

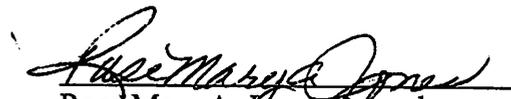
NOTICE AND AGENDA

Notice is hereby given that the Millville City Council will hold their regularly scheduled council meeting on Thursday, June 23, 2016, 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 – Mayor Michael Johnson.
3. Approval of agenda and time allocation.
4. Approval of minutes of the previous meeting – June 9, 2016.
5. Action Items—
 - A. Report on P & Z Meeting held June 16, 2016 – Mayor Michael Johnson – 7:03 p.m.
 - B. Consideration of Conditional Use Permit for a Residential Assisted Living Facility located at approximately 305 East 450 North/Set Public Hearing – Roger Roundy – 7:05 p.m.
 - C. Resolution for Mayor Protem for Fiscal Year 2017 – Mayor Michael Johnson – 7:20 p.m.
 - D. Consideration for Accepting a Proposal for an Emergency Notification System – Councilmember Callahan – 7:22 p.m.
 - E. Review of Proposed Sewer Ordinance / Set Public Hearing – Mayor Michael Johnson – 7:30 p.m.
 - F. Consideration for Development Coordinator Position – Mayor Michael Johnson – 7:40 p.m.
 - G. Bills to be paid.
6. Discussion Items—
 - A. Review of the Stormwater Permit Update – Engineer Zan Murray.
 - B. Councilmember Reports.
 - C. 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 June 20, 2016, 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/pmnn/index.html>) on June 20, 2016.


Rose Mary A. Jones, Recorder

MILLVILLE CITY COUNCIL MEETING
City Hall – 510 East 300 South – Millville, Utah
June 9, 2016

PRESENT: Michael Johnson, Michael Callahan, Cindy Cummings, Julianne Duffin, Ryan Zollinger, Rose Mary Jones, Tara Hobbs, Gary Larsen, Zan Murray, Nicole Norris, Brock Norris, Brett Hadfield, Meagan Hadfield, Sam Hadfield, Jonah Hadfield, Viv Hadfield, Paul Saunders, Kathy Baker

Call to Order/Roll Call

Mayor Michael Johnson called the City Council Meeting to order for June 9, 2016 at 7 p.m. The roll call indicated Mayor Michael Johnson and Councilmembers Cindy Cummings, Julianne Duffin, and Ryan Zollinger were in attendance with Councilmember Williams excused and Councilmember Callahan absent. Also Recorder Rose Mary Jones and Treasurer Tara Hobbs were present.

Opening Remarks/Pledge of Allegiance

Councilmember Zollinger welcomed all to the Council Meeting and invited all present to join in saying the pledge of allegiance.

Approval of agenda and time allocations

The agenda for the City Council Meeting of June 9, 2016 was reviewed. **Councilmember Duffin moved to approve the agenda for June 9, 2016.** Councilmember Cummings seconded. Councilmembers Cummings, Duffin, and Zollinger voted yes with Councilmember Williams excused and Councilmember Callahan 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 May 26, 2016. **Councilmember Cummings moved to approve the minutes for May 26, 2016.** Councilmember Duffin seconded. Councilmembers Cummings, Duffin, and Zollinger voted yes with Councilmember Williams excused and Councilmember Callahan absent. (A copy of the minutes is included as Attachment "B".)

Report on P & Z Meeting held June 2, 2016

Mayor Johnson reported on the Planning Commission Meeting held June 2, 2016. (A copy of the draft minutes are included as Attachment "C".) The CopperLeaf Subdivision had been reviewed by the Planning Commission at the meeting and they recommended approval to the City Council, pending a Geo Technical Study on the soils.

Proposal for Eagle Project for Millville City Signs

Brock Norris proposed an Eagle Scout Project to refinish the Millville City sign entering Millville from the North and also the Millville City Park sign. He showed the Council pictures of the current condition of the signs. He proposed to prep the signs and stain them with a stain that should last about ten years. He had previously reviewed the project with Superintendent Gary Larsen. The cost of this was estimated to be about \$185. He is planning to ask for donations by going door to door to pay for the project. On July 5 he is proposing to clean the signs and prep them for staining and will stain them on July 9. He would like to have something go into the City Newsletter about the project acknowledging all those that helped as well as those that contributed to the project.

Councilmember Cummings moved to accept the Eagle Scout Project for Brock Norris. Councilmember Duffin seconded. Councilmembers Cummings, Duffin, and Zollinger voted yes with Councilmember Williams excused and Councilmember Callahan absent. (A copy of the project expense sheet is included with the minutes as Attachment "D".)

Mayor Johnson requested that Brock come back to the Council following the project with a final report.

Consideration of Final Approval for The Views at CopperLeaf Subdivision, a 24-lot Subdivision located at approximately 475 North to 620 North between 225 East and 350 East

Mayor Johnson indicated that the CopperLeaf Subdivision is ready for consideration of the Final Plat. (The materials presented are included with the minutes as Attachment "E".)

Councilmember Callahan arrived at the meeting at this time.

There were three items that the Engineer noted will need to be included, but they will be added to the Construction Drawings. They are for street lights, street signs, and traffic signs.

Mr. Hadfield presented the bond to the Mayor at the rate of 150% of the required improvements in the form of a Letter of Credit from Cache Valley Bank.

There was discussion about the three Stormwater ponds that was included in the drawings. There is one east of the homes where the Hadfield and Godfrey families currently live, one that is east of the Clair Mathews' home, and one north of the white brick home on the brim of the hill. These ponds are all located on property owned by

individuals. Mr. Saunders explained he currently shares a retention pond with his neighbor with no conflict; there just cannot be a permanent structure built in it. It was also discussed that the retention ponds are built above other homes. Mr. Hadfield explained they are all built for the 100-year storm as engineered and required by ordinance.

There was discussion on the Geo Technical Report; this is to be completed and will then be reviewed by the Engineer to make sure it is in compliance with all requirements.

There was discussion about having dry sewers put in this subdivision. As there is not a current sewer ordinance and there had not been contact made with the Attorney to date, it was the consensus it would not be required. However, it was suggested that if the property owners wanted to put in dry sewers, it would be up to them.

Councilmember Duffin moved to approve Resolution 2016-4 A Resolution to Establish the Views at CopperLeaf Subdivision with the condition to obtain approval of a Geo Technical Report. Councilmember Cummings seconded. Councilmembers Callahan, Cummings, Duffin, and Zollinger voted yes with Councilmember Williams excused.

