

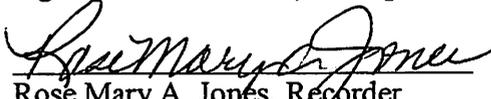
NOTICE AND AGENDA

Notice is hereby given that the Millville City Council will hold their regularly scheduled council meeting on Thursday, September 8, 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 – Councilmember Ryan Zollinger.
3. Approval of agenda and time allocation.
4. Approval of minutes of the previous meeting – August 25, 2016.
5. Action Items—
 - A. Report on P & Z Meeting held September 1, 2016 – Development Coordinator Harry Meadows - 7:03 p.m.
 - B. Appointment to Planning Commission – Councilmember Michael Callahan – 7:05 p.m.
 - C. Youth Council Recognition/Oath of Office – Councilmember Julianne Duffin – 7:08 p.m.
 - D. Report on Youth Council Activities – Youth Council Mayor Jason Johnson – 7:15 p.m.
 - E. Report on Eagle Scout Project, Millville City Sign – Seth Duffin – 7:20 p.m.
 - F. Property Transfer – Clay and Wendy Wilker – 7:25 p.m.
 - G. Orientation for “Just Serve” Community Service Program – Craig and Cindy Dunkley – 7:35 p.m.
 - H. Consideration for a request for a Conditional Use Permit for an Assisted Living Facility located at approximately 285 East 450 North, Parcel 02-129-0014 – 7:45 p.m.
 - I. Consideration of adopting an Ordinance for a Temporary Land Use Regulation setting a moratorium of development on property in the vicinity of Ridgeline High School – Mayor Michael Johnson – 8 p.m.
 - J. Consideration for Establishing a Steering Committee for the development of the Form Based Code – Mayor Michael Johnson – 8:05 p.m.
 - K. Consideration of Adopting a Resolution Announcing Millville City’s Intent to Annex Real Property Parcels #03-036-0009, 03-036-0010, 03-036-0017, 03-036-0023, 03-036-0026 owned by the Baker, Hancey, and Call – Development Coordinator Harry Meadows – 8:10 p.m.
 - L. Set Public Hearing for the Stormwater Management Plan – Mayor Michael Johnson – 8:15 p.m.
 - M. Proposal for the 200 East Roadway – Engineer Zan Murray – 8:20 p.m.
 - N. Bills to be paid.
6. Discussion Items—
 - A. Budget for Trail in Conjunction with Nibley City and Safe Route to School Grant – Councilmember Julianne Duffin.
 - 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 September 5, 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/pmn/index.html>) on September 5, 2016.


Rose Mary A. Jones, Recorder

MILLVILLE CITY COUNCIL MEETING
City Hall – 510 East 300 South – Millville, Utah
August 25, 2016

PRESENT: Michael Johnson, Michael Callahan, Cindy Cummings, Julianne Duffin, Mark Williams, Ryan Zollinger, Rose Mary Jones, Tara Hobbs, Gary Larsen, Harry Meadows, Kerri Williams, Katie Woffinden, Jeff Woffinden, Richard Jex, Lana Jex, Eva M. Bateman, Ryan Rasmussen, Jeff McMurdie, Julie McMurdie, Roger Roundy, Gary Gettman, George J. Wilson, Maria Hunsaker, Teryl Hunsaker, Brent Fredrickson, Brian Jenkins, Katie Andrews, Annalyn Rasmussen, Owen Jensen, Janet Alder, Eric Kleven, Hayden Kleven, Zan Murray

Call to Order/Roll Call

Mayor Michael Johnson called the City Council Meeting to order for August 25, 2016 at 7 p.m. The roll call indicated Mayor Johnson and Councilmembers Michael Callahan, Cindy Cummings, Julie Duffin, Mark Williams, and Ryan Zollinger were in attendance. Also Recorder Rose Mary Jones was present.

Opening Remarks/Pledge of Allegiance

Councilmember Williams invited all in attendance to join him in reciting the pledge of allegiance. He then offered a prayer.

Approval of agenda and time allocations

The agenda for the City Council Meeting of August 25, 2016 was reviewed. Mayor Johnson indicated Item B [Report on Eagle Scout Project, Millville City Sign] would not be discussed at the meeting. **Councilmember Williams moved to accept the agenda for August 25, 2016 with the removal of Item B.** Councilmember Callahan seconded. Councilmembers Callahan, Cummings, Duffin, Williams, and Zollinger voted yes. (A copy of the agenda is included as Attachment "A".)

Approval of minutes of the previous meeting

The Council reviewed the minutes of the City Council Meeting for August 11, 2016. **Councilmember Cummings moved to approve the minutes for August 11, 2016.** Councilmember Duffin seconded. Councilmembers Cummings, Duffin, Williams, and Zollinger voted yes with Councilmember Callahan abstaining. (A copy of the minutes is included as Attachment "B".)

Report on P & Z Meeting held August 18, 2016

Development Coordinator Harry Meadows represented the Planning Commission to report on their meeting held August 18, 2016. There were no questions asked by the Councilmembers. (A copy of the draft minutes for the meeting is included as Attachment "C".)

Moratorium for building in the Millville City Commercial Zone west of the 100 West Road

Mayor Johnson reviewed with the Council information on the Form Based Code that is going to be developed. It was suggested that a Moratorium for building be put in place while this code is completed. Information was reviewed of what would constitute a temporary land use regulation as identified in Utah State Code 10-9a-504. An ordinance had been prepared for the Council to review. As this information had just become available on this day, it was decided that there should be more time for reviewing the information. (A copy of the information presented is included with the minutes as Attachment "D".)

Development Coordinator Meadows indicated he had been contacted by three developers with questions about development in the area near the new high school. Development Coordinator Meadows also asked about a steering committee that would need to help with creating the Form Based Code. He indicated the Planning Commissioners Garrett Greenhalgh and Larry Lewis would be willing to be on the committee, with Commissioners Natalie Smith and Rachel Thompson willing to serve depending on the dates set for the meetings.

Councilmember Callahan moved to defer the moratorium of building in the Commercial Zone of Millville City west of 100 West until the next meeting.

Councilmember Duffin seconded. Councilmembers Callahan, Cummings, Duffin, Williams, and Zollinger voted yes.

Councilmember Duffin moved to go to Item H [Consideration for Establishing a Steering Committee for the Development of the Form Based Code].

Councilmember Cummings seconded. Councilmembers Callahan, Cummings, Duffin, Williams, and Zollinger voted yes.

Consideration for Establishing a Steering Committee for the Development of the Form Based Code

Mayor Johnson indicated this committee should include Councilmembers as well as Planning Commissioners and also residents of the community. He, along with Superintendent Gary Larsen, and Development Coordinator Meadows will be on the

committee. Councilmembers Zollinger and Callahan also volunteered to help with this project. Jeff McMurdie also volunteered to serve, as well as the Planning Commissioners that had been previously discussed. This committee will involve four to five meetings, one to two hours each, plus about five hours of homework each month in researching materials. This will be planning for the commercial area off of Highway 165 by Ridgeline High School. The committee will be finalized at the next Council Meeting. (Information of the Steering Committee is included with the minutes as Attachment "E".)

Councilmember Duffin moved to go to Item D Public Hearing for the purpose of obtaining public input regarding the consideration of a Conditional Use Permit for a Residential Assisted Living Facility located at approximately 285 East 450 North, Parcel 02-129-0014. Councilmember Williams seconded. Councilmembers Callahan, Cummings, Duffin, Williams, and Zollinger voted yes.

