicated as soon as Mr. Mathews has completed this property line adjustment and the plat has been redrawn, the subdivision should be able to be approved.

Consideration for Approval for the Jason and Sheri Leishman Subdivision at approximately 150 East 100 South

Jason Leishman requested approval for a minor subdivision at approximately 150 East 100 South. (A copy of the subdivision plat and resolution are included with the minutes as Attachment "D".)

Development Coordinator Meadows explained the Planning Commission had recommended approval for the subdivision. He reported there are no water shares owned by Mr. Leishman. The property to be divided is 1.507 acres; therefore, the water in lieu fee will be $3,000. The roadway issue regarding the seven rod right of way had been resolved and remains the same.

Councilmember Callahan moved to approve Resolution 2015-11 To Establish the Jason and Sherri Leishman Minor Subdivision as depicted. Councilmember Zollinger seconded. Councilmembers Callahan, Cummings, Duffin, Williams, and Zollinger voted yes.

Consideration for 2015 Municipal Election Options

Recorder Jones reviewed with the Council State Code 20A-1-206 which allows for the cancellation of an election. As there are three council seats to be filled and only three candidates have filed, the option to cancel this election is viable. As a pro, this would be a cost savings for the City; as a con, the voters would not have the opportunity to exercise their right to vote. She requested direction from the Council whether to proceed in canceling the election or to make preparations for it to be held. The consensus of the Council was to not have an election and have the necessary resolution prepared and brought before the Council for their approval. Recorder Jones will prepare the needed materials for the Council's review and action.

Treasurer Tara Hobs arrived at the meeting at this time.

Consideration for Appointing Legal Representation for Millville City

Mayor Johnson reviewed with the Council a Professional Services Agreement he had received from Attorney Bruce Jorgensen. (A copy of this agreement is included with the minutes as Attachment "E".) He indicated Attorney Jorgensen works with several of the communities within the county. Being in contact with him a few times during the last couple of weeks, he felt Attorney Jorgensen would be very good to represent the City and great to work with.

Councilmember Williams moved to approve the agreement of the legal representative for Millville City as Bruce Jorgensen. Councilmember Callahan seconded. Councilmembers Callahan, Cummings, Duffin, Williams, and Zollinger voted yes.

City-owned Property Adjacent to Cemetery

Mayor Johnson discussed with the Council the city-owned property west of the cemetery. The cemetery board would like to purchase this property which is 3.29 acres and continues to suggest the City Council should take action for this purpose.

There were concerns reviewed regarding this property. One concern was the need to have the 200 East Road developed; the right of way would go through this property. The Council discussed the roadway coming from Center Street toward 100 North on 200 East. It was explained that one-half of the roadway for a short distance has already been dedicated to the City. Another possible developer has looked into this and may put in the other half of the road at a cost of approximately $10,000. Superintendent Larsen had estimated the cost for this block of road to be about $50,000, leaving approximately $40,000 as the City's cost. This would allow for needed utilities to be installed to loop the water system. By building this road, part of the said property acreage would need to be used for the roadway dimensions required.

Mayor Shaun Dustin had mentioned to the Mayor he would like to discuss this issue with him.

There was a suggestion to have the cemetery district board find another parcel of land so a land swap could be made for this property. The property directly east of the cemetery, which is currently owned by the cemetery district, was also discussed.

Councilmember Duffin moved to table this to the next meeting with the provision of having Mayor Johnson talk with Mayor Dustin. Councilmember Cummings seconded. Councilmembers Callahan, Cummings, Duffin, Williams, and Zollinger voted yes.