Mr. Hadfield will proceed in having the Mylar plat signed by the required entities. Mayor Johnson will sign this upon receiving documentation and approval of the Geo Technical Study.

There was a concern raised about the east-west traffic flow in this section of the community. This has differed from the roadways being laid out on the grid system.

Consideration for Increasing the Stormwater Fee from \$2 per Month to \$3 per Month

Mayor Johnson reviewed with the Council the discussion which was held prior to this meeting regarding the increased costs for Stormwater compliance as mandated by the state.

Councilmember Cummings moved to adopt Resolution 2016 A Resolution Setting Fees for the Millville City Municipal Stormwater Fund. Councilmember Callahan seconded. Councilmember Zollinger questioned what the residents received for this money. It was noted that it is Phase 2 of the mandates being required by the state. It was explained that the current funds received does not allow for a lot of construction projects. Engineer Zan Murray explained the \$3 cost is on the low side of what it being charged throughout the state; some fees are at \$12 monthly. Councilmembers Callahan, Cummings, Duffin, and Zollinger voted yes with Councilmember Williams excused. (A copy of the Resolution for the Stormwater Fund is included as Attachment "F".)

Consideration to Revise the Resolution Revising Terms, Conditions, and Fees for Connecting to the Millville City Municipal City Municipal Water System, Revising Water Rates, and Specifying Conditions for Security Deposit

Mayor Johnson reviewed the resolution for the water system as proposed. This would raise the fee for water usage \$.05 on every 1,000 gallons of water sold. The new impact fee amounts are included in the Resolution; however, they cannot become effective until July 28, 2016. The water rates have not been increased for five years. **Councilmember Cummings moved to adopt Resolution 2016 A Resolution Revising Terms, Conditions, and Fees for Connecting to the Millville City Municipal Water System, Revising Water Rates, and Specifying Conditions for Security Deposit with the condition that the impact fees would not go into effect until July 28, 2016.**

Councilmember Duffin seconded. Councilmembers Callahan, Cummings, Duffin, and Zollinger voted yes with Councilmember Williams excused. (A copy of this Resolution is included as Attachment "G".)

Review of Proposed Budget for Fiscal Year 2017

Mayor Johnson and Recorder Jones reviewed the proposed budget for Fiscal Year 2017. The certified tax rate had been certified by the County Auditor and approved by the State Tax Commission authorizing \$62,311 in property taxes with the rate of .000628. This amount was revised for the budgeted property tax revenue as well as General Government expenditures. (A copy of the corrected budget is included with the minutes as Attachment "H".)

Review of Revision to Fiscal Year 2016 Budget

Mayor Johnson along with Recorder Jones reviewed minor revisions to the 2016 budget increasing the revenue in donations by \$50. In the General Fund expenditures, the P&Z Budget was increased by \$500, Animal Control increased \$500, Parks-Other increased \$100; and the original budgeted amount for 9-1-1 Service was used. (A copy of the corrected budget is included with the minutes as Attachment "I".)

Councilmember Cummings moved to go into the Public Hearing. Councilmember Duffin seconded. Councilmembers Callahan, Cummings, Duffin, and Zollinger voted yes with Councilmember Williams excused.

PUBLIC HEARING

PRESENT: Michael Johnson, Michael Callahan, Cindy Cummings, Julianne Duffin, Ryan Zollinger, Rose Mary Jones, Tara Hobbs, Gary Larsen, Zan Murray, Brett Hadfield, Paul Saunders

The purpose of the public hearing was to receive input on the following:

1. Proposed 2017 Budget and Certified Tax Rate.
2. Revisions to Fiscal Year 2016 Budget.

Public Comment:

There were no comments made.

Councilmember Duffin moved to close the Public Hearing. Councilmember Cummings seconded. Councilmembers Callahan, Cummings, Duffin, and Zollinger voted yes with Councilmember Williams excused.

Approval of Certified Tax Rate

Mayor Johnson reviewed with the Council the Resolution which had been prepared regarding the Certified Tax Rate. **Councilmember Duffin moved to approve the Resolution Setting the Millville City Certified Tax Rate for Fiscal Year 2016-2017.** Councilmember Callahan seconded. Councilmembers Callahan, Cummings, Duffin, and Zollinger voted yes with Councilmember Williams excused. (A copy of the resolution is included with the minutes at Attachment "J".)

Resolution to Set the Compensation of Appointed Officials

Mayor Johnson reviewed the resolution with the Council that would increase the compensation for appointed officials by 2%, the same as proposed for all other City employees.

Councilmember Cummings moved to adopt the Resolution Setting the Compensation for Millville City Appointed Officials. Councilmember Callahan seconded. Councilmembers Callahan, Cummings, Duffin, and Zollinger voted yes with Councilmember Williams excused. (A copy of the resolution is included with the minutes as Attachment "K".)

Consideration for Accepting a Proposal for an Emergency Notification System

Councilmember Callahan explained the cost for the Emergency Notification System is \$3,500 annually. He requested to have this item continued to the next agenda for consideration.

Resolution Adopting the 2017 Fiscal Year Budget

The resolution adopting the 2017 fiscal year budget was reviewed. **Councilmember Cummings moved to adopt Resolution 2016 a Resolution to Adopt the Budget for Fiscal Year 2016-2017.** Councilmember Callahan seconded. Councilmembers Callahan, Cummings, Duffin, and Zollinger voted yes with Councilmember Williams excused. (A copy of the resolution is included with the minutes as Attachment "L".)

Resolution Adopting the Revised 2016 Fiscal Year Budget

Mayor Johnson reviewed with the Council the Resolution to adopt the 2015-16 Revised Budget. **Councilmember Duffin moved to approve the Resolution to Approve Revisions for the 2015-16 Fiscal Year Budget.** Councilmember Cummings seconded. Councilmembers Callahan, Cummings, Duffin, and Zollinger voted yes with Councilmember Williams excused. (A copy of the resolution is included with the minutes as Attachment “M”.)

Consideration of an Agreement between Nibley City and Millville City for Sewer Usage

Engineer Murray reported that he along with Superintendent Larsen, City Manager David Zook, and Justin Maughan had met and reviewed the proposed InterCity Waste Water Agreement that had been discussed at the previous meeting. The consensus of the meeting was that they felt this was reasonable and fair. This draft agreement is being reviewed by Attorney Jorgensen, but his comments had not been received to date. It was requested that this be continued to the next meeting agenda for further consideration.

