

## NOTICE AND AGENDA

Notice is hereby given that the Planning Commission of Millville City will hold a meeting on Thursday, **Oct 1, 2015** in the Millville City Office, at 510 East 300 South, Millville, Utah, which meeting shall begin promptly at **8:00 p.m.**

1. Roll call
2. Opening remarks/Pledge of Allegiance.
3. Review and approval of agenda
4. Review and approval of minutes from Sept 3, 2015.
5. Action Items:
  - A. Consideration of zoning clearance for a building permit by Daniel Grange, for residence to be located at 51 East 450 North in Millville.
  - B. Set a public hearing regarding the 2 requests to rezone parcel 03-037-0054 for Neal Artz, and parcel 03-037-0015 for Leanna Ballard, from Open Space (OS) to Residential (R-1).
6. Discussion Items:
  - A. City Council Report – review minutes from Sept 10 and Sept 24, 2015 meetings.
  - B. Agenda items for next meeting.
  - C. Other.
7. Calendaring of future Planning Commission Meeting.
8. Assignment of Representative to next City Council Meeting.
9. Adjournment.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during public meetings should notify Adria Davis at (435) 213-0787 at least three working days prior to the meeting.

Notice was posted on Sept 28, 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 Notice Website at (<http://www.utah.gov/pmn/index.html>) on Sept 28, 2015.

  
\_\_\_\_\_  
Adria Davis, Secretary  
Millville City Planning Commission

# **MILLVILLE PLANNING COMMISSION MEETING**

**City Hall - 510 East 300 South - Millville, Utah  
Sept 3, 2015**

## **1. Roll Call:**

Chairman Jim Hart, Commissioners Rachel Thompson, and Garrett Greenhalgh

## **Others Present:**

Development Coordinator Harry Meadows, Councilman Michael Callahan, Gina Tingey, Jason Leishman, and Sheri Leishman. Secretary Adria Davis recorded the minutes.

## **2. Opening Remarks/Pledge of Allegiance**

Chairman Hart opened the meeting at 8:04 p.m.  
He led those present in the Pledge of Allegiance.

## **3. Review and Approval of agenda**

The agenda for the Planning Commission meeting of Sept 3, 2015 was reviewed. Item 5.A. Zoning clearance for Daniel Grange was stricken from the record as the city has placed a hold on this item until legal concerns can be resolved. Item 5.D. Assisted Living Facility was also stricken from the record as the developer failed to provide necessary documentation in time. Item 5.B. will now show as 5.A. and item 5.C. will show as 5.B. A motion was made by Commissioner Thompson to approve the agenda with current revisions. Commissioner Greenhalgh seconded. Commissioners Hart, Thompson, and Greenhalgh voted yes, with Commissioners Farmer, Dickey, Lewis (Alt.) and Smith (Alt.) excused.

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

The minutes for the meeting of Aug 20, 2015 were reviewed. A motion was made by Commissioner Thompson recommending approving the minutes as outlined. Commissioner Greenhalgh seconded. Commissioners Hart, Thompson, and Greenhalgh voted yes, with Commissioners Farmer, Dickey, Lewis (Alt.) and Smith (Alt.) excused.

## **5.A Consideration of zoning clearance for a building permit by Gina Tingey, for an accessory building to be located on the property at 106 North Main in Millville.**

Gina had removed a potato cellar immediately behind her home and wanted to build a large shed in its place. There was some uncertainty about the location and distance required from the house, however nothing could be found in the city ordinances showing a required distance. Commissioner Thompson made a motion to approve the zoning clearance. Commissioner Greenhalgh seconded. The motion carried.

## **5.B. Consideration for recommendation to the City Council regarding a minor subdivision for Jason and Sheri Leishman located at approx. 150 East 100 South in Millville.**

The Leishmans have divided off a 1/3 acre lot and plan to build a home on the larger portion remaining. Commissioner Greenhalgh made a motion to recommend to the City Council the approval of this minor subdivision for Jason and Sheri Leishman. Commissioner Thompson seconded. Commissioners Hart, Thompson, and Greenhalgh voted yes, with Commissioners Farmer, Dickey, Lewis (Alt.) and Smith (Alt.) excused.

The question was brought up by Mr. Meadows regarding what would be charged for the water shares/fees. Are they paying based on the total original acreage owned or just on the new piece being created? Whichever standard is decided should be the same for all residents. It was believed that a resident last week was charged with a different calculation than has previously been used. The calculating standard needs some clarification.