PUBLIC HEARING

PRESENT: Michael Johnson, Michael Callahan, Cindy Cummings, Julianne Duffin, Mark Williams, Ryan Zollinger, Rose Mary Jones, Tara Hobbs, Gary Larsen, Harry Meadows, Kerri Williams, Katie Woffinden, Jeff Woffinden, Richard Jex, Lana Jex, Eva M. Bateman, Ryan Rasmussen, Jeff McMurdie, Julie McMurdie, Roger Roundy, Gary Gettman, George J. Wilson, Maria Hunsaker, Teryl Hunsaker, Brent Fredrickson, Brian Jenkins, Katie Andrews, Annalyn Rasmussen, Owen Jensen, Janet Alder, Eric Kleven, Hayden Kleven, Zan Murray

Mayor Johnson introduced the hearing with the purpose of obtaining input regarding the consideration of a Conditional Use Permit for a Residential Assisted Living Facility located at approximately 285 East 450 North, Parcel 02-129-0014 as requested by Roger Roundy. (A copy of the information that was presented is included with the minutes as Attachment "F".)

The following are comments from the hearing in brief:

Roger Roundy and Ryan Rasmussen were in attendance representing the proposed assisted living center

Kerri Williams – felt this does not fit in the community; not a lot of businesses are within the residential part of City; questioned the height of the building; concern for easements with the property; concern for disabled not just the elderly; felt this would invite other things like group homes; felt this should be in a commercial part of the community; no multi-family apartments are in this area; does not fit in our community

Katie Woffinden – explained she had worked in the field for 16 years working with Those needing assisted living accommodations; she did not feel this facility fit in with

the zoning intent of the community; would lead to having apartments built in the residential areas; will create an influx of additional traffic—food trucks, residential family visitors, ambulance and emergency vehicles; not opposed to the development, however, does not like where this is proposed to be built; concerned for the failure of the operation and what would become of the property—abandoned building perhaps

Jeff Woffinden – same concerns as previously shared; this area is zoned for single-family homes and has nice residential neighborhoods; this is a multi-family facility in a residential neighborhood; not the best fit for the community; will increase traffic with deliveries and supply trucks with children in the area—not best for the area; should be located somewhere else; will require emergency vehicles that will interrupt the peace; it is an extremely large scale building; would perhaps want to build another building to increase the size and capacity of the business which would add additional traffic and more deliveries; concern for residents wandering off

Mayor Johnson – this is Phase 1 and if all goes well, another phase for a building across the street may be applied for

Eva Bateman – comes from wide-open spaces and trying to get used to City living; did not know enough about this to comment

Teryl Hunsaker – is a resident from Providence in the adjacent area of this proposed building; not in favor of having this be part of the community; works with patient care and feels the facility should be closer to a Health Care facility for health-related issues; this is a small lot for such a large facility; concern for traffic

Jeff McMurdie – lives ½ block from this; resident for 25 years – moved here because it was zoned for residential homes; businesses of this scale should not be included in the residential area; not what we want to see in the area; strongly against having this facility

Julie McMurdie – has respect for the property owner to do what they want with their property; however, this is zoned residential—they must have known that when they purchased the property; concern for what fits as far as size in the neighborhood; concern for septic system for that large of facility; against issuing a conditional use because it does not fit into the community; questioned what the conditions for the conditional use would be as they are not known to the public

Mayor Johnson – the Council would make the determination for these conditions

Julie McMurdie – this would have 16 residents; would the process be the same if an additional building were to be built or would this set precedent for the second building

Mayor Johnson – the Council would see what the impact of this building would be and if it was working; they would need to go through the same process again if asking for a second building

Gary Gettman – requested to see how the structure would look

(A picture of the proposed facility was shown)

Roger Roundy – indicated there would be a five- to 10-foot drop from the 300 East road for the entrance

Gary Gettman – would there be fill required on the lot

Roger Roundy – no fill would be required; there would be a slope from the road down to the parking lot; septic tank would be on the southern part of the property; explained there would not be a significant problem with traffic

Gary Gettman – expressed if a church wanted to go in there, he felt there would be no problem; did not feel the traffic would be a problem; had concern for sight distance of the traffic coming down the hill on the steep grade

Gary Gettman – general comment about home businesses and businesses in residential areas; concern for the business in his neighborhood – ordinances were repealed to allow businesses wherever in the City; why was there not a public hearing for the welding shop and fabrication business near him; does not oppose the facility; would be in favor of having an assisted living center but not sure if this is the right place; concern for zoning laws in Millville; his opinion is it is a wide-open town to pursue what you would like

Richard Jex – this is in his backyard; does not like the motorcycles and 4-wheelers going up there and the noise from them; would like to see something built there so the noise would go away; ambulances and traffic on 450 North would not be any different than now with big screeching trucks; would like something built for peace and quiet during the spring, summer, and fall

Brian Jenkins – would be in favor of old folks

Mayor Johnson – requested Roger Roundy to respond to questions

Roger Roundy – goal to add additional services to the City; would address any concerns that are expressed; introduced Ryan Rasmussen who would be a partner in doing this

Ryan Rasmussen – has been in this business since 2006 and has built several centers like this in the Idaho area; this facility is a great fit to this area as he listened to the concerns

being expressed; not a commercial facility – residential care facility; should be a place for older citizens to live that want to be part of the community. He indicated they would do their shopping at Maceys and there would not be large food trucks coming to the facility. Parking regulations are four residents per stall; these residents do not drive. Need parking for staff. The traffic flow is very small. They have Christmas parties and make it their home. There are no credit cards used, this is where they live. Residents have their own cable and phone lines. The staff helps with medications and regular meals; some residents actually improve after living with these services. It is a business but it is taking care of people. Sometimes there are couples living together, where one spouse cannot be the sole caregiver. He explained ambulances – when there are falls, the EMTs or ambulance arrives but not with sirens, as they know the situation of the facility. Phase 2 would be addressed with a conditional use permit. This is not a half-way home and there would not be a blanket approval for such homes. Vans are used to transport residents to different activities. Having this type of a facility in a high traffic area is actually more of a problem if a resident leaves the facility. This would be inviting a service into community that is so needed. Nearest one is in Providence and then to the north of Logan. Would bring in more jobs and a sense of community. Families would be welcome to come to visit at the facility.

Kerri Williams – familiar with Assisted Living as in Maple Rise in Brigham City and Beehive Houses – how does this compare?

Ryan Rasmussen – is comparison with the Beehive Home model, they are smaller. Answered question about going out of business; with seven patrons the business just barely breaks even, with eight you start to make it. Expanded to 16 allows for more success.

Maria Hunsaker – how many jobs would this bring in?

Ryan Rasmussen – 24-hour care; with administration, CNAs, therapists and staff, it would be about 12-20 jobs; residents are required to see a doctor every three months; would have between 3 to 4 of staff at a time

Teryl Hunsaker – questioned if home health would come in as they age

Ryan Rasmussen – home health would be welcomed; average length of stay – 22 months to three years; an 8-person home has more traffic than a 16-bed facility?

Teryl Hunsaker – when do clients need to be shipped out to another facility

Ryan Rasmussen – skilled nursing homes has oversight by a Dr. and is run by nurses; this facility has oversight by med-techs and is run by CNAs. Patrons are rated from 1 – 3; about 75% of the residents pass away in the facility; transferred when need IVs, oxygen, insulin or need a doctor's care

Teryl Hunsaker – nurses on staff?

Ryan Rasmussen – will have nursing oversight; a nurse on call 23-hours per month

Julie McMurdie – questioned the financial impact on the community; something added for the community or a draw on it

Ryan Rasmussen – not sure where Roger would go with this; keeps money in the community; gross revenue for a 16-bed facility was \$48,000 a month with 20% rent and 15% payroll

Mayor Johnson – this would not generate sales tax, would not be a financial advantage to the community

Katie Woffinden – why build it there? This is really a business and the tenants would love it there, but so do the single-family residences like their zoning

Ryan Rasmussen – why not there; they are not choosing to go shopping, they are choosing to live there

Maria Hunsaker – why would you build it in hope of getting the lot across the street, or do you already have the lot; why would you build with a road between the buildings

Ryan Rasmussen – don't know where Roger is going to go with it; a smaller facility enables better care than a larger one

Lana Jex – would you have Alzheimer patients?