Bills to be paid

The bills were presented. They are as follows:

Stephanie Eggleston	4.03	General
Tara Hobbs	109.25	General
Rose Mary Jones	155.71	General
Adria Davis	9.72	P&Z
Julianne Duffin	287.18	Youth Council
Alicia Nyman	20.58	Youth Council
Heidi Checketts	6.16	Youth Council
South Fork Hardware	26.98	Water
Cache County Corporation	150.00	DevelopmentCoord
IPACO	50.08	Park
Cache County Assessor	172.01	Road
Rocky Mountain Power—		
North Park	59.21	Park
Shop	159.67	Building
Crossing Guard	16.94	Crossing Guard
Ball Park	9.29	Park
North Well	1,114.14	Water
Park Well	2,374.91	Water
Water Treatment	15.62	Water
Highline Reservoir	1,697.83	Water
Public Treasurers Investment Fund	7,667.00	Water
Caselle	125.00	Water
AT&T	49.70	Building
Lowes	47.38	Water
Ecosystems Research	25.00	Water
HD Supply Waterworks	527.58	Water
Peterson Plumbing	90.02	Water
Salary Register	10,624.68	

Councilmember Duffin moved to pay the bills for September 10, 2015. Councilmember Williams seconded. There was a question regarding the Public Treasurers Investment Fund; this is funds being set aside for an annual bond payment. Councilmembers Callahan, Cummings, Duffin, Williams, and Zollinger voted yes.

DRAFT

City Reports

Roads/Sidewalks:

Superintendent Gary Larsen asked to discuss the roads/sidewalks item when Engineer Zan Murray arrives at the meeting.

City Parks:
Superintendent Larsen reported the park splash pad is still being used. However, he indicated they will be watching the weather. As soon as a cold spell comes, this will be winterized for the season. Total water usage will then be calculated for the Council to provide information on the cost to operate it during this summer season.

Culinary Water System:
Superintendent Larsen indicated he had nothing to report on the culinary water system at this time.

City Website
Recorder Jones reviewed with the Council the City Website millvillecity.org. She showed the Council how to access the agenda, minutes, and the state website from our City website. There was discussion about having the materials made available to the public and also about the different sites where information is available. Any resident who requests information should be made aware of these various options which are available for their use.

Development Coordinator Meadows indicated there is a problem with our Comcast connection. They have a time scheduled for tomorrow between 3-5 p.m. to make the needed repairs.

City Reports
Roads/Sidewalks:
Engineer Zan Murray had attended the Cache County School District weekly meeting where the **new high school** was being reviewed. The high school lighting was discussed. At the last Council Meeting, the Council had authorized 17 lights to be installed. After doing more research about the proposed lights, they learned they are LED and will be owned by the City. Rocky Mountain Power will not replace any lights as they burn out or make repairs. There will be two electrical meters set that will monitor the amount of electricity generated; the City will be billed for the usage. The estimated usage will be about $6 per light per month. Therefore; Engineer Murray indicated the lighting plan, as proposed by the district, will be followed and 23 lights will be installed. There was one extra light ordered and it will be held for replacement purposes. If a light and light pole were damaged, the cost for replacement would be $4,500.

There was also discussion about the light on 550 North 300 West. It was proposed by Engineer Murray to continue with this same type of lighting in the commercial area near the school. He felt this would be a nice aesthetic look for the area. The cost for having this light installed has not yet been determined.

Engineer Murray discussed the water line that will be in the easement on the 550 North Road. The needed 60-foot extension to the east is still being worked on. This will be an expense to the City; however, this will allow for the provision to have this extension installed outside of the new asphalt.

The landscaping of the roundabout near the high school was discussed. The school district was proposing to put in some type of rocks and bushes. It was suggested that there should be some input from the City regarding this. The landscaping in the future is to be maintained by the school district. Mayor Johnson indicated this is to be included as a line item in the conditional use permit agreed upon between both parties.

Engineer Murray indicated the contractor is planning to have the asphalt on 300 West and 100 North completed this fall.

Superintendent Larsen also reported on the **Safe Routes to School Grant** being written. Councilmember Duffin will be meeting with Engineer Murray on Monday to obtain additional information needed for the grant. Millville Elementary Principal Gary Thomas has also met with her and will be providing information that will identify the number of elementary students that will be using the proposed sidewalks. Information will be obtained from the district which will show the number of high school students who will be walking toward the high school as well. The information for the grant is being prepared and will be submitted in a timely manner.