**6.A. City council reports**

The commissioners received copies of the minutes from the Aug 27, 2015 City Council meeting. A discussion was held on why the Daniel Grange subdivision was put on hold and the legality of prior land divisions concerning the property where the well is located.

The discussion held by the City Council on the Assisted Living Facility was reviewed and the commission notified that it is being rerouted back to P&Z for more detailed review. The Council wants a more complete conceptual idea with drawings, and Mr. Meadows has requested full surveyed maps showing all buildings, parking, and Mr. Roundy's proposed home included.

**6.D. Agenda Items for Next Meeting**

No items pending.

**7. Calendaring of future Planning and Zoning Meeting**

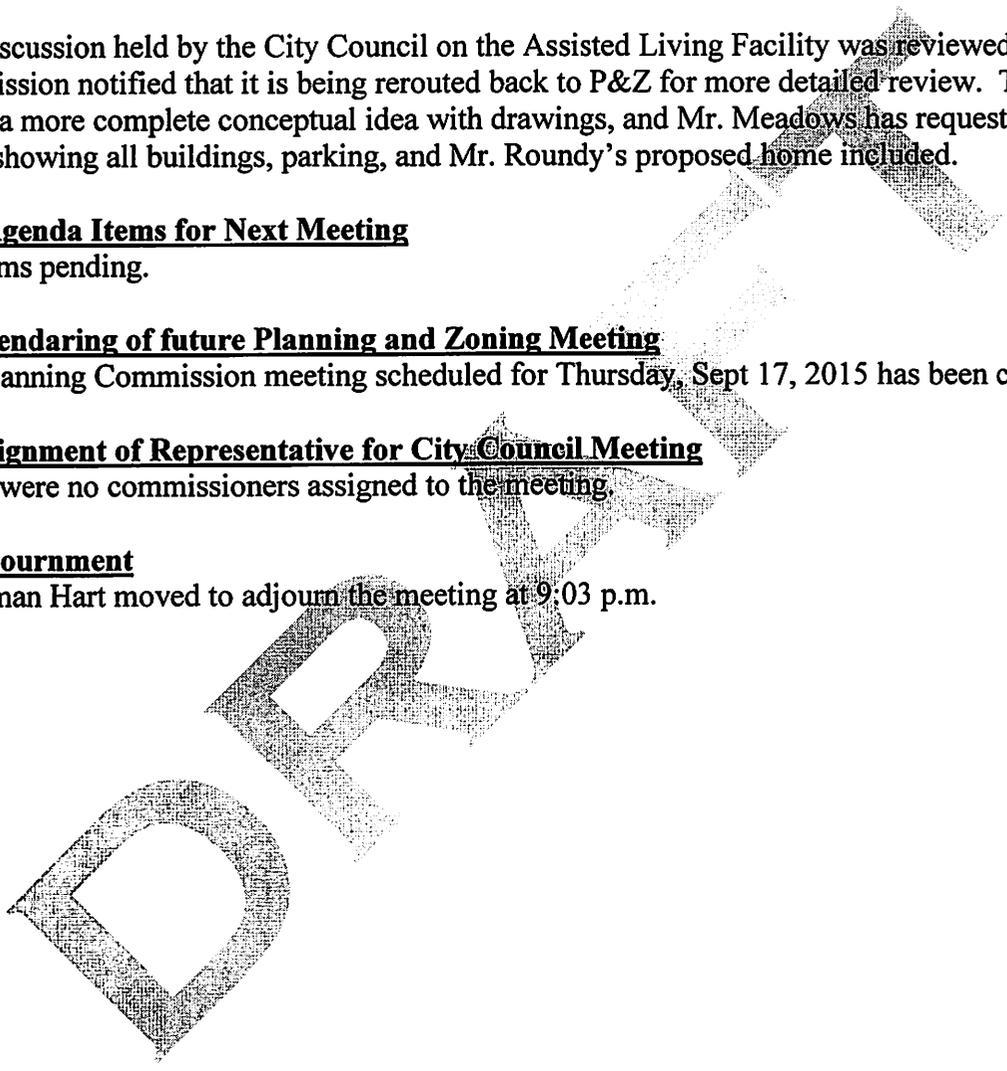
The Planning Commission meeting scheduled for Thursday, Sept 17, 2015 has been cancelled.