Ryan Rasmussen – would do an assessment to see the type of care needed

Gary Gettman – concern for the steep grade; would the hill be cut back on the north side of the road for the 2nd phase

Roger Roundy – indicated he is planning to build his home at the top of the hill; would cut back part of the hill for visibility

Mark Williams – owner will be next to facility

Gary Gettman – why wouldn't you want to approve the 2nd phase

Roger Roundy – want to make sure this is successful

Maria Hunsaker – what is a conditional use permit and what would be those conditions?

Mayor Johnson – explains Millville City Ordinance, some things are allowed – stipulations could be put on this; conditions could be parking, stormwater requirements, traffic issues, lot sizes – the Council has discussed some of these stipulations; however, the determination has yet to be made. It is on the agenda to make a motion regarding this request; however, he did not feel the Council is at the point to make the approval tonight – would be moved to another meeting

Jeff Woffinden – please go over the size, height, width

Ryan Rasmussen – built in Rexburg on .51 acre; different communities have differing requirements –

Roger Roundy – the height will be less than a normal house now being built – depth 63 feet, width 135 feet; set back same as residential home

Cindy Cummings – What is square footage?

Roger Roundy – over 9,000 square feet

Jeff McMurdie – would stormwater be retained on property or what are the requirements

Roger Roundy – would meet whatever the requirements engineered would be

Mayor Johnson – must comply with the state stormwater guidelines

Jeff McMurdie – concern for the water that will be going downhill

Richard Jex – where the building is to be built is not as steep as further to the east

Lana Jex – explained with a quick thaw, they had water in their basement come up from the underground and would love to have something built there

Katie Woffinden – so basically this is going to go in

Mayor Johnson – decision has not been made; Council is undecided

Katie Woffinden – just feel like this is going to be forced on residents; moved to City because of the residential area

Mayor Johnson – going through the process, decision is not made

Gary Gettman – on Lot 2, a question for Engineer Murray – the stormwater requirements must be met; there are challenges – methods and means to store underground; not decided

Zan Murray – identified as City Engineer; had a concern for residents walking up and down the sidewalk; understands this is not what the residents would do; doors will be locked; should be a quiet operation

Jeff Woffinden – asked for the Mayor’s personal feeling as it is in his backyard

Mayor Johnson – has mixed feelings; cited an example with his mother that had to be in a care facility and was thankful to have a facility for her; doesn’t get a vote; did not feel the traffic is going to be a burden; if built and taken care of; this should be profitable without a big impact

Harry Meadows – read from the Powers and Duties Book published by ULCT regarding group homes, residential facilities. Federal laws give guidance for the regulation and discrimination against these facilities

Julianne Duffin – first heard about this facility, did not like the idea; after much research and thought, feel it should be in a residential area; these people need to live in a residential area and not a commercial area; a great opportunity for the community to serve them

Michael Callahan – this is not a group home or a home for alcohol and drug patients; code prohibits this type of home

Julianne Duffin - if the business folds, would never want this to become a home for boys

Mayor Johnson – if it folds, the conditional use goes away

Ryan Zollinger – if folds up, could become a very large home

Katie Andrews – should consider the people using the facility and what is best for them; example of having people with other people and not alone – should think about what it is going to be used for

Jeff Woffinden – what would the color of the facility be; how will it look

Roger Roundy – will be living next door; wants it to look good; if want to see something similar, could drive by The Gables in North Logan

Mark Williams – with the high school being built, the people around the high school will be impacted a lot more than this facility would affect the neighboring area; with the CopperLeaf Subdivision, the 300 East Road will be the road probably used to access that area rather than the 200 East road; this helps to eliminate some of the traffic in the lower area

Mike Callahan – the Council did not have any say on whether the high school would be built

Mark Williams – from the financial lender side, would want to make sure this succeeds and make the language perfect in every possible way, with conditions set properly

Gary Gettman – the 300 East road could continue to Providence if they choose

Lana Jex – had mother in a larger assisted facility in Farmington, there was never a problem with parking

Richard Jex – she also enjoyed the companionship of others

Councilmember Cummings moved to close the public hearing. Councilmember Duffin seconded. Councilmembers Callahan, Cummings, Duffin, Williams, and Zollinger voted yes.

Consideration for Approval of a Conditional Use Permit for the Assisted Living Facility located at approximately 285 East 450 North, Parcel 02-129-0014, as requested by Roger Roundy

The Council started the discussion regarding questions to have answered. There was clarification requested on the 300 East Road and the intersection and whether it would be a square intersection. There may be a small angle but this will be determined at the time of subdividing. The 300 North Road must be installed before the facility could open. The facility could be built on this one large parcel. There are steps he would be required to go through if this permit would be granted. The subdivision would be required. The slope of the hill and the access to 450 North should be built to make sure the visibility is okay; the road will have to be designed for safety. Adequate parking would be needed. There are approximately 9 stalls proposed; there could be more added if needed. There was discussion on the lot size being .7 acre and with a 16-bed facility would equate to about three homes on that size of lot. There was concern about the landscaping and if it would be sufficient for the area. Mr. Roundy indicated this should look like a house. It was questioned whether there would be a sprinkler system in the facility and also surveillance. The building requirements for this type of a facility is regulated by the state. There was a concern for the building looking like a house; because of the size, it was stated that it would look like a care facility.

Mayor Johnson encouraged the Council to think about items to discuss at another meeting, regarding the conditional use request. There is another public hearing pending at this time.

Councilmember Callahan moved to push this to the next meeting. Councilmember Cummings seconded. Councilmembers Callahan, Cummings, Duffin, Williams, and Zollinger voted yes.

Councilmember Williams moved to go into the Public Hearing for the purpose to receive public input on a proposed ordinance to address Disposal of a Parcel of Real Property. Councilmember Duffin seconded. Councilmembers Callahan, Cummings, Duffin, Williams, and Zollinger voted yes.

PUBLIC HEARING

PRESENT: Michael Johnson, Michael Callahan, Cindy Cummings, Julianne Duffin, Mark Williams, Ryan Zollinger, Rose Mary Jones, Tara Hobbs, Gary Larsen, Harry Meadows, Zan Murray, Jeff Woffinden, Jeff McMurdie, Julie McMurdie, Brian Jenkins, Katie Andrews, Owen Jensen, Janet Alder, Eric Kleven, Hayden Kleven

Mayor Johnson explained if the City were to sell property it is required to have an ordinance to allow this. He then read the ordinance as written. (A copy of the proposed ordinance is included with the minutes as Attachment "G".) This process was initiated because of the city-owned property directly west of the cemetery. He reviewed with the public the history of the purchase of the property from the LDS Church which happened about 20 years ago.

Janet Alder – asked if they would relate to any parcel of any size; questioned if Millville City had ever sold any parcels before?

Mayor Johnson – could not think of any sold

Janet Alder – questioned the Balph property and thought there was a sale

Mayor Johnson – indicated there had been land traded with several parcels throughout the community working with different projects

Julie McMurdie – asked why we would want to sell property

Mayor Johnson – the Council had previously entertained a request from the Millville-Nibley Cemetery District to increase the size of the cemetery

George Wilson – indicated he would be in favor of increasing the size of the cemetery

Jeff Woffinden – asked what would happen to the money if property is sold

Mayor Johnson – indicated this would go into the City’s account; Council could then determine what would be done with the funds

Janet Alder – asked if the property is to be sold, could anyone buy this property

Mayor Johnson – negotiations for property sales are completed usually with the Council going into an executive session; what is being considered at this hearing is an ordinance to sell any property, if the case should arise (not a specific parcel)

Janet Alder – when would residents be able to voice their opinion on whether to sell a property

Michael Callahan – reviewed the ordinance with the statement indicating a public hearing would be held to dispose of a certain parcel of ground

Janet Alder – asked for clarification on the 200 East Road; she left a strip of property east of her home in case a roadway would go through in the future; she had to get an attorney on a previous time to make sure she was compensated for the property

Mayor Johnson – indicated the 200 East road is on the agenda to be discussed later on in the meeting

Councilmember Duffin moved to close the public hearing. Councilmember Callahan seconded. Councilmembers Callahan, Cummings, Duffin, Williams, and Zollinger voted yes.