Mayor Johnson reported the presentation to the CCCOG was made requesting funding for the 450/550 North road. Each of the Mayors on the Council will score the projects proposed. There will be a meeting of the CCCOG on September 21; from that meeting, a recommendation will be made to the County Council for their approval. Mayor Johnson indicated there were several projects asking for a considerable amount of money. Two specific projects were discussed because of the amount of money requested – Nibley City, which ended up pulling their project from consideration, and Logan City, which is requesting to extend 100 West to the South. He felt our presentation went well and will await hearing the recommendation.

Councilmember Reports

The Councilmember Reports information is included as Attachment "F".

Councilmember Callahan reported two of the three companies have agreed to come and make a presentation to the Council on Form-Based Code on September 24. He is still awaiting a response for the other company. These are to be scheduled with other agenda

items between the presentations. The companies were asked to provide information on how they could implement this Form-Based Code with our City, how long it would take, and what the cost would be.

Councilmember Duffin indicated the Youth Council will be attending the City Council Meeting that same evening to be given the Oath of Office and to observe the meeting. It was decided to have one presentation on the Form-Based Code, then have the Youth Council item, followed by another presentation.

Councilmember Duffin indicated the CIB Grant is scheduled to expire on September 30, 2015. There had been contact made requesting an extension for the funding to continue for additional time. It was suggested that the Impact Fee Analysis be provided from LYR&B and an impact fee ordinance drafted to be reviewed by the Council on October 8. A public hearing would then be scheduled for October 22. A public hearing could also be scheduled on the General Plan for that same evening.

Councilmember Duffin indicated she had spoken with Neil Artz who would be in favor of having the property where his home is built changed back to R-1, as it was when he built it. There would be a fee involved to do this.

Other items for Future Agendas

Development Coordinator Meadows discussed with the Council the use of social media (Facebook and Twitter) to relay messages to residents within the community. Many of the other communities are using this method to push messages to services within a designated geographical area. This is like an advertisement and is relatively inexpensive, depending on the size of the area. It was suggested that the ULC&T Conference may have some classes on social media with additional information available. Development Coordinator Meadows felt this would be a great way to communicate positive messages and offer transparency of what is happening within the community.

Adjournment

Councilmember Williams moved to adjourn the meeting. Councilmember Duffin seconded. Councilmembers Callahan, Cummings, Duffin, Williams, and Zollinger voted yes. The meeting adjourned at 8:22 p.m.

DRAFT

RESOLUTION 2015-
RESOLUTION FOR CANCELLATION OF THE 2015 MUNICIPAL ELECTION
FOR MILLVILLE CITY

WHEREAS, the Utah State Code 20A-1-206 gives instruction for cancelling a local municipal election; and

WHEREAS, all municipal officers are elected in an at-large election under Utah Code Subsection 10-3-205.5(1); and

WHEREAS, the number of municipal officer candidates, including any eligible write-in candidates under Utah Code Section 20A-9-601, for the at-large municipal offices does not exceed the number of open at-large municipal offices for which the candidates have filed; and

WHEREAS, there are no other municipal ballot propositions;

NOW THEREFORE, it is hereby resolved the Millville City Council is cancelling the 2015 municipal election and certifies that: each municipal officer candidate is a candidate for an at-large municipal office for which the number of candidates does not exceed the number of open at-large municipal offices and the candidates are hereby considered to be elected to the office.

Approved and passed by the Millville City Council this 24th day of September, 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				

POSTED: _____

Councilmember Reports
September 24, 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 –October, Councilmember Williams; November – Councilmember Zollinger; December – Mayor Johnson; January – Councilmember Callahan, February – Councilmember Cummings, March – Councilmember Duffin. (To be turned in by the 6th of each month)