**8. Assignment of Representative for City Council Meeting**

There were no commissioners assigned to the meeting.

**9. Adjournment**

Chairman Hart moved to adjourn the meeting at 9:03 p.m.





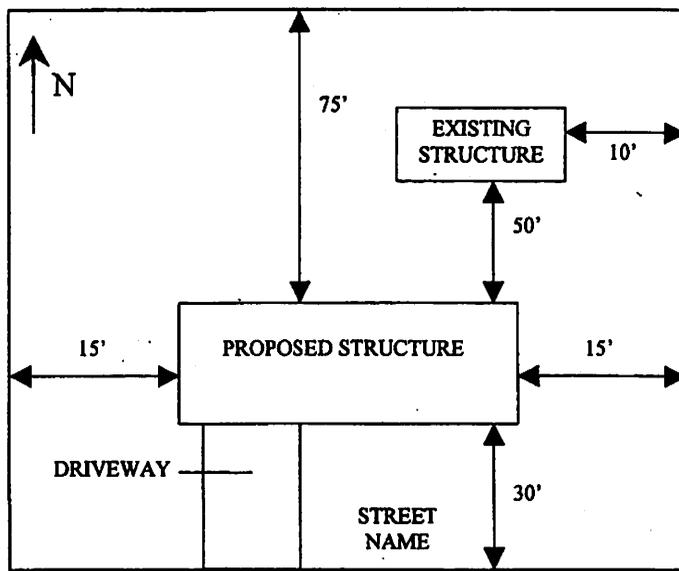
**MILLVILLE CITY**  
**ZONING CLEARANCE FOR BUILDING PERMIT**  
**THIS FORM EXPIRES 60 DAYS FROM DATE OF APPROVAL**

**APPLICATION INFORMATION**

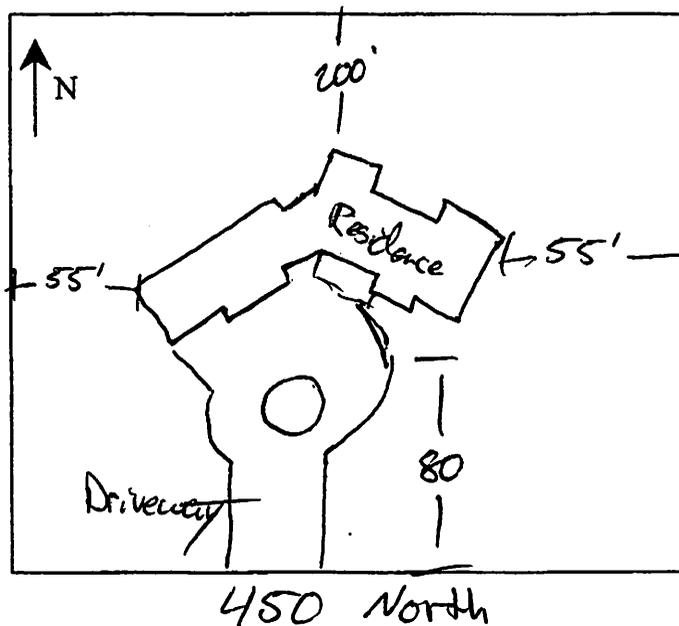
1. Daniel Grange  
APPLICANT'S NAME
2. PO Box 655  
MAILING ADDRESS
- Millville Ut 84326  
CITY STATE ZIP CODE
3. 435-954-2270 4. \_\_\_\_\_  
HOME TELEPHONE BUSINESS TELEPHONE
5. \_\_\_\_\_  
OWNER'S NAME (if different from applicant)
6. Residential Home  
TYPE OF STRUCTURE
7. 1,500 8. R-1  
SQUARE FOOTAGE ZONE
9. Derby Car #1  
SUBDIVISION NAME AND LOT NUMBER (if applicable)
10. \_\_\_\_\_  
TAX IDENTIFICATION NUMBER
11. 51 East 450 North  
ADDRESS OF CONSTRUCTION
12. 1.82 13. \_\_\_\_\_  
LOT SIZE LOT ELEVATION
14. SEWER  SEPTIC TANK  N/A   
(choose one)
15. CITY WATER  PRIVATE WELL  N/A   
(choose one)
16. ELECTRICITY  GAS  OTHER UTILITY   
(specify in remarks)
17. \_\_\_\_\_  
REMARKS