Consideration of Approval of an Ordinance to Address Disposal of a Parcel of Real Property

Mayor Johnson reviewed with the Council the ordinance as written. There was a correction, as the Council discussed the limiting factor for the amount that would have to be charged. On the 4th ‘Whereas’ statement, the following was deleted: “and require the sale of the property be purchased at the appraised price”.

Councilmember Cummings moved to adopt Ordinance 2016- An Ordinance to Address Disposal of a Parcel of Real Property as corrected. Councilmember Duffin seconded. Councilmembers Callahan, Cummings, Duffin, Williams, and Zollinger voted yes.

Proposal for 200 East Street between Center Street and 100 North

Superintendent Larsen along with Engineer Murray presented information on a proposed drawing and opinion of probable cost to construct the 200 East road between Center Street and 100 North. (The information is included with the minutes as Attachment “H”.)

Superintendent Larsen indicated a building permit had already been issued for a parcel on this road; there needs to be the roadway installed. Mr. Kleven has paid his share of the roadway. The diagram was reviewed by those present, which showed the proposed roadway.

Superintendent Larsen asked for direction on whether the Council would like to pursue the project at this time and if they would like for him to make calls for pricing or put it out to bid. The project would be under the amount designated by the purchasing policy so bids would not be required.

There was discussion about whether sidewalk, curb, and gutter should be installed on this roadway. It was the feeling to leave out the sidewalk, curb and gutter. Janet Alder felt that the sidewalk should be considered as there will be additional development toward the east of this property, as Center Street is extended toward the East. On the East side, Superintendent Larsen explained it would be nice to have a sidewalk as it would be an open area.

Katie Andrews indicated the 200 East Road would not be extremely busy and felt there was no need for a sidewalk.

Brian Jenkins asked for clarification on the roadway that parallels Center Street going into the Cemetery and the ownership of it; it had been deeded to the City.

Janet Alder questioned if Eric Kleven had to give property for the sidewalk. The right of way for the road is 66 feet wide. This would include the property needed for a sidewalk and infrastructure. The cost for the sidewalk would be about \$10,000.

Brian Jenkins asked if 200 East is designed as a collector road. This roadway is classified as a collector; this should go all the way through to Providence's Main Street and in proposed to go to the south as well. If the cemetery owns the property, Mr. Jenkins felt there would need to be parking allowed along the roadway when burials take place.

Superintendent Larsen explained the drawing shows there would not need to be an impact to Janet Alder's graveled road on the east of her home. The radius of the roadway was reviewed; it could go through without encroaching on the Alder property; however, there would be a nicer radius if the back portion could be used from the Alder property. Superintendent Larsen suggested that someone should approach Janet Alder to discuss this with her; this is projected to be about 1,250 square feet of property. Superintendent Larsen indicated there is \$60,000 that was added to this year's budget to be expended from Class "C" funds for this roadway.

There was also discussion on the utilities. The water line would be installed to loop the system between Center Street and 100 North at an estimated cost of \$16,000. There was

also discussion about Rocky Mountain Power and Questar; these utilities will not be supplied by the City. They will need to be brought in and paid for by the developers.

Councilmember Duffin moved to go forward with this and get bids and then decide at a future meeting whether to move forward with the project. Councilmember Cummings seconded. Councilmembers Callahan, Cummings, Duffin, Williams, and Zollinger voted yes.

Bills to be paid

The bills were presented they are as follows:

Mike Johnson	50.00	General
Tara Hobbs	47.00	General
Julianne Duffin	514.50	Road
Julianne Duffin	514.29	Youth Council/Road
Heidi Checketts	43.72	Youth Council
Michael Johnson	64.28	Road
Frank Peart	50.00	Park
Questar	16.83	North Park/Building
Staples	316.61	Water
ACN Communications	18.24	General
Comcast	75.88	Building
Rocky Mountain Power	1,175.50	Street light
Olson & Hoggan	225.00	Legal
Utah Local Governments Trust	319.87	Insurance
CenturyLink	185.41	General
Kilgore	4,641.14	Road
Cache County Service Area	10,706.80	Sanitation
Cache County Service Area	1,740.00	9-1-1
South Fork Hardware	15.94	Water
Utah Municipal Clerks Assoc.	100.00	General
J. P. Cooke Company	72.36	Animal Control
Utah League of Cities and Towns	1,385.00	General
Bennetts	138.87	Road
Cache Valley Publishing	51.08	General
Hanceys	805.00	Road
Bear River Health Department	40.00	Water
Postmaster	1,692.00	Water
Denise Johnson	137.53	Water
RC Welding and Fabrication	127.50	Water
Chem-Tech Ford	2,662.00	Water
Sheraton Hotel	1,188.52	General
Cache County Corporation	17,280.27	Road
Cache County Road/Weed Department	50.00	Road

BILLS (Continued)--

Jones Simkins	480.32	General/Water
Regroup	3,500.00	General
Salary Register	10,204.72	

Councilmember Williams moved to pay the bills. Councilmember Duffin seconded. The bill list was modified adding the payment for Regroup paying for the Mass Notification System. There was discussion on Hanceys bill which was for road repairs and also the RC Welding and Fabrication which was for the Auto Meter Read Project. Councilmembers Callahan, Cummings, Duffin, Williams, and Zollinger voted yes.

City Reports

Roads/Sidewalks:

Superintendent Larsen indicated it is the time of year to look into the Safe Route to School Sidewalk grant submittals. The deadline for submitting a proposal is September 28. Councilmember Duffin will look into this. It was noted that there are high school students walking on the 550 North Road.

Superintendent Larsen noted the 450 North road at Main Street will close sometime next week. The Top of Utah Half Marathon will be held on Saturday.

City Parks:

Superintendent Larsen reported the splash pad table areas are being reserved. As we currently do not take reservations, people show up at 8 a.m. to put out table cloths to hold the spots. The Council did not feel any action should be taken at this time.

Culinary Water System:

Superintendent Larsen reported the Garr Spring project is underway and the telemetry is being installed.

The Auto Meter Read Project is still underway. There are about 100 meters still to be installed. The AMR first reading went well.

City Park Restroom Facility near Splash Pad

Councilmember Duffin indicated the park restroom facility by the splash pad will be designed over the winter time and then construction will be next spring. There was discussion about the handicapped accessible access into the restrooms at the South Park. As we rent the pavilions out, the restrooms should be made ADA accessible.

Councilmember Reports

(The Councilmember Report list is included with the minutes as Attachment “I”.)

Councilmember Williams reported the flies are terrible. There is unrest in the residential community to the north and felt something should be pursued. Mayor Johnson reported that the sheds were cleaned on August 5 and sprayed on August 19. The fly control has not been as good this year as last year.

Councilmember Duffin expressed the desire to complete the sidewalk on the north side of the 450 North Street east of 100 East Road. With the canal crossing, this becomes more costly than the short distance of sidewalk. She questioned the possibility of doing it within the next three years, as the Simmons family are wanting to do some landscaping. It was not determined when it could be completed.

Councilmember Duffin reported she had received a complaint from the Bodily’s about parking in the cul-de-sac at approximately 175 West 200 North on Wednesday, the first day of school. There was no one parked there on Thursday morning. This has not yet been signed, as there are still construction workers using the access.