Consideration of a Proposed Sewer Ordinance

Mayor Johnson reviewed the changes from the previous Proposed Sewer Ordinance that had been reviewed at the last Council Meeting. Connection Requirements, Connections of Existing Properties, and Mandatory Connection: Penalty had been removed. It was requested to have this ordinance set in a format that would comply with our current code. **Councilmember Cummings moved to continue forward with the drafting of this ordinance and have this item on the next agenda.** Councilmember Callahan seconded. Councilmembers Callahan, Cummings, and Duffin voted yes with Councilmember Zollinger voting no and Councilmember Williams excused. (A copy of the Sewer Ordinance is included with the minutes as Attachment “N”.)

Bills to be paid

The bills were presented. They are as follows:

Stephanie Eggleston	3.78	General
Tara Hobbs	105.84	Water
Rose Mary Jones	66.80	Water
Adria Davis	16.90	P&Z
Alicia Nyman	47.98	City Celebration
Rocky Mountain Power—		
North Park	38.17	Park
Shop	173.33	Building
Crossing Guard	17.16	Crossing Guard
Ball Park	9.35	Park
North Well	17.90	Water
Park Well	2,008.20	Water

BILLS (Continued)--

Water Treatment	18.93	Water
Highline Reservoir	798.31	Water
Public Treasurers Investment Fund	7,667.00	Water
Cache County Service Area	10,308.90	Sanitation
Cache County Service Area	1,722.00	9-1-1
Cache County Service Area	1,109.98	Stormwater
Watkins Printing	221.65	MissMill/W/CityClbrtn
AT&T	53.01	General
Caselle	125.00	Water
Maceys	23.39	Miss Millville
J-U-B Engineer	2,425.00	Road/Stormwater
Jones Simkins	153.00	General/Water
Wells Fargo Bank	1,677.50	Water
Mya Simmons	25.00	MissMillville
Megan Covington	25.00	MissMillville
Mandi Green	123.87	City Celebration
Lindsay Zollinger	157.50	City Celebration
Jeannie Astle	58.06	City Celebration
Lowe's	56.96	Park
USU Catering	1,622.25	City Celebration
Cache Valley Publishing	59.43	General
Debra Low	25.00	City Celebration
Cindy Cummings	492.49	City Celebration
Irene Jorgensen	50.00	Park
Peterson Plumbing Supply	41.10	Park
Jared Dahle	75.00	Water
Judy Pond Daniels	75.00	Water
Kalob Wahler	75.00	Water
Colby Martin	75.00	Water
Brandon Nielson	75.00	Water
Brittney Wall	75.00	Water
Teresa Womack	75.00	Water
Kandis Lindon	75.00	Water
Emily Hoffman	75.00	Water
Tammy George	75.00	Water
Joseph Jackson	75.00	Water
Spencer Holmgren	75.00	Water
Kristy Harding	75.00	Water
Eva LaRue Bateman	75.00	Water
Derek and Amy Carlsen	75.00	Water
Zoila Castillo	75.00	Water
Trevor and Callie Davis	75.00	Water
Jacey Forsgren	75.00	Water

BILLS (Continued)--

Colton Peterson	75.00	Water
Denise Johnson	75.00	Water
Glenn's Electric	1,625.24	Water
IPACO	34.00	WaterCapReplacmtFund
LeGrand Johnson Construction Co.	7,647.50	WaterCapReplacmtFund
LeGrand Johnson Construction Co.	160,190.24	Road – COG
LeGrand Johnson Construction Co.	71,363.01	Road – COG
Salary Register	12,987.02	

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

City Reports

Roads/Sidewalks:

Superintendent Larsen reported that M&M Asphalt will be doing the crack seal on the two park parking lots as well as 50% of the roads that are due for the service. This should be completed sometime in June.

The chip and seal project will be completed in the next fiscal year with the bulk of the project seal being completed on the 100 West and 100 North roads. This project is part of the 7 year rotation for road maintenance.

Mayor Johnson questioned about having the county contract with cities for these projects. Superintendent Larsen indicated this is the most cost effective method that the City could obtain.

Councilmember Callahan and other Councilmembers complimented Superintendent Larsen on the great condition of our roads. Superintendent Larsen indicated that most of the chip and seal has been paid for with Class "C" funds; however, the key is to just keep up on it.

The update on the 450/550 North Road project was the City is still awaiting CenturyLink to make their changes for the project to go forth; there is no definite date when this will happen. When completed, there will be a road closure on Main Street and 450 North for 45 days, as the roundabout is completed.

The construction company will continue to work on the 450/550 North road west of Main Street.

There was discussion about the sidewalk on 450/550 North west of Main Street; this is to be built on the north side of the road. There was also a discussion about the sidewalks that will accommodate the students going to the high school.

Councilmember Duffin also questioned whether the sidewalk on 450 North above 100 East on the North side of the road would be included in the COG Project. It was determined that it would not be eligible with this funding.

City Parks:

Superintendent Larsen reported there had been vandalism to the restrooms at the South Park during the past two weeks. This will be investigated.

Superintendent Larsen indicated the parks are almost ready for the City Celebration.

Culinary Water System:

Superintendent Larsen reported he is awaiting the delivery of an electrical panel to be installed as part of the Garr Spring Project, making the change in water from irrigation to municipal use. When this arrives, it should be inclusive for what is needed and would just need to be wired.

The culinary water usage has been reaching near one million gallons of water daily during this hot spell.

Resolution for Mayor Protem for Fiscal Year 2017

Mayor Johnson reviewed with the Council the resolution for this current fiscal year. (A copy of this is included with the minutes as Attachment "O".) Councilmember Cummings has been serving as the Mayor Protem. It was the consensus of the Council to have Councilmember Zollinger serve as Mayor Protem for the upcoming fiscal year. This resolution will be prepared and will be acted upon at the next Council Meeting.

Report on Old Mill Day

Councilmember Cummings reported she felt everything was good to go for the Celebration.

- Councilmember Zollinger will have two cars available for the Mayor and Council to ride in. Councilmember Cummings will get candy for them to throw out.
- The parade will congregate at the Stake Center on 450 North 350 East beginning at 9:45 a.m. and will then proceed to Main Street and go southward.