**SAMPLE PLOT PLAN**

(numbers do not represent required setbacks)



**PLOT PLAN**



APPROVED - PLANNING AND ZONING \_\_\_\_\_ DATE \_\_\_\_\_

FEES PAID - TREASURER \_\_\_\_\_ DATE \_\_\_\_\_

This property is being approved for building permit issuance as indicated above. Any change in the type or placement of the structure is not allowed. This clearance is not a waiver of compliance with either the zoning ordinance or the building codes. Millville City Form 101 - 15 Nov. 2003 (previous edition is obsolete)







City of Millville, Utah

# Petition to Amend the Zoning Ordinance and/or Map

**Petitioner Information**

**Petition Number:**

Name: NEAL E. ARTZ Telephone: 757-0895  
 Address: 180 South 530 East Fax: \_\_\_\_\_  
 City/State/ZIP: Millville, UT 84326 e-mail: neartz@citrusco.com

**Petitioner's Requested Amendment**

Parcel No.(s): 03-037-0054  
 Request: REZONE FROM OPEN SPACE OS TO SINGLE-FAMILY AND TWO-FAMILY RESIDENTIAL R-1

**Petitioner's Justification for the Requested Amendment**

TO ALLOW THE CITY TO RECTIFY A PROBLEM CREATED BY THE CITY - THAT IS, REZONING THE LOT MY HOUSE SITS ON TO OPEN SPACE ~~WITHOUT~~

**Other Reports, if required (to be submitted with this application)**

The Planning Commission, City Council, or City Engineer may require other reports, plans, or information for the evaluation of this application. On a separate sheet of paper, provide the same information for each additional report as you did for the standard required plans and reports.

**Applicant Signature**

I have submitted this petition and agree to submit any other reports, plans, and information as may be deemed necessary by the Planning Commission, City Council, or City Engineer, at my expense. I have also enclosed a check (or checks), payable to Millville City Corporation, for the amount of the non-refundable Petition Filing and Publication fees associated with this petition.

Applicant: Neal E. Artz Date: 9/23/15

City of Millville, Utah  
**Petition to Amend the Zoning Ordinance and/or Map**

**Petitioner Information**

**Petition Number:**

Name: Clark R. Ballard

Telephone: 435-213-0584

Address: 236 South 550 East

Fax: \_\_\_\_\_

City/State/ZIP: Millville UTAH 84326

e-mail: leannaballard@comcast.net

**Petitioner's Requested Amendment**

Parcel No.(s): 03-037-0015

Request: REZONE FROM OPEN SPACE OS TO SINGLE-FAMILY AND TWO-FAMILY RESIDENTIAL R-1

**Petitioner's Justification for the Requested Amendment**

Our home and property were placed in Open Space without our knowledge. We just learned about the change from residential when Ed Barnham built our home to open space this summer. We request our properties (Neal Artz, next door and the Ballard home) be placed into Residential zone. The Residential designation will ensure our home + land property values will be where they should be + belong.

**Other Reports, if required (to be submitted with this application)**

The Planning Commission, City Council, or City Engineer may require other reports, plans, or information for the evaluation of this application. On a separate sheet of paper, provide the same information for each additional report as you did for the standard required plans and reports.

**Applicant Signature**

I have submitted this petition and agree to submit any other reports, plans, and information as may be deemed necessary by the Planning Commission, City Council, or City Engineer, at my expense. I have also enclosed a check (or checks), payable to Millville City Corporation, for the amount of the non-refundable Petition Filing and Publication fees associated with this petition.

Applicant: Leanna S. Ballard

Date: Sept. 24, 2015



MARTIN CARLSON  
03-037-0034

WILLIAMS  
03-037-0025  
03-037-0019  
03-037-0020  
115561874145013770.403.618 Feet