Councilmember Duffin attended a Trail Meeting with Nibley City. They had received grant funding for a trail; part of this trail would go through Millville’s property (when the roadway dedication plats from the school district are turned over). This is proposed on property west of the high school. Nibley City is requesting a Cooperative Agreement be developed that would specify maintenance of the crosswalks, the pedestrian beacons which will be with solar, and various other items.

When 300 West is extended to the South, there will have to be some changes required to this path. There will also need to be consideration given to the stormwater pond; the drainage for this area needs to be resolved.

Nibley City is requesting that this cooperative agreement be drawn up and expedited by October. The ownership of this property has not been turned over to the City; the agreement could not be signed until this is completed. This will be at the expense of Millville City.

Mayor Johnson clarified the meaning of “Mayor Pro Tem”. There has been some confusion in the City about whether the Mayor had resigned. This information will be posted and included in the newsletter. (A copy of this information is included with the minutes as Attachment “J”.)

Other items for Future Agendas

The proposed costs for the 200 East Road is to be included on the next agenda for the Council's review.

Councilmember Duffin requested that the Report of the Eagle Scout Project by Seth Duffin for the Millville City sign be included on the next agenda.

Engineer Murray asked if someone would be assigned to meet with Janet Alder regarding the 200 East Roadway property; Councilmember Zollinger will talk with her.

Engineer Murray indicated a Public Hearing is to be held on the Stormwater Management Plan. This hearing is to be set at the next Council Meeting.

Development Coordinator Meadows showed the Council the new Kodiak Solar Generator for the Emergency Management System. He explained the components which are included with the generator. There will need to be a frame built to house the solar panels and then they can be installed on the City building. The cost for the generator was \$2,080.

Development Coordinator Meadows had reviewed the fees charged for the City Park deposit. This amount is not included in the ordinance. Mayor Johnson requested, as it is a policy, to have the deposit still collected.

Development Coordinator Meadows had been approached about the building of storage units in the City and asked the Council about the feasibility of this request.

Development Coordinator Meadows reported on a proposed Annexation without a Petition that is allowable by law. This had been researched and a checklist developed as to how this property will be annexed. This is to be reviewed at the next meeting.

Development Coordinator Meadows requested a procedure for the impounding of dogs, when fees are to be paid and to whom, and the citations to be issued.

Tara Hobbs explained there had been a concern about 4-wheelers being driven on the City Streets.

Councilmember Cummings will not be in attendance at the next meeting.

Adjournment

Councilmember Cummings moved to adjourn the meeting. Councilmember Callahan seconded. Councilmembers Callahan, Cummings, Duffin, Williams, and Zollinger voted yes. The meeting adjourned at 10:30 p.m.

DRAFT

MILLVILLE PLANNING COMMISSION MEETING

**City Hall - 510 East 300 South - Millville, Utah
Sept 1, 2016**

1. Roll Call:

Chairman Jim Hart, Commissioners Garrett Greenhalgh, Bonnie Farmer, and Larry Lewis (Alt).

Others Present:

Development Coordinator Harry Meadows, Councilmember Michael Callahan, Mayor Michael Johnson, Engineer Zan Murray, Ezra Eames, Steve Hansen, Brad Hansen, Trevor & Heather Lee, Annette Pehrson, Matt Anderson, Mike Anderson, Kristen Gonzalez, Eric Dursteler, Cole Thornton, Jason & Alicia Nyman, Greg & Tamara Cantwell, Nathan Ballstaedt, April Swenson, Linda Crosby, Donny Anderson, and Garth Ferrin. Secretary Adria Davis recorded the minutes.

2. Opening Remarks/Pledge of Allegiance

Chairman Hart opened the meeting at 8:06 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 1, 2016 was reviewed. A motion was made by Commissioner Lewis (Alt.) to approve the agenda as presented. Commissioner Farmer seconded. Commissioners Greenhalgh, Farmer, Hart and Lewis (Alt.) voted yes.

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

The minutes for the meeting of Aug 18, 2016 were reviewed. A motion was made by Chairman Hart to approve the minutes as outlined. Commissioner Greenhalgh seconded. Commissioners Greenhalgh, Farmer, Hart and Lewis (Alt.) voted yes.

5.A. Consideration of zoning clearance for a building permit by Ballstaedt Builders, for a residence to be located at 451 East 200 North in Millville, Ut.

Commissioner Greenhalgh made a motion to approve the zoning clearance. Commissioner Lewis (Alt.) seconded. Commissioners Greenhalgh, Farmer, Hart and Lewis (Alt.) voted yes.

5.B. Consideration of zoning clearance for a building permit by Steve Hansen, for an accessory building to be located on the property at 61 West 200 North in Millville, UT.

This metal building will be anchored to a 4" cement slab with ½" bolts. Suggestion was made to have thicker edges on the cement for more stability. Commissioner Lewis (Alt.) made a motion to approve the zoning clearance. Commissioner Farmer seconded. Commissioners Greenhalgh, Farmer, Hart and Lewis (Alt.) voted yes.

Harry Meadows accepted the payment of fees on behalf of the Treasurer (Tara) who was absent.

5.C. Public Hearing for the Anderson/Howell Subdivision Preliminary Drawing.

Chairman Hart moved to open the hearing to receive public comment on the Preliminary drawing.

Cole Thornton: owns 1-acre lot to the south of this subdivision. If the drawing is to scale it is showing the proposed 100 East road encroaching on his property. Has a concern that he would lose acreage if the road was put in as drawn.

Harry Meadows: That part of the road is not under consideration right now, only the part of 100 East that falls within the subdivision area.

Commissioner Greenhalgh: The property line isn't shifting; it will remain at whatever placement has already been recorded with the county.

Zan Murray: The final plat is not complete. We will note the concern about the property line. We go off what is recorded, and those property lines won't move.

Chairman Hart: The previously purchased city right of ways will be surveyed and stay the same as already recorded.

Trevor Lee: Has a concern with irrigation water. When he irrigates his land the current overflow drains out the back NW corner of his property into the area of this subdivision. Wants to know what can be arranged for this drainage in the future development.

Chairman Hart: Each property owner is responsible to control the water on their own parcel. He would need to make individual arrangements with each property owner that is affected.

A written letter submitted by Rob and Rose Mary Jones was read aloud. (letter attached)
The concern over 400 North and the expense for the canal crossing was a consideration that would be worked into the future development of that road. Splitting the costs would definitely be considered.

Chairman Hart: The city council would make the decision of how to work out the future roads in this area. If the 100 East roadway is connected at a future date the cost would be paid by the city, including the curb and gutter (if needed).

If the city decides a road is needed then the city pays the expense. If a developer is adding new lots/houses then they are responsible for the road expenses to access those homes. Then the roads are turned over to the city for maintenance after the subdivision is complete.

Commissioner Farmer: 100 East is not being developed now leaving a dead ended road. Does that create a snow removal problem? Will this road need a turnaround?

Zan Murray: Anything less than 300 feet doesn't need a turnaround.

Cole Thornton: Does the city have a proposed timeline for completion of 100 East?

Mayor Johnson: No timeline yet. This road has not been discussed yet in city council. It will be discussed in the future.

Alicia Nyman: Is the 400 North around the park a 'for sure' thing?

Chairman Hart: Yes

JUB has reviewed the preliminary drawings and made comments/suggestions. The email letter was given to the Andersons' engineer and is also attached to these minutes.

No other comments were made. Chairman Hart made a motion to close the public hearing. Commissioner Greenhalgh seconded. All voted in favor.

*Written comments were received after the public hearing from Mr. Gary Gettman. His letter is attached to these minutes.

The next steps were reviewed with the developers. Our city engineer will get with their engineer for final adjustments. When all revisions have been made and acceptable to the engineers they can submit the Final plat to the commission for review and recommendation to the city council. The city council will determine final acceptance of the subdivision.

6.A. City Council Reports – review minutes from Aug 25, 2016 meeting.