- There will be a fun run in the morning. Councilmember Duffin indicated they had several prizes donated for the runners.
- They will be setting up for the dinner beginning at 3:30 p.m. with the food being delivered to the park at 4:30 p.m.
- Dinner will be from 5 to 6:30 p.m.
- Games for children will be going on from 5 to 6:30 p.m.
- The Night Out Against Crime will also be going on. A landing by Life Flight is scheduled for about 5:30 p.m., if the helicopter is available.
- The Stormwater trailer will also be available; this will meet one of the requirements for our Stormwater education.
- There will be a Rodeo from 7 to 9 p.m.
- Councilmember Duffin requested using the dump truck to carry the Youth Council for the parade, as well as for transporting some pigs for the rodeo.

Councilmember Reports

(A copy of the Councilmember Reports are included with the minutes as Attachment "P.") Councilmember Zollinger reported he had visited with Kyle Hancey regarding the annexation of property in the eastern part of the community. He indicated this is in probate and will be tied up for up to two years. Mr. Hancey did not feel there was anything they could do at this time. There was also discussion about the water for this property and if it could be serviced by our water system; a portion of the property cannot be serviced at this time.

Councilmember Callahan had just received information from Kathy Baker for her proposal to annex property in the City; he had not yet reviewed this. It was suggested that he make contact the County representatives for further direction in what is required.

Councilmember Duffin had received information from Bear River Health Department regarding the crosswalk assessment at 100 South Main Street. (A copy of this information is included with the minutes as Attachment "Q".) This study showed the number of children walking on two different dates in the morning and afternoon. It was the consensus of the Council to not take action regarding this at this time.

Mayor Johnson indicated there is a need to find someone to help with the duties of the Development Coordinator. Information will be prepared for this position.

Mayor Johnson also reported that he had received a letter of resignation from Stephanie Eggleston as the City Secretary. She will be willing to continue to help until someone is found as a replacement.

Councilmember Duffin reported there had been a conflict at the tennis courts with residents and the Ellis/Johnson Tennis Camp that the City licensed to use the courts for a specified time during the months of June and July. The consensus of the Council was to revisit this for next year, as it should be available to the residents.

Other items for Future Agendas

Councilmember Callahan will address information about the Emergency Notification System at the next Council Meeting.

Recorder Jones questioned the availability of the electronic copy of the General Plan to be placed on the website.

Recorder Jones also brought attention to the redrawing of the Annexation Boundary for Nibley City to include the most southern part of the 'south fields'.

Superintendent Larsen requested time at the first of the July 28 meeting for Paul Inkenbrandt to present the ASR Final Report to the Council.

Engineer Murray requested having time to review and discuss the Stormwater Update that is required to be submitted to the State by July 1.

Mayor Johnson reported he had received notification that Pat Bowen will no longer be able to serve at the Museum Curator due to his health. Councilmember Callahan will be the contact person for those interested in viewing the museum.

Adjournment

Councilmember Cummings moved to adjourn the meeting. Councilmember Duffin seconded. Councilmembers Callahan, Cummings, Duffin, and Zollinger voted yes with Councilmember Williams excused. The meeting adjourned at 8:42 p.m.

MILLVILLE PLANNING COMMISSION MEETING

City Hall - 510 East 300 South - Millville, Utah

June 16, 2016

1. Roll Call:

Chairman Jim Hart, Commissioners Lynette Dickey, Garrett Greenhalgh, and Larry Lewis (Alt.)

Others Present:

Mayor Michael Johnson, Councilmember Michael Callahan, Councilmember Julianne Duffin, Treasurer Tara Hobbs, Ezra Eames, Megan and Melia Richards, Paul and Mykell Saunders, Randon Parkinson, Braden Reeder, and Roger Roundy. Secretary Adria Davis recorded the minutes.

2. Opening Remarks/Pledge of Allegiance

Chairman Hart opened the meeting at 8:00 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 June 16, 2016 was reviewed. A motion was made by Commissioner Lewis (Alt.) to approve the agenda as presented. Commissioner Greenhalgh seconded. Commissioners Hart, Dickey, Greenhalgh, and Lewis (Alt.) voted yes, with Commissioners Thompson, Farmer and Smith (Alt.) absent.

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

The minutes for the meeting of June 2, 2016 were reviewed. A motion was made by Commissioner Dickey to approve the minutes as outlined. Commissioner Greenhalgh seconded. Commissioners Hart, Dickey, Greenhalgh, and Lewis (Alt.) voted yes, with Commissioners Thompson, Farmer and Smith (Alt.) absent.

Chairman Hart explained that he had spoken with Gary Larsen regarding Phase II of the Mond-Aire Heights Subdivision. Gary had contacted Utah Power and Light and also Mountain Fuel. They both had been paid in full and were scheduled for Monday (elec) and 10 days following that (gas). Gary felt comfortable that all improvements would be complete and was okay to proceed with issuing permits.

5.A Consideration of zoning clearance for a building permit by Megan and Eric Richards, for a residence to be located at 152 North 480 East, lot #28 Mond-Aire Heights Subdivision in Millville, Ut.

Commissioner Lewis (Alt.) made a motion to approve the permit. Commissioner Greenhalgh seconded. Commissioners Hart, Dickey, Greenhalgh, and Lewis (Alt.) voted yes, with Commissioners Thompson, Farmer and Smith (Alt.) absent.

Commissioner Farmer arrived at the meeting at this time.

5.B. Consideration of zoning clearance for a building permit by Paul and Mykell Saunders, for a remodel and addition to the residence at approx. 500 North 300 East in Millville, Ut.

Paul had a question on the house numbering for his remodeled house as well as the numbering in the new subdivision. They weren't consistent with the even and odd numbering of other houses in the area. His house showed as 500 North on the west side of the street with other numbers out of sequence. There was discussion among the Mayor, commissioners and other councilmembers present. Since the Development Coordinator position is currently vacant he was referred to the City Engineer. Commissioner Lewis (Alt.) made a motion to approve the permit. Commissioner Greenhalgh seconded. Commissioners Hart, Dickey, Farmer, Greenhalgh, and Lewis (Alt.) voted yes, with Commissioners Thompson and Smith (Alt.) absent.

5.C. Consideration of zoning clearance for a building permit by Visionary Homes, for a residence to be located at 165 North 480 East, lot #20 Mond-Aire Heights Subdivision in Millville, Ut.

Commissioner Greenhalgh declared he has a personal interest in this item and the next. Commissioner Dickey made a motion to approve the permit. Commissioner Farmer seconded. Commissioners Hart, Dickey, Farmer, and Lewis (Alt.) voted yes, with Commissioners Thompson and Smith (Alt.) absent. Commissioner Greenhalgh abstained from the vote.