BALPH ENTE  
03-03

UVA POWER & LIGHT COMPANY  
03-037-0021  
MANY SPARKER  
03-037-0018

MA

OWEN & JACOB HANNEY  
03-037-0038

B 300 S

SALVAGE SERVICES  
03-037-0086

FRANKLIN DENNIS & MERVIN MURPHY  
03-037-0038

R-1

ROULETTE BLANK  
03-037-0017

MONDEL TRINOVINS MILVILLE CITY  
03-037-0039

S 550 E

OS

MARTIN CARLSON  
03-037-0034

CLARK RUSSELL BALLARD  
03-037-0018

NEALE ANTZ  
03-037-0034

CALYPTANNA'S JENSON  
03-037-0001

B 200 S

MILVILLE CITY  
03-037-0039

JONATHAN'S FOXIE HANCEY  
03-036-0028

MILVILLE CITY

FRANKLIN & LYNAY MURPHY  
03-036-0029

JACOLYN J. HANCEY  
03-036-0031

03-036-0005

JACQUELYN J. HANCEY  
03-036-0010

FRANCA  
03-036-00

B 2900 S

KYLE O & JUNE M HANCEY  
03-036-0017

MILVILLE CITY  
03-036-0029

HANCEY

Search by Address



**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 Subdivisions 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
Lowe's	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.

**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](http://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.

**MILLVILLE CITY COUNCIL MEETING**  
**City Hall – 510 East 300 South – Millville, Utah**  
**September 24, 2015**

**PRESENT:** Michael Johnson, Michael Callahan, Cindy Cummings, Julianne Duffin, Mark Williams, Rose Mary Jones, Tara Hobbs, Harry Meadows, Gary Larsen, Stephanie Eggleston, Albert Monson, Martha Balph, Leanna Ballard, Zan Murray, Bob Bates, Neal Artz, Lars Erickson, Ray Whitchurch, Boy Scout Troop 375, Joshua Blankenship, Seth Graham, Zaid Norviel, Aaron Norviel, Parker Cummings, Nate Taylor, Jared Taylor, Jonny Taylor, Trevyn Jensen, and Seth Duffin

**Call to Order/Roll Call**

Mayor Michael Johnson opened the Council Meeting calling the meeting to order at 7:03 p.m. The roll call indicated Mayor Michael Johnson and Councilmembers Michael Callahan, Cindy Cummings, Julianne Duffin, Mark Williams, were in attendance and Ryan Zollinger was absent. Also Recorder Rose Mary Jones, Treasurer Tara Hobbs and Secretary Stephanie Eggleston were present.

**Opening Remarks/Pledge of Allegiance**

Councilmember Cummings welcomed all especially Scout Troop 375 and led everyone present in the pledge of allegiance.

**Approval of agenda and time allocations**

The agenda for the City Council Meeting of September 24, 2015 was reviewed. **Councilmember Williams moved to approve the agenda for September 24, 2015.** Councilmember Duffin seconded. Councilmembers Callahan, Cummings, Duffin, and Williams voted yes with Councilmember Zollinger 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 September 10, 2015. **Councilmember Duffin moved to approve the minutes of the previous meeting held September 10, 2015.** Councilmember Cummings seconded. Councilmembers Callahan, Cummings, Duffin, and Williams voted yes with Councilmember Zollinger absent. (A copy of the minutes is included as Attachment "B".)

**Form-Based Code Presentation**

Ray Whitchurch with IBI Group along with Lars Erickson made a presentation regarding Form-Based Codes. A presentation was shown on the television screen. IBI Group is an

international firm with about 3,000 people all over the world. The company is good at design and planning, also known for quality work. Mr. Whitchurch explained why he believes Form Based Codes are better. He talked about three points: Form, Use and Management. Form Based Code focuses on form and design. He explained why a community would want a Form Based Code such as, community ownership, desirable changes, less subjective, mix of uses by right and covers a large geography through the use of sub-districts. Mr. Whitchurch showed an example of what a Form Based Code looks like for another community.

Mr. Erickson talked about what a Community Design Charrette is – allowing input from the community and others to find out what the community wants to see developed. The goal of Form Based Code is to implement a vision that has been vetted through the public engagement process, detailed and embedded in a master plan, and ultimately realized via the code. There would be monthly stakeholder meetings and ensure the stakeholders are updated with draft documents and confirm direction. Mr. Erickson said a general overview would take about six months to complete. Mr. Whitchurch stated the cost would be approximately \$30,000.

Councilmember Callahan asked how developers respond to the Form Based Code. Mr. Whitchurch said developers usually embrace the code unless they don't understand it. Once they understand it, they are willing to comply.