Michael Callahan reported that the council just approved an ordinance that allows the city to dispose of (sell) property. They can now (legally) sell the city owned property to the cemetery.

6.B. Agenda Items for Next Meeting

Nothing pending

6.C. Other

Condolences were expressed to Jim Hart at the recent passing of his father.

7. Calendaring of future Planning and Zoning Meeting

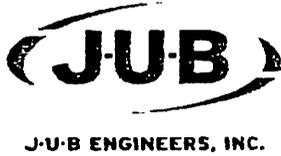
The next regularly scheduled meeting will be held Thursday, Sept 15, 2016.

8. Assignment of Representative for City Council Meeting

Harry Meadows was asked to represent the commission at the next council meeting.

9. Adjournment

Chairman Hart moved to adjourn the meeting at 8:47 p.m. Commissioner Lewis (Alt.) seconded.



MEMORANDUM

DATE: August 26, 2016
TO: Millville Planning Commission
CC: Eric Dursteller P.E. – Forsgren Associates
FROM: Zan Murray S.E.
SUBJECT: Anderson Howell Subdivision Review

We have performed a preliminary plat and construction drawing review for the Anderson Howell Subdivision. I have also reviewed the plans on site with Gary Larsen, the Public Works Superintendent. Based on our review we have the following comments.

Preliminary Plat

1. The boundary of the subdivision closes within required tolerances. There are some concerns with the interior lot closures which will need to be addressed on the final plat.
2. The Address for Lot 7 should be labeled 378 North.
3. 10' wide Public Utility Easements are required on the lot frontage.
4. Coordination with the Providence Blacksmith Fork Canal Company is required at the east end of 400 North. Easements or other requirements may be needed. A letter of approval is required from them for final approval by the City.
5. Monumentation will be required at all street intersections.
6. Setbacks should be labeled on the final plat.
7. The west section tie appears to be mislabeled. Please review and revise as necessary.

Overall Comments

1. What irrigation water exists on the property? Will it be used in the development?

General Notes

1. The General Notes will need to be updated to meet the City standards.

General Site Plan

1. A street light may be required at the intersection of 50 East and 400 North.
2. A street light may be required at the south end of 50 East.
3. Existing electrical lines exist along the south side of the City Park south sidewalk. A park strip may be necessary to provide access and allow for grading and ADA parking stalls to be



J-U-B ENGINEERS, INC.

1000 WEST 100 SOUTH



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incorporated into the design. 4 handicap stalls will be required on the park south parking lot area.

4. The crosswalk on main street will need to be moved to align with the north sidewalk

Storm Water Management Plan

1. The primary retention area should be redesigned so it is easier to maintain. It appears that there will be flat pipe slopes and a deep pond area in order for the required storage to exist. The City would like to see retention incorporated into the area along Main Street and be graded into the lot landscaping. This would reduce piping expense and future maintenance.
2. The swales along 100 East will need to have an emergency overflow route in case they over fill.
3. All retention/detention facilities will need to meet the design standards.
4. Detailing of the culverts and grading around culvert ends/inlet boxes will be required for final construction drawings.
5. A Storm Water Pollution Prevention Plan will be required for final approval.
6. Storm water pond facilities will be owned by the resident with an easement by the City. All design changes to the pond must be approved by the City before any alterations occur.
7. Storm water pond facilities must be designed to meet predevelopment conditions. Show calculations to verify historic runoff rates from the property.
8. Percolation tests are required if retention is to be used as part of the storm water design.

Roadway and Water System

Waterline

1. The waterline along Main Street is located approximately 2' west of the sidewalk. Coordinate with the engineer on the existing pipeline layout at the intersection with 400 North.
2. A valve will need to be added on the south leg of the Main Street waterline.
3. A valve will need to be added to the east leg of the intersection of 50 West and 400 North
4. A valve will be needed on the east leg of the intersection of 100 East and 300 North.
5. The bury depth callout should be vertical on the drawing, not perpendicular to the finished grade.
6. If a deep swale is located on 100 East, the waterline will be extremely deep. Further discussion with Public Works is needed.
7. Water meter locations are required on the final construction plans.
8. The fire hydrant west of 50 West should be moved to be east of 50 East for better spacing.
9. In order to accommodate the sidewalk on the north side of 400 North the fire hydrant will need to be relocated south to the 400 North Parkstrip.

Roadway

1. A 50' landing and vertical curve is required at 400 North and Main Street.



CONSULTANTS



THE
LANGDON
GROUP



GATEWAY
MAPPING
INC.

J·U·B ENGINEERS, INC.

2. Show profiles at the right-of-way lines of the streets to aid in the design review.
3. Additional information is required on the grading of the parking area for the park along 400 North to match existing grades and meet ADA requirements.
4. 100 East Street shows a fill of over 3 feet to finished grade. Additional cross sections and information is required for further discussion with Public Works and approval of the final grade.
5. Funding will need to be put in escrow for 50% of the improvements to cross the canal at 400 North.
6. Signage will be required on the final construction drawings.

TO: WHOM IT MAY CONCERN

FROM: Rob and Rose Mary Jones

DATE: September 1, 2016

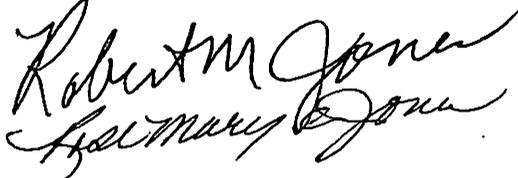
RE: Anderson/Howell Subdivision

As the parcel of property being developed as the Anderson/Howell Subdivision is adjoining our property on their east boundary and our west boundary, we would like to comment on the proposed subdivision.

We would like to make sure that the planning for this roadway is the best possible plan for the proposed 400 North Road, as it does not line up with the 400 North road at approximately 200 East.

Also this proposed 400 North Road will require a canal crossing. As has been required in the Shire Subdivision at 600 North, the burden of the payment for the canal crossing was shared by the two landowners that this would benefit. We would request that the same consideration be given with regard to the requirements placed on this subdivision.

Thank you.



Robert M. Jones
Rose Mary Jones

PUBLIC COMMENT

DATE: September 1, 2016
TO: Millville Planning Commission
FROM: Gary Gettman
SUBJECT: **Anderson/Howell Subdivision**

I am a retired cartographer with Skyline engineering and have lived at 740 North Main in Millville for the past 42 years. After reviewing the 08-16 General Site Plan prepared by Forsgren Associates for the above project, I have the following comments:

1. The proposed subdivision borders the C-S zone (Commercial Service) along the south lines of Lots 2 and 5. The existing auto repair business in this zone is well-established and has an excellent reputation. To avoid complaints from future homeowners, it may be wise to install a sound suppression fence here.
2. The new storm water basin between Lots 2 and 5 should be landscaped with sod and enclosed by a safety fence. Although it is unlikely to happen here in dry Utah, small children have drowned in retention ponds after severe storms. For the same reason, the city should consult with the canal company about a safety fence along the west bank. If a fence is required, sufficient space would have to be allowed for canal maintenance.
3. The proposed street plan follows county plat 02-130 and shows new parking along the south boundary of the park. If the existing storm water basin in the soccer field will be used to collect runoff from this parking area, the city may want an oil/water separator installed.
4. The plan shows 400 North Street dead-ending at the west bank of the canal. The city should clarify who will be responsible for installing the future bridge.
5. To minimize the number of driveway entrances along Main Street, the final plat should clearly state that *"Lot 1 shall front onto 400 North Street and shall have no direct vehicle access to or from Main Street."*
6. Presumably, the city has no plan to widen Main Street in the near future. Therefore, requiring curb and gutter here would probably create more drainage problems than it would solve.

I hope these suggestions are helpful in your deliberations. Please call or email me if you have any questions.

Best regards,



Gary Gettman
752-4659

Meaningful Service at JustServe.org | LDS Handout

What is JustServe?