5.D. Consideration of zoning clearance for a building permit by Visionary Homes, for a residence to be located at 136 North 480 East, lot #27 Mond-Aire Heights Subdivision in Millville, Ut.

Commissioner Lewis (Alt.) made a motion to approve the permit. Commissioner Dickey seconded. Commissioners Hart, Dickey, Farmer, and Lewis (Alt.) voted yes, with Commissioners Thompson and Smith (Alt.) absent. Commissioner Greenhalgh abstained from the vote.

6.A. Ordinance change re: facilities for the elderly

There was discussion held regarding distance from another facility and the definition of a facility, including multiple buildings. Commissioner Greenhalgh will put together the changes for review at the next mtg.

6.B. City Council Reports – review minutes from June 9, 2016 meeting.

No comments were made.

6.C. Agenda Items for Next Meeting

Building permits
Ordinance on Elderly facilities

6.D. Other

Braden Reeder had tried unsuccessfully to get on the agenda and was requesting a special meeting for his building permit request. The commissioners agreed to meet next Wed. June 22nd.

Julianne Duffin also had a request for a sign permit that wasn't on the agenda. She will be added to Wednesday's meeting also.

6.D. Other Cont.

Commissioner Dickey had questions regarding fires left burning unattended. She was referred to the fire marshal.

Commissioner Greenhalgh had questions regarding a variance for 100' instead of the 108' frontage requirement, wanting to split a 208' frontage property into 2 lots. Mayor Johnson clarified that if the situation was man-made it would not be eligible for a variance.

Clarification was made on future P&Z agenda items. Building permit packets could be obtained from Michael Johnson or Michael Callahan and completed packets could be turned in directly to Secretary Adria Davis.

7. Calendaring of future Planning and Zoning Meeting

A special meeting will be held Wednesday, June 22, 2016 at 8:00 pm.

The next regularly scheduled meeting will be held Thursday, July 7, 2016.

8. Assignment of Representative for City Council Meeting

No one was assigned.

9. Adjournment

Chairman Hart moved to adjourn the meeting at 9:35 p.m.

City of Millville, Utah Application for Conditional Use Permit

Applicant Information

Application Number:

Name: Roger Roundy Telephone: 801-641-2956
 Address: 345 East 525 South Fax: 435-514-7771
 City/State/ZIP: Providence, Utah 84332 e-mail: roger@alivint.com

Applicant's Requested Conditional Use

Parcel No.: _____ Desired Start Date: Spring 2016
 Request: The requested use of the property is to construct a residential Assisted Living facility. This will be a small facility focused on quality care with 15-16 residents.

Applicant's Justification for the Requested Conditional Use

A residential assisted living facility in Millville would provide a much needed resource for the town as well as the south end of Cache Valley. The proposed facility would look and feel similar to residential home and as such would have little cosmetic impact on the city.
With the steady increase in age of the city and county demographic such facilities are much needed to serve the 'baby boomer' population. It is proposed that the minimal impact and presence of a much needed service to the community justify the conditional variance of use of the property.

Development Site Plan (to be submitted with this application)

Prepared by: Roger Roundy Telephone: 801-641-2956
 Address: 345 East 525 South Fax: 435-514-7771
 City/State/ZIP: 84332 e-mail: roger@alivint.com
 Contact: same

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 all required plans and reports for this application 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, payable to Millville City Corporation, for the amount of the non-refundable Application Filing fee with this application. I understand that after approval has been granted, that the final plans for this development must submitted to the Planning Commission for Clearance to obtain a Building Permit.

Applicant: Roger Rowndy

Date: 08/08/2015

City Review (to be completed by city personnel)

Y N

- Received Application Filing fee.
- Meets conditions for Hillside Development Overlay requirements.
- Requires other reports, plans, or information. List:

Fee \$150 plus professional fees

- Planning Commission recommends Preliminary Approval.
- City Council grants Preliminary Approval.
- Public Hearing (Date: _____)

Signature of Reviewer

Conditions Required by the City (determined by City Council after Public Hearing)

Applicant Acceptance of Conditions

I understand and accept the above conditions required by the City. I also understand that this Conditional Use Permit, if approved, may be revoked if I do not comply with the conditions imposed above.

Applicant: _____

Date: _____

Approval of Application for Conditional Use Permit (vote of City Council)

Y N

- City Council grants Conditional Use Permit.

Mayor's Signature

RESOLUTION 2016-

RESOLUTION APPOINTING A MAYOR PRO-TEM

WHEREAS, the City Council has been reviewing the need for maintaining Public Safety within the community and determining the chain of command; and

WHEREAS, if for some reason the Mayor, Chief Officer of the community, was not available or could not be reached for some reason; and

WHEREAS, the Council felt there should be someone appointed to be in charge and make decisions in behalf of the City;

NOW THEREFORE, it is hereby resolved that Councilmember Ryan Zollinger will serve as Mayor Pro-tem for the fiscal year 2017.

Approved and passed by the Millville City Council this 23rd day of June, 2016.

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				

Chapter 13.20 SEWER SERVICE SYSTEM

13.20.010: INDIVIDUAL WASTEWATER (SEWAGE) DISPOSAL CODE ADOPTED:

Part IV, individual wastewater disposal systems, of the code of waste disposal regulations, adopted by Utah division of health and Utah state committee on water pollution, and issued and published as a code in book form, as amended, three (3) copies of which have been filed for use and examination by the public in the office of the recorder, and which established rules and regulations relating to the disposal of domestic wastewater discharge from single homes, multiple dwellings containing not more than four (4) individual family units, and commercial installations serving not more than fifty (50) persons per day, is adopted by the municipality as the ordinance relating to individual wastewater disposal systems within the municipality except as such code may be altered or modified by the provisions of this chapter. (Ord. 2000-6 § 2)

13.20.020: SMALL UNDERGROUND WASTEWATER DISPOSAL SYSTEM CODE ADOPTED:

Part V, small underground wastewater disposal systems, of the code of waste disposal regulations, adopted by the Utah division of health and Utah state committee on water pollution and issued and published as a code in book form, as amended, three (3) copies of which have been filed for use and examination by the public in the office of the recorder, is adopted by the municipality as the small underground wastewater disposal systems code within the municipality, except as it may be altered or modified by the provisions of this or the preceding chapter. Occupancies in existing buildings may be continued as provided in the uniform building code as amended, except as to those structures which are found to be substandard as defined in the housing code. (Ord. 2000-6 § 2)