**Discussion on Rezone of Property for Neal Artz at approximately 200 South 550 East, Parcel 03-037-0054**

Neal Artz spoke to the Council about rezoning his property. He stated that early in the 1990's, his house was built on the property at 220 South 500 East. It was later rezoned to open space by the City. Mr. Artz is concerned about whether his home would be covered by the insurance company if it is zoned as open space. Mayor Johnson explained that Millville City is willing to rezone the property if Mr. Artz would like to have it done. There is no pressure to rezone the property, but it is offered to Mr. Artz as an option to him. Mr. Artz asked the Council who is responsible to resolve this problem. He feels like the City is responsible for paying for the rezoning costs.

Mayor Johnson asked the Councilmembers if they wanted to consider approving the rezoning without complying with the City ordinance.

Councilmember Cummings asked how much of Mr. Artz's property is zoned as open space; Mr. Artz stated his entire property is zoned open space.

Leanna Ballard also stated she would like her property rezoned to residential as well.

Mayor Johnson said this would be a good item for further discussion.

Councilmember Duffin asked about what the fees and process would be to rezone. Development Coordinator Harry Meadows said it was \$160 dollars to go before Planning and Zoning. There would be a \$60 fee to post a notice in the newspaper and notice of the public hearing would be required to be given to adjoining property owners.

Mayor Johnson told Mr. Artz the rezoning fees would be his responsibilities. If he would like to move forward at this time, the rezoning fees could be split in half with Mrs. Ballard. The new map fee could be split three ways to include Martha Balph, Mr. Artz, and Mrs. Ballard.

Councilmember Callahan would like to do some further research on this item.

There was also discussion about the address of the Artz residence. His address had been 220 South 550 East originally. When the City changed the 500 East road address to 550 East, his house number was also changed. This will be looked into. Mr. Artz would like the address changed back to 220 South.

#### **Form-Based Code Presentation**

Kelly Gilman with CRSA – no show.

#### **City-owned Property Adjacent to Cemetery**

Mayor Michael Johnson met with Mayor Dustin from Nibley City. There have been conversations in the past with the Cemetery Board. Mayor Johnson explained the cemetery is its own district. They are collecting taxes and need to pay for their needs from their own budget. The City may be willing to sell some of the City's property at fair market value to the Cemetery Board if needed. The City would need to hold an executive session if the sale of the property is discussed. **Councilmember Callahan made a motion to table the item of city-owned property adjacent to the cemetery.** Councilmember Williams seconded. Councilmembers Callahan, Cummings, Duffin, and Williams voted yes with Councilmember Zollinger absent.

#### **Form-Based Code Presentation**

Jake Young with CSG handed out a flyer about the Cache Summit – An Annual Gathering of Leaders to Discuss the Vision & Growth of Cache Valley, November 12, 2015. He invited everyone who might be interested to attend. (This information is included at Attachment "C".)

Mr. Young, Project Manager for CSG, introduced his company. He showed a slide presentation on the television screen as well as handing out a booklet to the Councilmembers with the presentation. (A copy of the booklet presented is included with the minutes as Attachment "D".) He gave examples of cities that have used his company to implement Form Based Code.

Mr. Young discussed different aspects of Form Based Code such as Place Types, Street Types, Building Types, Use Regulations, Open Space Types, and Additional Requirements. He reviewed an outline of a Form Based Code.

Mr. Young briefly touched on Uses, Building Types, Open Space Type, Landscaping, Parking, Sign Types, and Administration.

Councilmember Callahan asked how the developers feel about the requirements. Mr. Young stated developers like it because the requirements are obvious and easy for them to make decisions, move forward quickly with development.

Mr. Young said having a Form Based Code may help the City conserve administrative costs.

He said he likes to work with a Steering Committee to get input. The Steering Committee would be comprised of approximately ten people. Design and developing a draft would be followed by the review of the drafts, development of a final draft and finally adopting the draft as a City ordinance.

Mr. Young finished his presentation by explaining why CSG would be a good choice for Millville City, its abilities and professionalism. He also gave some optional services his company offers such as a Town Center Master Plan. He did include two reference letters as well.

**Resolution to Cancel the 2015 Municipal Election and Consider Candidates to be Elected to Office**

Recorder Jones reviewed with the Council the resolution which had been prepared to cancel the 2015 Municipal Election and consider the candidates to be elected to office. **Councilmember Duffin moved to adopt the resolution to cancel the 2015 Municipal Election and consider candidates to be elected to office.** Councilmember Williams seconded. Councilmembers Callahan, Cummings, Duffin, and Williams voted yes with Councilmember Zollinger absent. (Information presented was included with the minutes as Attachment "E".)