JustServe is a Church-sponsored initiative with a website (JustServe.org) that various faith, nonprofit, community, and government organizations use to post service opportunities. Using JustServe.org helps you work with community partners to identify needs and respond to those needs in the spirit of charitable service.

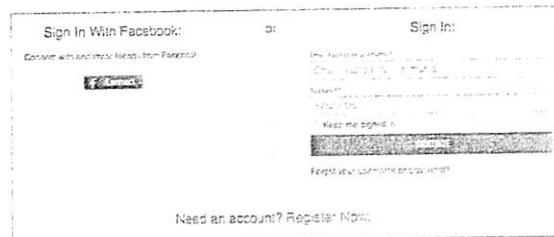
JustServe is not a new program. It is not for proselyting. The purpose of JustServe is to help you follow the biblical admonition of the Savior to "love thy neighbour as thyself" (Matthew 22:39).

How does JustServe make my life easier?

JustServe reduces the time you need to find meaningful service opportunities and allows you more time to give service. It helps you get involved in the community and allows you to select service opportunities that are a perfect fit for yourself, your family, or your organization.

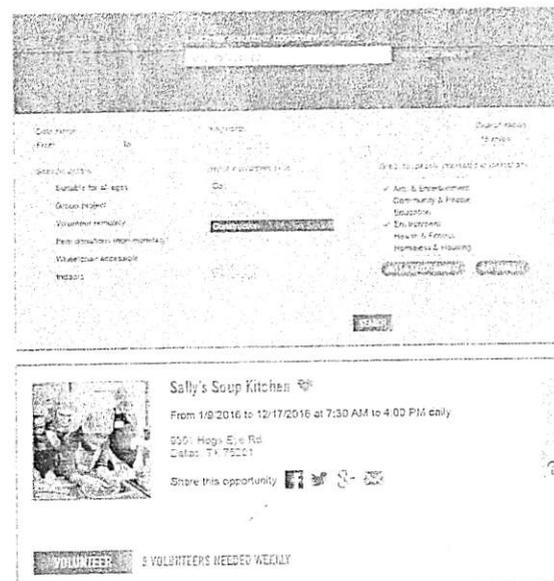
How do I sign up?

1. Visit JustServe.org
2. Select "sign in/register"
3. Sign in with your Facebook account, or select Register Now



How do I serve?

1. Visit JustServe.org
2. Enter city, state, or zip
3. Apply advanced search filters if desired
4. Choose your desired project
5. Select volunteer



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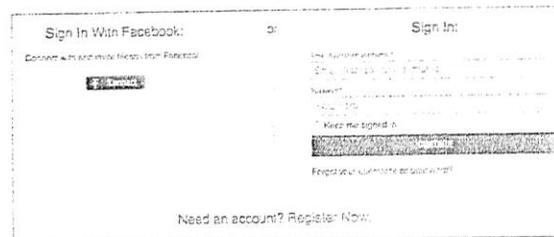
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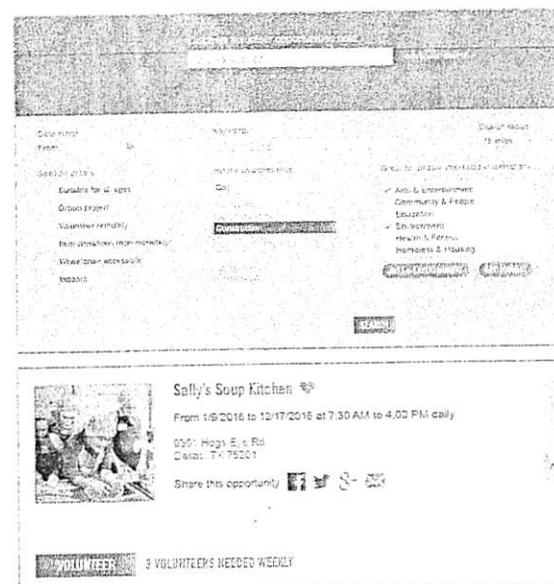
How do I sign up?

1. Visit JustServe.org
2. Select “sign in/register”
3. Sign in with your Facebook account, or select Register Now



How do I serve?

1. Visit JustServe.org
2. Enter city, state, or zip
3. Apply advanced search filters if desired
4. Choose your desired project
5. Select volunteer



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 Bourdige

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

ORDINANCE 2016-

(Temporary Land Use Regulation)

WHEREAS, Millville City is in the process of modernizing its commercial land use ordinance to a "Form Base Code"; and

WHEREAS, several commercial business have informally contact the City regarding commercial development; and

WHEREAS, major changes and a increase in traffic numbers, transportation system, and existing ordinances do not take into consideration the adjacency of a high school; and

WHEREAS, it is expedient to place a six month temporary moratorium on commercial development within Millville City;

NOW, THEREFORE, the City Council of Millville City, Utah, hereby implements' a temporary moratorium on commercial development effective ending on .

ADOPTED AND PASSED by the Millville City Council this day of , 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				

temporary land use ordinance/ moratorium**From :** Jake Young <jyoung@civilsolutionsgroup.net>

Thu, Aug 25, 2016 01:09 PM

Subject : temporary land use ordinance/ moratorium**To :** Mayor Mike Johnson <mike.e.johnson@comcast.net>, Harry Meadows <hwmeadows@comcast.net>, Rose Mary Jones, MMC <rmjx2@comcast.net>

Mayor, Harry and Rose Mary

Today I finished speaking with the state ombudsman. State Law is actually different than what I thought and what other planners said. A 24 hour notice is required for the City Council meeting, but no public hearing and no mailings.

Here is the actual state code.

10-9a-504. Temporary land use regulations.

- (1)(a) A municipal legislative body may, without prior consideration of or recommendation from the planning commission, enact an ordinance establishing a temporary land use regulation for any part or all of the area within the municipality if:
- (i) the legislative body makes a finding of compelling, countervailing public interest; or
 - (ii) the area is unregulated.
- (b) A temporary land use regulation under Subsection (1)(a) may prohibit or regulate the erection, construction, reconstruction, or alteration of any building or structure or any subdivision approval.
- (c) A temporary land use regulation under Subsection (1)(a) may not impose an impact fee or other financial requirement on building or development.
- (2) The municipal legislative body shall establish a period of limited effect for the ordinance not to exceed six months.
- (3)
- (a) A municipal legislative body may, without prior planning commission consideration or recommendation, enact an ordinance establishing a temporary land use regulation prohibiting construction, subdivision approval, and other development activities within an area that is the subject of an Environmental Impact Statement or a Major Investment Study examining the area as a proposed highway or transportation corridor.
- (b) A regulation under Subsection (3)(a):
- (i) may not exceed six months in duration;
 - (ii) may be renewed, if requested by the Transportation Commission created under Section 72-1-301, for up to two additional six-month periods by ordinance enacted before the expiration of the previous regulation; and
 - (iii) notwithstanding Subsections (3)(b)(i) and (ii), is effective only as long as the Environmental Impact Statement or Major Investment Study is in progress.

Use the language under (a) Millville is enacting an ordinance _____ establishing a temporary land use regulation prohibiting construction, subdivision approval, and other development activities within the commercial zone ___ near the High school.

Also you need to state the compelling public interest. To consider as a compelling public interest is: major change and increase in traffic numbers and transportation system and existing ordinances do not take into consideration the adjacency of a high school. Be sure to have an exact start date and ending date no more than 6 months.

http://le.utah.gov/xcode/Title10/Chapter9A/10-9a-S504.html?v=C10-9a-S504_1800010118000101

To protect the City we will want to formally start the FBC process and town center planning. Here is the state code on that item.