**SEWER SERVICE SYSTEM
ORDINANCE 2016-3**

WHEREAS, Millville City has been on septic system for waste water disposal for many years, with governing requirements included in the current City Ordinance as Chapter 13.20; and

WHEREAS, Millville City joined with Nibley City in 2000 when Nibley City went to full construction for their sewer system; and

WHEREAS, Millville City upgraded the sewer line capacity in the Nibley City system at that time to allow for use of the system when full construction of the Millville City sewer would take place; and

WHEREAS, the Cache County School District purchased property on the west part of Millville City to build a high school in 2013; and

WHEREAS, the Ridgeline High School is built and scheduled for occupancy in August, 2016; and

WHEREAS, there was a need to have the high school be connected to the Nibley City sewer system; and

WHEREAS, Millville City is not planning to go to a city-wide sewer system at the current time; and

WHEREAS, the portion of the City west of 100 West was identified to be part of the area to be serviced by sewer at this time; and

WHEREAS, an interlocal agreement between Millville City and Nibley City allows for this service; and

WHEREAS, additional requirements are to be included in the Millville City Ordinances;

NOW, THEREFORE, the Millville City Council, after giving notice of the required public hearing on _____, 2016, and holding the required public hearing on _____, 2016, hereby adopts, passes and publishes the following:

13.20.030 Wastewater (Sewage) System (Effective west of 100 West)

- 13.20.031 Definitions
- 13.20.032 Use Of Public Sewers
- 13.20.033 Private Wastewater Disposal
- 13.20.034 Sanitary And Building Sewers And Connections; Rates
- 13.20.035 Annual Review
- 13.20.036 Use Regulations
- 13.20.037 Powers And Authority Of Inspectors
- 13.20.038 Penalty

13.20.031 Definitions

Unless the context specifically indicates otherwise, the meaning of terms used in the following part of this chapter shall be as follows:

ACTIVE SANITARY SEWER: Any sanitary sewer pipe that is connected to the existing collection system outfall to a wastewater treatment works through any combination of pipes, manholes, pump stations, force mains or other system components is considered active. When any inactive sewer components are connected to the active sewer system, that portion of the sewer is then considered active.

BIOCHEMICAL OXYGEN DEMAND (BOD): The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees centigrade (20°C) expressed in milligrams per liter.

BUILDING DRAIN: That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet (5') (1.5 meters) outside the inner face of the building wall.

BUILDING SEWER: The extension from the building drain to the public sewer or other place of disposal, also called "house connection".

CESSPOOL: An underground reservoir for liquid waste (as household sewage).

CITY: Millville City, Cache County, Utah.

EASEMENT: An acquired legal right for the specific use of land owned by others.

FLOATABLE OIL: Oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. Wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

GARBAGE: All waste resulting from residences, commercial trades or businesses and institutions. Commercial and industrial waste shall be distinct from domestic or household sanitary systems.

GOVERNING BODY: The mayor and council members of Millville City.

INACTIVE SEWER: Sewer pipes that have been installed as part of a development project for future use, which are not connected to the outfall through other collection system components are considered inactive sewers. When any inactive sewer components are connected to the active sewer system, that portion of the sewer is then considered active.

INDUSTRIAL WASTE: The wastewater from industrial processes, trade or business as distinct from domestic or sanitary wastes.

MAY: Permissive. See definition of Shall.

NATURAL OUTLET: Any outlet, into a watercourse pond, ditch, lake or other body of surface or ground water.

PERSON: Any individual, firm, company, association, society, corporation or group.

pH: The logarithm of the reciprocal of the hydrogen ions concentration. The concentration is the weight of hydrogen ions, in grams per liter of solution. Neutral water, for example, has a pH value of seven (7) and a hydrogen ion concentration of 107.

PRETREATMENT: Treatment of wastewater flows for removal of harmful chemicals or substances or alteration of the wastewater flow characteristics prior to entering the public wastewater facilities to prevent damage to the wastewater facilities.

PROPERLY SHREDDED GARBAGE: The wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch (1/2") (1.27 centimeters) in any dimension.

PUBLIC SEWER: A common sewer controlled by a governmental agency or public utility.

RESIDENTIAL EQUIVALENT: A structure, building or unit discharging effluent into the system placing no more burden or discharging no more effluent than "residential flows", as defined hereinafter.

RESIDENTIAL FLOWS: The assumed average and/or standard flow expected from a single-family dwelling based on wintertime culinary water usage. A residential flow volume strength is 250 mg/l TSS (total suspended solids, see definition of Suspended Solids) and 200 mg/l BOD (biochemical oxygen demand, see definition of Biochemical Oxygen Demand (BOD)).

SANITARY SEWER: A sewer designed to carry liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with minor quantities of ground, storm and surface waters that are not admitted intentionally.

SEPTIC TANK: A tank in which the solid matter of continuous flowing sewage is disintegrated by bacteria.

SEWAGE: The spent water of a community. The preferred term is "wastewater", as defined herein.

SEWER: A pipe or conduit designed to carry wastewater or drainage water.

SHALL: Mandatory. See definition of May.

SLUG: Any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than

five (5) times the average twenty four (24) hour concentration or flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works.

STATE: State of Utah

STORM DRAIN (Sometimes Termed STORM SEWER): A drain or sewer for conveying water, ground water, subsurface water or unpolluted water from any source.

SUPERINTENDENT: The superintendent of wastewater facilities, and/or of wastewater treatment works, and/or of water pollution control of Millville City, or his authorized deputy, agent or representative.

SUSPENDED SOLIDS: Total suspended matter that either floats on the surface of, or is in suspension in water, wastewater or other liquids, and that is removable by laboratory filtering as prescribed in "standard methods for the examination of water and wastewater" and referred to as non-filterable residue.

SYSTEM: The sewer or wastewater facilities of the City.

UNPOLLUTED WATER: Water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

WASTEWATER: The spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with any ground water, surface water and storm water that may be present.

WASTEWATER FACILITIES: The structures, equipment and processes required to collect, carry away and treat domestic and industrial wastes and dispose of the effluent.

WASTEWATER TREATMENT WORKS: An arrangement of devices and structures for treating wastewater, industrial wastes and sludge. Sometimes used as synonymous with "waste treatment plant" or "wastewater treatment plant" or "water pollution control plant".