**Bills to be paid**

The bills were presented. They are as follows:

Mike Johnson	173.50	General
Julianne Duffin	92.00	General
Cindy Cummings	128.50	General
Mark Williams	128.50	General
Rose Mary Jones	128.50	General
Shari Eager	25.00	Water
Shane and Ashley Jessop	2,000.00	Construction Deposit
Mike and Heidi Johnson	2,000.00	Construction Deposit
Bear River Health Department	40.00	Water
Glenn's Electric	428.00	Water
Peterson Plumbing	545.75	Water
Providence Blacksmith Fork Irrigation Company	141.00	Water
Questar	16.90	NorthPark/Building
Maverik	482.90	Road
Ecosystems	46.00	Water
CenturyLink	175.99	General
Turf-It Landscaping	300.00	North Park
Watkins Printing	532.21	P&Z/General/Safety
Rocky Mountain Power	1,158.03	Street lights
Olson & Hoggan	210.00	Legal
Lewis Young Robertson & Burningham	2,320.00	General Plan
Utah Local Governments Trust	248.55	General
Utah Geological Survey	5,439.81	Water
J-U-B	9,513.38	General
ACN Communications	15.19	Building
Maceys	152.24	General/ComFairBooth
Comcast	73.75	Building
Cache County Recorder	82.00	Zoning
South Fork Hardware	4.92	Park
Salary Register	9,378.85	

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

**City Reports**

**Roads/Sidewalks:**

Superintendent Gary Larsen said a bid for the power for street lights on 300 West 550 North is still in the process of being obtained.

**City Parks:**

Superintendent Larsen had nothing to present on the City Parks.

**Culinary Water System:**

Superintendent Larsen said the City has received a bid to extend the water line on 550 north to the east and has a contract but hasn't signed it yet.

The wells will be turned off on October 1, 2015 and Superintendent Larsen reported we will be back on the Garr Springs winter water.

Recommendations have been received on the needed improvements to utilize the irrigation water from Garr Springs for municipal use. This will be an on-going project.

The storm water pipe project at 100 North 100 West is continuing. The pipe is installed in the ground. We are waiting for the irrigation season to end to connect it to the box.

Mayor Johnson said the CCCOG application went well and was approved. Millville City ranked number one on the list. This will go before the County Council for their final approval.

**Communication with Residents in case of an Emergency**

Councilmember Cummings said she didn't see anything on this topic at the ULC&T Conference. There was some discussion about mass telecommunication with residents through Facebook, email, or telephone communication. Mayor Johnson would like to add this as an action item for the next meeting.

**Councilmember Reports**

(A copy of the Councilmember Reports was included with the minutes as Attachment "F".)

Councilmember Cummings talked about the email she sent to everyone about Form Based Code. This provided a link for a template which had been created through a State Grant.

Councilmember Duffin reported the Sidewalk Safety Grant was complete and ready to be submitted.

Councilmember Duffin talked about the Impact Fee Analysis (IFA). The impact fee draft update should be ready for review at the next meeting. A public hearing may be scheduled for November 12, 2015 on the ordinance.

**Other items for Future Agendas**

Martha Balph would like to talk to the Council about the new zoning map at the meeting on October 8, 2015. The zoning map needs to be redrawn, approval obtained from the Council, then a public hearing. Mayor Johnson approved having this included on the next agenda.

Harry Meadows received a letter from BRAG regarding a Disaster Mitigation Plan. Adoption of the plan is not mandatory, but if not adopted, this may affect money distributed to the City. The plan must be adopted by November 30, 2015.

Councilmember Cummings said the State of Utah is proposing a fee for Fire Risk Assessment. Millville City's fee was minimal, at approximately \$1,200 per year. She will bring the paperwork to the next meeting. It is only a proposal at this point.

Mayor Johnson requested the Comcast Franchise Agreement be included on the next agenda for October 8, 2015 as an action item.

**Adjournment**

**Councilmember Cummings moved to adjourn the meeting.** Councilmember Duffin seconded. Councilmembers Callahan, Cummings, Duffin, and Williams voted yes with Councilmember Zollinger absent. The meeting adjourned at 9:20 p.m.