Except as provided in Subsection (1)(b), an applicant is entitled to approval of a land use application if the application conforms to the requirements of the municipality's land use maps, zoning map, a municipal specification for public improvements applicable to a subdivision or development, and an applicable land use ordinance in effect when a complete application is submitted and all application fees have been paid, unless:

- (A) the land use authority, on the record, finds that a compelling, countervailing public interest would be jeopardized by approving the application; or
- (B) in the manner provided by local ordinance and before the application is submitted, the municipality has formally initiated proceedings to amend its ordinances in a manner that would prohibit approval of the application as submitted.

--

Jake Young, APA, ASLA, PLA - SLC Director

254 South 600 East Suite 104, Salt Lake City, UT

Office 8012163192

Mobile 4358906287

jyoung@civilsolutionsgroup.net

www.civilsolutionsgroup.net

PROVIDENCE | SALT LAKE CITY

RESOLUTION 2016-

A Resolution Announcing Millville City's Intent to Annex Real Property

WHEREAS, Doran J. and Kathy R. Baker contacted Millville City regarding annexing 20 acres (which is part of an existing island of a total of 36.563 acres) to Millville City; and

WHEREAS, Utah Code 10-2-402 prohibits leaving an existing unincorporated island within a municipality; and

WHEREAS, if only the Baker property was annexed, it would leave an unincorporated island within Millville City; and

WHEREAS, Utah Code 10-2-218 allows for an Annexation without a petition of less than 50 acres of an unincorporated island;

NOW THEREFORE BE IT RESOLVED the Millville City Council hereby elects to annex the following unincorporated real property containing parcels 03-036-0009, 03-036-0010, 03-036-0017, 03-036-0023, and 03-036-0026.

A Part of the Northwest Quarter of Section 23, Township 11 North, Range 1 East of the Salt Lake Base and Meridian.

Beginning at a Point on a Common Line between the Existing Cache County Corporate Boundary and the Existing Millville City Corporate Boundary, said Point is Located on the East Line of said Northwest Quarter 659.68 Feet South 00'32'22" East (South 00'46'22" West by Record) Along the East Line of Hillsborough Subdivision and 703.83 Feet South 00'20'51" East (South 1320.00 Feet by Record) of the Northeast Corner of said Northwest Quarter and Running Thence Along said Common Corporate Boundary Line the Following Eight (8) Courses: (1) South 00'20'51" East Along said East Line 660.19 Feet (South 660.00' by Record); (2) South 00'20'51" East Along said East Line 694.50 Feet (South 660.00 Feet by Record) to the Southeast Corner of said Northwest Quarter; (3) North 89'43'11" West 807.16 Feet (North 89'17'40" West 802.64 Feet by Record); (4) North 00'40'33" West 350.17 Feet (North 00'12'28" West 349.78 Feet by Record); (5) South 88'16'47" West 526.84 Feet (South 88'42'45" West 553.50 Feet by Record) to the East Right-of-Way Line of a 33.00 Foot wide Street at a Point that is 16.50 Feet East of the West Line of said Northwest Quarter; (6) North 00'21'25" East Parallel with said West Quarter Section Line 316.26 Feet to a Point of Record that is 1303.50 Feet West and 660.00 Feet North of the Southeast Corner of said Northwest Quarter; (7) North 00'21'25" East Parallel with said West Quarter

Section Line 660.43 Feet (North 660.00 Feet by Record); (8) North 88'16'53" East 1324.17 Feet (East 1303.50 Feet by Record) to the Point of Beginning containing 36.563 Acres.

BE IT FURTHER RESOLVED that Millville City will hold a public hearing regarding the proposed annexation. To be determined.

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

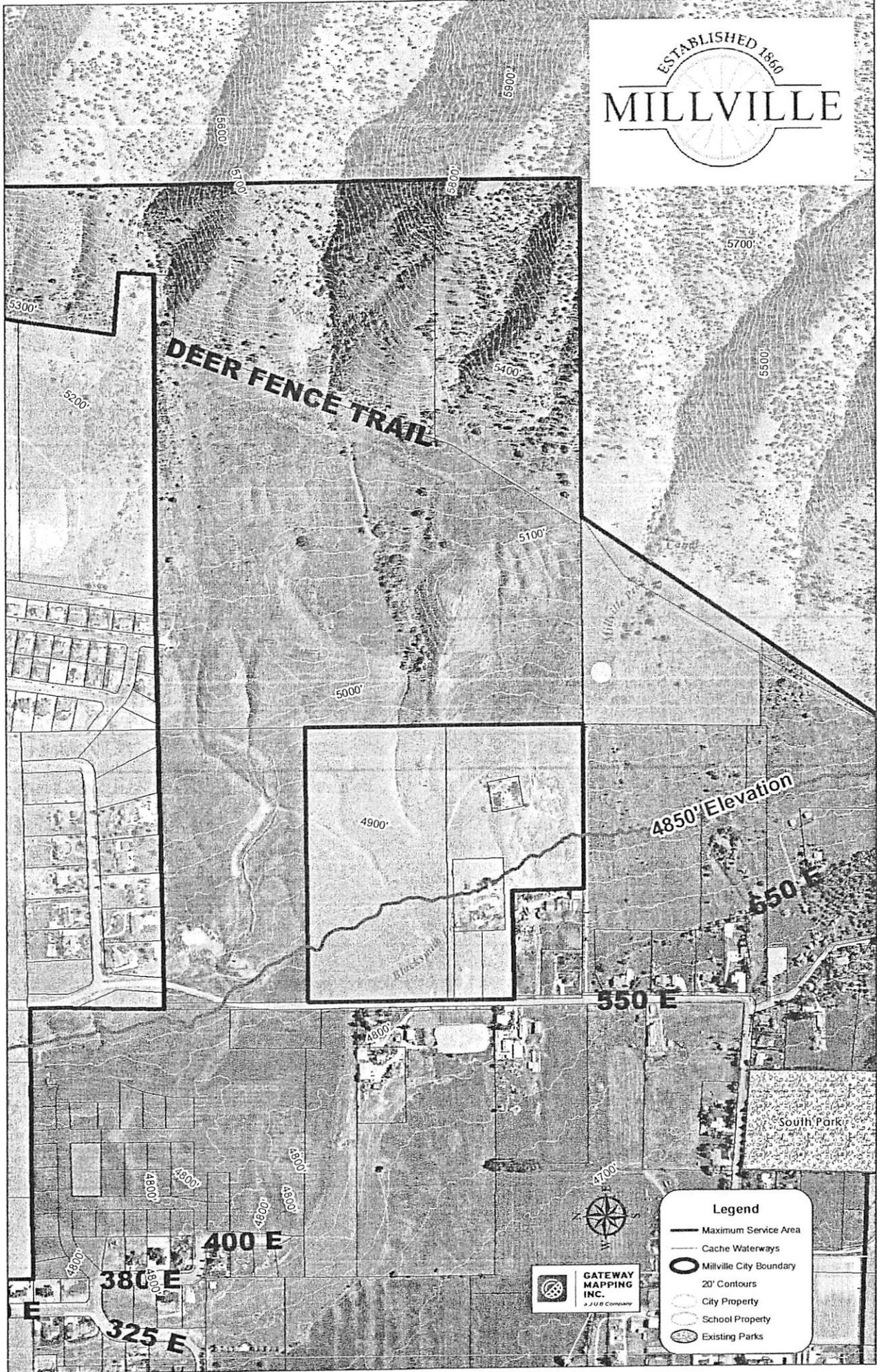
BY:

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				



DEER FENCE TRAIL

4850' Elevation

550 E

400 E

380 E

325 E

Legend

- Maximum Service Area
- Cache Waterways
- Millville City Boundary
- 20' Contours
- City Property
- School Property
- Existing Parks



Councilmember Reports September 8, 2016

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 – October, Councilmember Williams; November,

Councilmember Zollinger; December, Mayor Johnson; January, Councilmember

Callahan; February - Councilmember Cummings; March, Councilmember Duffin. (To be turned in by the 6th of each month)