WATERCOURSE: A natural or artificial channel for the passage of water, either continuously or intermittently.

13.20.032 Use of Public Sewers

- A. Deposits: It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the City, or in any area under the jurisdiction of said City, any human excrement, garbage or other objectionable waste.
- B. Discharges: It shall be unlawful to discharge to any natural outlet within the City, or in any area under the jurisdiction of said City, any sewage or other polluted waters, except where

suitable treatment has been provided in accordance with subsequent provisions of this chapter.

- C. Sewer Main and Lateral Maintenance: Unless provision is expressly made for the ownership of sewer mains by means of a written agreement, all sewer mains shall be deemed to be the property of the City of Millville and subject to its absolute control and supervision even though actual installation may have been performed by a developer or other property owner. The property owner shall be responsible for:
 - A. Maintenance of all connecting lines or laterals running from the main line to the point of connection at the facility served by such connecting line.
 - B. Any physical or piping failures along the connecting lines or laterals.
 - C. All blockages or similar impediments of the waste water flows for the entire length of the lateral line from the main line to the facility being served. The city of Millville accepts no liability nor responsibility for any blockage in the lateral line whether it is under public property or private property.

13.20.033 Private Wastewater Disposal

- A. Permitted: Where an existing active sanitary sewer is not available at the time a building is constructed under the provisions of subsection 8-2-2C of this chapter, and the building owner chooses to not connect to the sanitary sewer system, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this section.
- B. Permit; Fee: Before commencement of construction of a private wastewater disposal system, the owner shall first obtain a written permit from the governmental entity with jurisdiction. The application for such permit shall be made on a form furnished by the appropriate governmental entity, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary. A permit and inspection fee shall be paid as required at the time the application is filed.
- C. Compliance; Inspection: Permission to use the system for a private wastewater disposal system shall not become authorized until the installation is completed in compliance with the approved plans applicable with all State and local codes, and this chapter. Authorized City employees shall be allowed to inspect the work at any stage of construction. The applicant for the permit shall notify the City Public Works Superintendent when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within forty eight (48) hours of the receipt of notice by the City Public Works Superintendent.
- D. State Compliance: The type, capacities, location and layout of a private wastewater disposal system shall comply with all recommendations of the Department of Environmental Quality of the State of Utah. No septic tank or cesspool shall be permitted to discharge to any natural outlet.
- E. Maintenance: The owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, and at no expense to the City.
- F. Additional Requirements: No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the Utah State Department of Environmental Quality.

13.20.034 Sanitary and Building Sewers and Connections; Rates

- A. Permit Required: No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the City.
- B. Classifications; Equivalent Residential Units; Application; Fee:
1. There shall be two (2) classes of sewer connections to be known as "residential" and "commercial". Each connection type shall be measured by ERUs (equivalent residential units). Each residence served by the wastewater system will be considered to be a "residential" connection and will be considered to be equal to one ERU. In cases where there is more than one dwelling unit in a residence, each will be counted as a separate ERU. Each establishment served by the City's wastewater system that is not residential in nature will be considered a "commercial" connection charged equal to the average number of ERUs of flow contributed to the system in a one year period. In the City, an ERU is equal to eight thousand eight hundred (8,800) gallons per month.
 2. Prior to connecting to the wastewater system, a preliminary study shall be conducted to determine the ERU value for each "commercial" connection. Flows from zero to and including 8,800 gallons per month will be considered one (1) ERU. Flows from 8,801 to 17,600 gallons per month are considered two (2) ERUs, and so forth. There will be no partial ERUs. One year from the date the connection occurs, actual flows shall be used to confirm the ERU value for the connection. The flow data will be updated annually.
 3. Where a commercial connection does not have a wastewater effluent meter, the culinary water flows exclusive of irrigation use collected by the water meter will be used to determine the wastewater flow and ERUs.
 4. In every case, the owner or agent shall make application on a form obtained from the City. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the public works director.
 5. Fees associated with the Wastewater System are adopted by Resolution.
 6. Impact fee: An Impact Fee may be adopted by the City to cover the expenses associate with the impact by a new or enlarged structure or use. The maximum impact fee amount will be determined in accordance with State statute and the final amount will be approved by the City Council.
 7. Connection Fee: A Connection Fee will be required by the City to cover the cost of the connection from the location of use to the main line through the lateral. Costs may include administration, inspection, design, materials, construction, and other associated items with the connection of the structure or use to the wastewater system.
 8. Use Fee: A Use Fee will be assessed according to the use amount of the wastewater system. The basic unit of the Use Fee is an ERU. The Use Fee includes a base fee to cover fixed costs such and administration and equipment costs associated with the system. The Use Fee will also include a conveyance fee associated to the amount of wastewater collected from the structure or use.

9. Wastewater Strength Fee: A Wastewater Strength Fee may be assessed if it is determined by the City or treatment facility that treatment of the wastewater may enhance deterioration on the wastewater facilities, or wastewater treatment works.
 10. Pretreatment Fee: Where pretreatment is required by the City or treatment facility, a fee may be charged by the City or treatment facility.
- C. Mandatory Connection; Penalty:
 1. Each individual connection to the sewer system shall execute an application on a form provided by the City.
 - D. Installation of Building Sewer: All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
 - E. Separate And Independent Building Sewer Required; Exception: A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole system will be considered as one building sewer. The City does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection as described herein.
 - F. Old Building Sewers: Old building sewers may be used in connection with new buildings only when they are examined and tested by the City Public Works Superintendent and found to meet all requirements of this chapter.
 - G. Construction Code Compliance: The size, slope, alignment, materials or construction of all sanitary sewers, including building sewers, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City and the State. In the absence of these code provisions or in amplification thereof, the materials of the ASTM and WPCF (Water Pollution Control Facility) manual of practice no. 9 shall apply.
 - H. Elevation: Whenever possible, the building sewer shall be brought from the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer. Where such means are necessary, the owner shall be responsible for all installations, maintenance and operating costs for their operation.
 - I. Surface Runoff Or Ground Water: No person shall make connection of roof downspouts, foundation drains, field drains, or other sources of surface runoff or ground water, to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer unless such connection is approved by the City and the Utah State department of environmental quality for purposes of disposal of polluted surface drainage.
 - J. Connection Code Requirements: The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City, and the State, or the procedures set forth in appropriate specifications of nationally recognized publications of what are known as the ASTM and the WPCF Manual of Practice no. 9. All such connections shall be made

- gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the City before installation.
- K. Excavations; Protection: All excavation for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City.
- L. Responsibility For Payment:
1. Irrespective of the occupant, user, tenant, cotenant, permissive user, or any other person, firm, partnership, corporation or entity being in possession of the premises to which there is a sewer connection, the owner of the premises according to the records of the Cache County Recorder shall be legally responsible for the payment of all charges, fees, assessments and any other payment or obligation or liability of a user. If any delinquent sewer connection, sewer user charge, repairs, maintenance or any other obligation is imposed against any premises, property, buildings or structures, the obligation shall be deemed by the City as an obligation of the owner of the real property on which any use is made from a sewer connection. Water services to delinquent property shall be turned off by the City for failure to pay any and all sewage and wastewater fees, assessments, charges or liability and will not be turned on again to those premises where a delinquency occurs unless and until all liabilities to the City for sewer service are paid in full.
- M. Interest Charge On Delinquent Or Past Due Connection Fees: The mayor and City council may, at their discretion and in circumstances that are equitable, impose interest at the rate of twelve percent (12%) per annum on all past due accounts either for connection fees, user charges, maintenance, repair or any other charge which is provided for, imposed or authorized by this chapter.

13.20.035 Annual Review

- A. Required: The City shall review the total annual cost of operation and maintenance, long-term debt service relating to wastewater collection and treatment, as well as each user's wastewater contribution percentage not less often than every year, and will review the user charge system as necessary to assure equity of the system established herein and to assure that sufficient funds are obtained from the City's user charge system to: 1) adequately finance wastewater collection and treatment; and 2) cover said debt service. The City will apply excess revenues collected from a class of users to the costs of operation and maintenance attributable to that class for the next year, and adjust this rate accordingly.

13.20.036 Use Regulations

- A. No person shall discharge or cause the discharge of any unpolluted waters such as storm water, surface water, ground water, roof runoff, subsurface drainage, or cooling water to any sewer; except storm water runoff from limited areas, which may be polluted at times, may be discharged to the sanitary sewer by permission of the City and Utah State Department of Environmental Quality.
- B. Storm water, other than that exempted under subsection A of this section, and all other unpolluted drainage, shall be discharged to such sewers as are specifically designated as

- storm sewers, or to natural outlets approved by the City and the Utah State department of environmental quality. Unpolluted industrial cooling water or process waters shall also be discharged to a storm sewer or natural outlet.
- C. The most recent adaptations of City of Logan "ordinance Chapter 13.12" and "Logan's regional enforcement response plan for sewer pretreatment" are hereby adopted into this chapter. All flow contributors into the City wastewater system shall be required to meet all requirements, stipulations and policies required by these public documents as well as all current State and federal law concerning discharge into sanitary sewers.
 - D. If any water or wastes are discharged, or are proposed to be discharged to the public sewers, which contain the substances or possess the characteristics enumerated in any of Utah State laws or Logan City's sanitary sewer ordinances or policies, and which are determined by Logan, Nibley or Millville City to have a deleterious effect upon the wastewater facilities, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, Logan, Nibley or Millville City may:
 - 1. Reject the wastes;
 - 2. Require pretreatment to an acceptable condition for discharge to the public sewers;
 - 3. Require control over the quantities and rates of discharge, and/or wastes not covered by existing taxes or sewer charges under the provisions of this chapter. If Logan, Nibley or Millville City permits the pretreatment or equalization of waste flow, the design and installation of the plants and equipment shall be subject to the review and approval of Logan, Nibley or Millville City and the Utah State department of environmental quality;
 - 4. Require a plot plan of sewers of the user's property showing sewer and pretreatment facility location.
 - 5. Require details of wastewater pretreatment facilities.
 - 6. Require details of systems to prevent and control the losses of materials through spills to the municipal sewer.
 - E. All measurements, tests and analysis of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of standard methods for the examination of water and wastewater, published by the American Public Health Association. Sampling methods, location, times, duration and frequencies are to be determined on an individual basis subject to approval by the City.
 - F. No statement contained in this chapter shall be construed as preventing any special agreement or arrangement between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by Logan or Millville City for treatment.

13.20.037 Powers and Authority of Inspectors

- A. Entrance Upon Premises: Duly authorized employees of the City or representatives of the City permitted by the City or Wastewater Treatment Works representatives, bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling and testing pertinent to discharge to the community system in accordance with the provisions of this chapter.
- B. Obtain Information: Duly authorized inspectors are authorized to obtain information concerning industrial processes that have a direct bearing on the kind and source of

discharge to the wastewater collection system. Industrial users may withhold information when they have established that the revelation of said information to the public might result in an advantage to competitors.

- C. Information to Determine Compliance: The City may require any user of sewer services to provide information needed to determine compliance with this chapter. These requirements may include:
 - 1. Wastewater's discharge peak rate and volume over a specified time period.
 - 2. Chemical analysis of wastewaters.
 - 3. Information on raw materials, processes and products affecting wastewater volume and quality.
 - 4. Quantity and disposition of specific liquid, sludge, oil, solvent or other materials important to sewer control.
- D. Safety Rules Observed: While performing the necessary work on private properties referred to herein, duly authorized inspectors shall observe all safety rules applicable to the premises established by the company.
- E. Premises with Easement: Duly authorized inspectors bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the wastewater facilities lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

13.20.038 Penalty

- A. Notice of Violation: Any person found to be violating any provision of this chapter shall be served by the City with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- B. Misdemeanor Penalty: Any person who shall continue any violation beyond the time limit provided for in subsection A of this section shall be guilty of a Class B Misdemeanor and upon conviction thereof, shall be subject to penalty as provided in section 1-4-1 of this code for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.
- C. Liability for Damages: Any person violating any of the provisions of this chapter shall become liable to the City for the expense, loss or damage occasioned the City by reason of such violation.

ADOPTED AND PASSED by the City Council of Millville City, Cache County, State of Utah, this day of , 2016. This ordinance is to be effective upon passage and posting.

MILLVILLE CITY

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

June 23, 2016

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 Cummings

CERT Training Program – Councilmember Cummings

Water Rights Recommendation from Planning Commission – Mayor Johnson

High School – Councilmember Zollinger

Schedule for Newsletter Article – July, Councilmember Callahan; August, Councilmember

Cummings; September, Councilmember Duffin; October, Councilmember Williams;

November, Councilmember Zollinger, December, Mayor Johnson. (To be turned in by the 6th of each month)